

**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:	0496-011-07	USGS Quad:	Hinkley
Applicant:	LCM Development, LLC 841 E Washington Ave. Suite B Santa Ana, CA 92701	T, R, Section:	T10N, R4W, Section 13
Location	3 miles west of Hinkley, CA 1880 Santa Fe Road, Hinkley, CA	Thomas Bros	Map F; San Bernardino and Riverside Counties (2013)
Project No:	PROJ-2024-00080	Community	None
Rep	Joseph Mathewson	LUC: Zone:	Rural Living Rural Living – 40 acre minimum (RL-40)
Proposal:	To construct and operate a rail loop and aggregate loading facility on a 131-acre privately owned parcel that connects with the BNSF main line track	Overlays:	

PROJECT CONTACT INFORMATION:

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

Contact person: Derek Newland, Planner II
Phone No: 909-387-4387 Fax No: (909) 387-3223
E-mail: derek.newland@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

LCM Development LLC (LCMD) is requesting approval of a Conditional Use Permit (CUP) to construct a railway track loop and aggregate loading facility located three miles west of Hinkley, San Bernardino County (see Figure 1 – Regional location). The property is currently zoned Rural Living – 40 acre minimum (RL-40) within the land use category (LUC) of Rural Living. The Proposed Project is a transportation facility that would be an allowable use within the Rural Living zoning, subject to a use permit. The proposed rail loop and aggregate loading facility would occur within the 640-acre Assessor's Parcel Number 0496-011-07-000, approximately 1.5 miles north of State Route (SR) 58 (see Figure 2 – Subject Parcel). The Proposed Project would occur on 131 acres of the 640-acre private property owned by the applicant (see Figure 3 – Project Site). The track alignment would consist of two parallel separate single standard rail tracks approximately 8,758 feet in length (outer loop) converging as a "Y" into a single track across public lands managed by the Bureau of Land Management (BLM) in Section 24. The "Y" rail line will extend south approximately 1,500 linear feet long and 100 feet in width to tie into the BNSF

mainline. (see Figures 4 and 5 – Site Plans). Figures 6 and 7 are photographs of the project site and planned haul road.

The proposed project also includes the realignment of an approximately 4,000-foot section of the unpaved County-maintained Santa Fe Road and the construction of a private unpaved haul road extending from the Lynx Cat Mine Road southwest to the rail loadout facility. The relocated Santa Fe Road will be approximately 4,500 feet in length and 60 feet wide; 300 feet north of its present alignment. The realigned road will be constructed in a curved alignment on approximately four acres entirely on the applicant's private land in Section 13 similar to the current road per County Road Planning and Design Standards. San Bernardino County will be granted an easement for this relocation and realignment of the existing Santa Fe Road which currently has no formal easement across the Section 13 property that is owned by the applicant.

The private unpaved haul road will also be entirely within the applicant's private land in Section 13. It will be approximately 4,750 feet long and 40 feet wide including shoulders (approximately 6.5 acres). A 60 ft. wide X 60 ft. long concrete rail crossing capable of supporting the 65-ton rock trucks delivering the aggregate from the quarry to the facility will be constructed across both Santa Fe Road and the rail loop track. Flashing stop signs, curve signs, truck crossing signs, and warning signs will be posted in numerous locations in both directions on the private haul road and along the relocated Santa Fe Road to alert the minimal public traffic that utilizes this roadway.

The Lynx Cat Mountain Quarry is a fully Surface Mining and Reclamation Act (SMARA) County permitted, operating granite rock quarry that is located three miles north of the BNSF main line. This operation produces a variety of granite rock, construction aggregate, paving stone, and railroad ballast rock products to various customers and projects. Haul trucks would deliver aggregates from the quarry to the proposed rail loading facility, where it would be stored in stockpiles, loaded by 2 - 3 loaders into hopper rail cars with 100 to 110-ton capacities (typical), and then transported by rail to various projects in the high desert and across the southwest region.

The main line BNSF track currently crosses the north part of Section 24, which is BLM-managed public land, and this track serves as the main east-west corridor between the BNSF rail yard and intermodal facilities located in Barstow and to the west through Mojave, CA to their operations in the Central Valley of California. The rail loop is being designed to accommodate 100 to 120-car unit trains to enter the loop from two directions from the BNSF main rail line in order to access the planned aggregate loading facility.

The expected train travel volume utilizing the planned "Y" track access and rail loadout facility track would typically consist of approximately four-to-five-unit trains per month depending on demand. Each unit train would have a capacity of approximately 11,000 tons and can be loaded within a 24-hour period. This is a production rate of approximately 550,000 tons/year. The proposal requests a production rate of two million tons/year which would load 10-to-15-unit trains per month. Operating speed on the "Y" track entering and leaving the aggregate loading facility loop track would range from 3 to 5 miles per hour (mph). BNSF operates both the eastbound and westbound traffic on the main line. Connection to the "Y" track access to the rail loop would be controlled by BNSF-installed switches. The new facility would employ 4 to 6 employees and expand as needed.

The rail spur transition "Y" track across BLM-managed public lands is to be used solely to facilitate the ingress and egress of various BNSF and UPRR rail cars and unit trains (up to 120 cars) to

the proposed centralized rail line loop. No other operations are proposed in the BLM-managed lands. A separate Right-of-Way (ROW) application for this section of the rail connection is being processed by the BLM.

Surrounding Land Uses and Setting

The proposed facility is to be constructed on a 131-acre portion (Project Site) of a 640-acre property owned by LCMD. The entire facility and rail loop would be constructed on the privately owned property. The 640-acre property is unimproved, desert land with BLM-managed land on three sides of the project. There are no structures, neighbors, or development of any kind in the vicinity. The land use designations, zoning, and existing land uses for the Project Site and adjacent properties are listed below.

Existing Surrounding Land Use, Land Use Category, and Zoning			
Location	Existing Land Use	Land Use Category	Zoning
Subject Parcel (640-acre)	Vacant; existing Santa Fe Road	Rural Living	Rural Living – 40 acre minimum (RL-40)
North	Vacant desert; BLM-managed public land	Resource/Land Management	Resource Conservation (RC)
South	Vacant desert; BLM-managed public land. Proposed “Y” rail connection.	Resource/Land Management	Resource Conservation
East	Vacant desert; BLM-managed public land	Resource/Land Management	Resource Conservation
West	Vacant desert	Resource/Land Management; Rural Living	RC; Rural Living – 5 acre minimum (RL-5)

ADDITIONAL APPROVALS REQUIRED BY OTHER PUBLIC AGENCIES

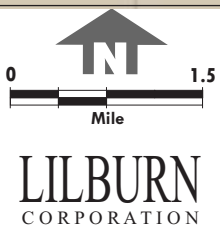
Federal: Bureau of Land Management ROW, U.S. Fish and Wildlife Service Incidental Take Permit (as applicable)

State of California: California Department of Fish and Wildlife Incidental Take Permit (as applicable)

San Bernardino County: Land Use Services Department CUP

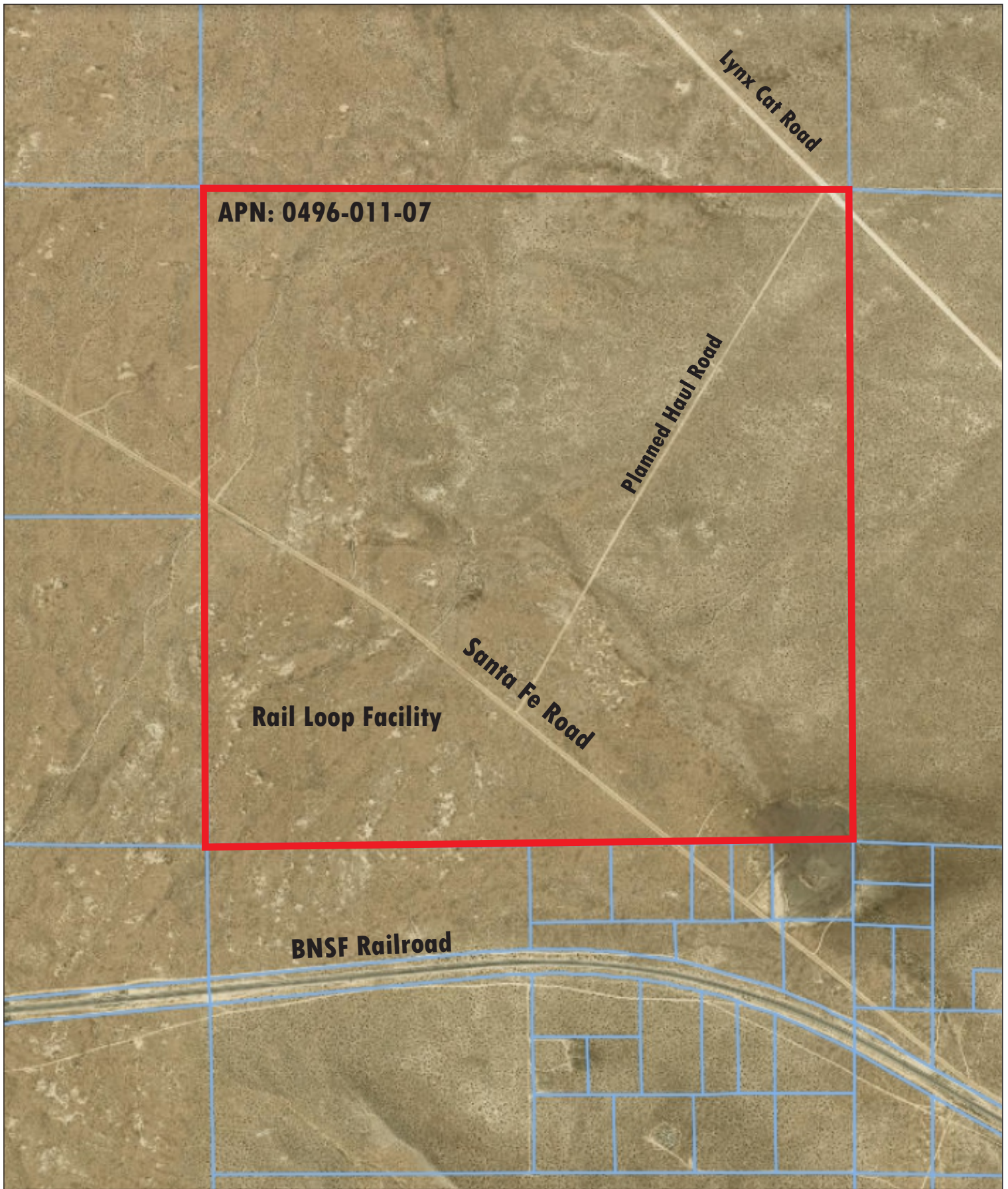
Regional: None known

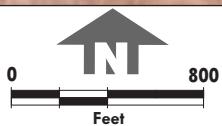
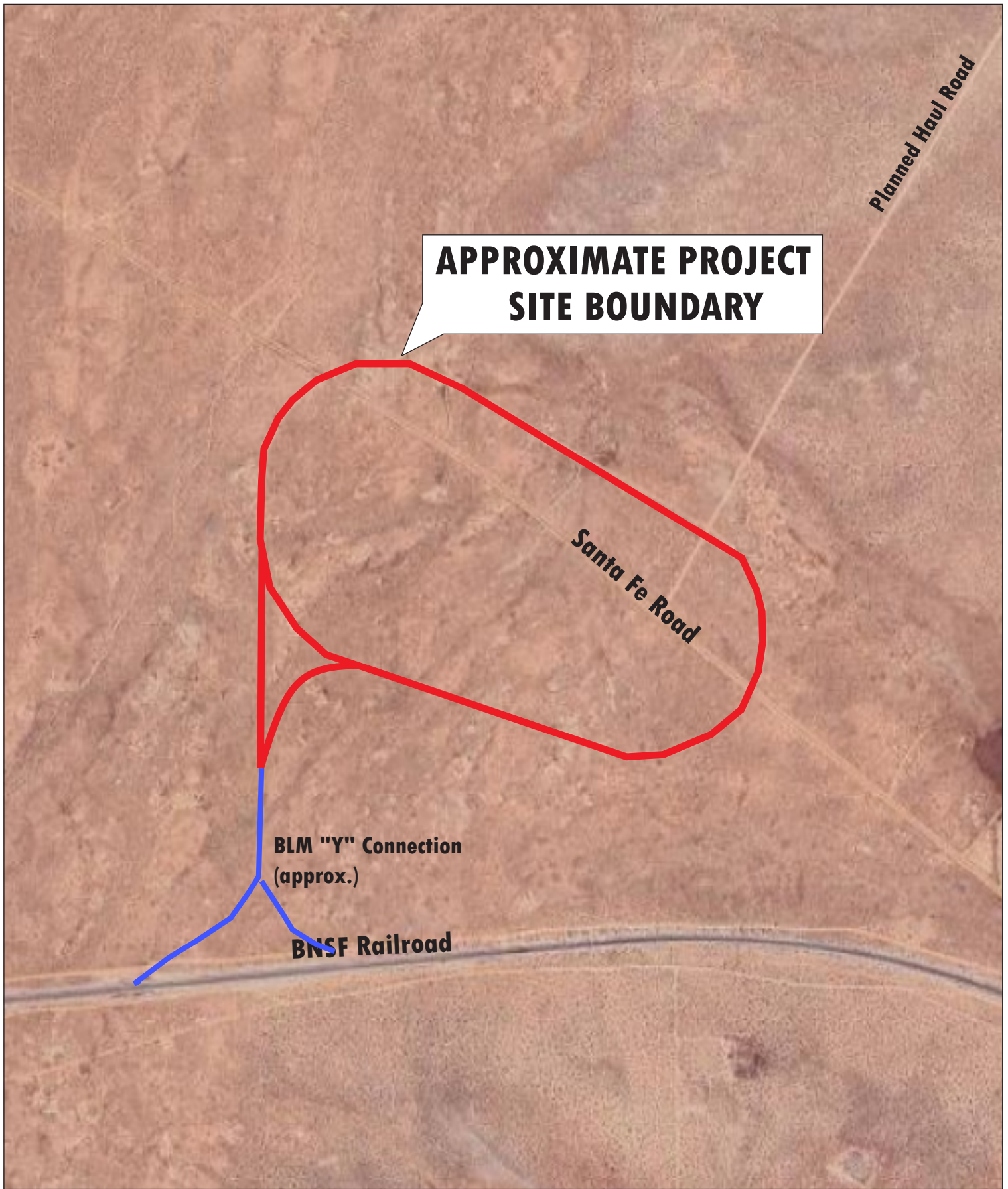
Local: None known



REGIONAL LOCATION
Rail Loop Aggregate Loading Facility
San Bernardino County, California

FIGURE 1

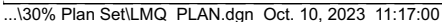


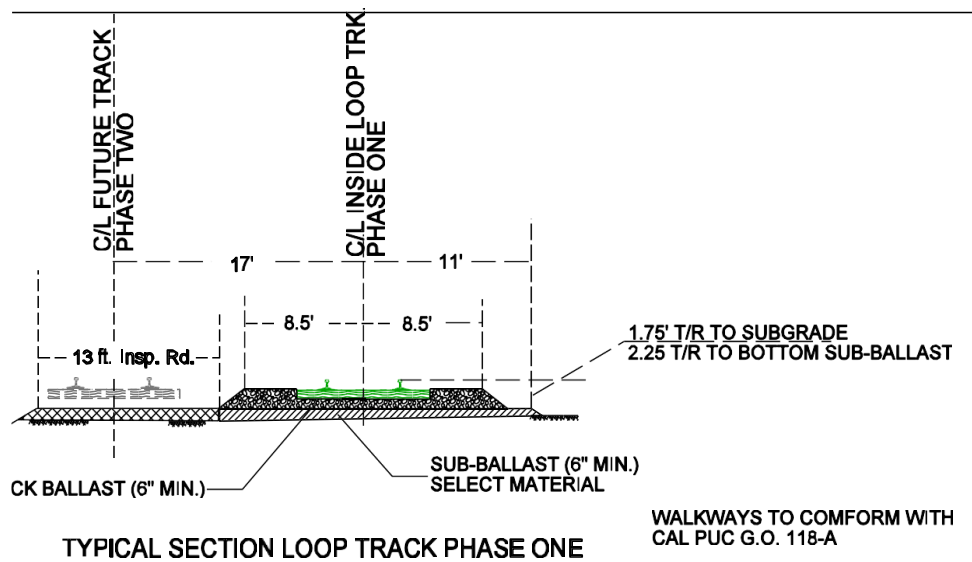
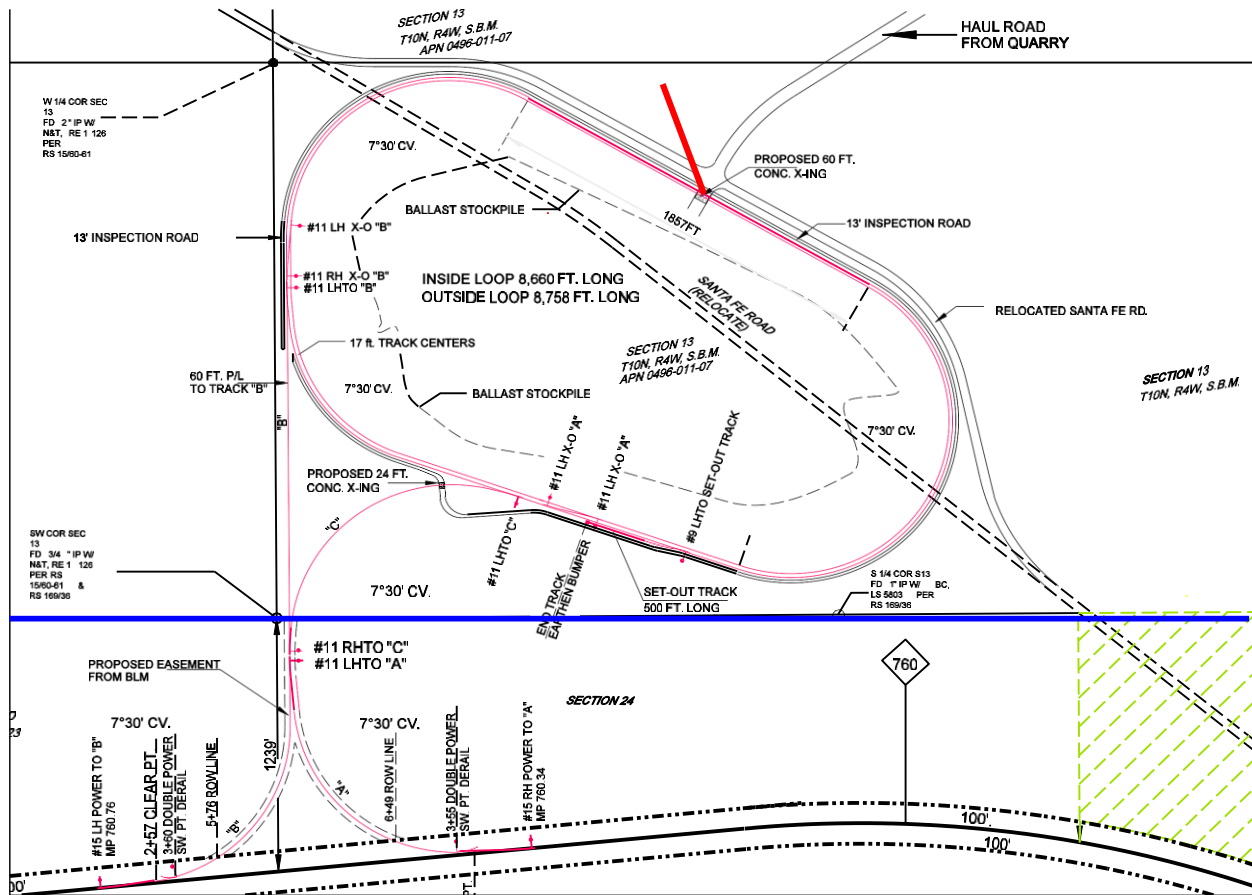


LILBURN
CORPORATION

PROJECT SITE
Rail Loop Aggregate Loading Facility
San Bernardino County, California

FIGURE 3





PROJECT DESIGN Rail Loop Aggregate Loading Facility San Bernardino County, California

FIGURE 5

CENTER OF SITE LOOKING NORTH



CENTER OF SITE LOOKING EAST



FIGURE 6: PHOTOGRAPHS OF RAIL LOOP

RCA Assoc.
June 2024

CENTER OF SITE LOOKING SOUTH



CENTER OF SITE LOOKING WEST



FIGURE 6, cont: PHOTOGRAPHS OF RAIL LOOP

RCA Assoc.
June 2024

CENTER OF SITE LOOKING NORTHWEST



CENTER OF SITE LOOKING NORTHEAST



FIGURE 7: PHOTOGRAPHS OF HAUL ROAD

RCA Assoc.
June 2024

CENTER OF SITE LOOKING SOUTHEAST



CENTER OF SITE LOOKING SOUTHWEST



FIGURE 7, cont: PHOTOGRAPHS OF HAUL ROAD

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.?

On September 27, 2024, the San Bernardino County mailed notification pursuant to AB52 to the following tribes: Twenty-Nine Palms Band of Mission Indians, Chemehuevi Indian Tribe Colorado River Indian Tribes, Fort Mojave Indian Tribe, Fort Yuma Quechan Tribe, Kern Valley Indian Community, Morongo Band of Mission Indians, Serrano Nation of Mission Indians, and Yuhaaviatam of the San Manuel Nation. . Requests for consultations were due to the County by October 27, 2024. The table below shows a summary of comments and responses.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN)	February 11, 2025	No concerns with project; requested that language be added to conditions	Requested language incorporated as mitigation measures

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

EVALUATION FORMAT

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

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

Signature: Derek Newland, Planner II

Date

Signature: Gina Gibson-Williams, Planning Manager

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

San Bernardino Countywide Policy Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino Countywide Policy Plan Draft EIR; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

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

The Project Site is within the North Desert Region of San Bernardino County. The region provides numerous scenic vistas; however, no residences, commercial development or recreation areas have visibility to the site. The nearest publicly dedicated road is Santa Fe Road, which passes through the Project Site but would be relocated to the north side of the rail loop. Santa Fe Road is the primary potential viewpoint by the greatest number of individuals in the immediate vicinity. It is a dirt road that is lightly traveled, so only a small number of individuals would have the potential to view the facility and it would be fleeting. Furthermore, the existing BNSF main track and current rail traffic pass through and presents the same visual impact in this undeveloped area. Therefore, less than

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

Less Than Significant Impact

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

The Project Site is located approximately two miles north of recently re-constructed SR-58. SR-58 is a County Scenic Route and Eligible State Scenic Highway.¹ Due to the area topography, distance to SR-58, and intervening BNSF mainline, the proposed facility would not be viewable from SR-58. Furthermore, there are no known scenic resources on or near the Project Site that would be impacted by the proposed facility. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is located in a non-urbanized area. The nearest publicly dedicated road is Santa Fe Road, which passes through the Project Site but would be relocated to the north of and around the rail loop. The proposed rail loop would connect to the existing BNSF rail to the south and would be designed to the same standards as the existing rail. Only minor structures and improvements are proposed, such as the storm water basin, portable sanitary facilities, office trailer, and a maintenance area all to be located within the rail loop itself. As stated previously, only a small number of individuals would have the potential to view the facility, and it would be fleeting. There are no residences, commercial developments or developed recreation areas in the vicinity of the Project Site. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The facility would operate up to 24 hours per day. As a standard for unit train/loop facilities, adequate lighting will be provided for train crews working at night. Work areas near switches, gates, doors, pits and buildings would be illuminated to prevent walking/tripping hazards and allow crewmen riding rail cars to see without reliance upon a flashlight. The operator shall comply with the requirements outlined in the San Bernardino County Development Code, Section 83.07.040(a) Glare and Outdoor

¹ San Bernardino County. Policy Plan web maps. NR-3 "Scenic Routes and Highways." Accessed August 2, 2024.

Lighting – Mountain and Desert Regions, permitted lighting for new construction, unless exempt. The purpose is to preclude light pollution or light trespass on an abutting residential land use zoning district, a residential parcel, or public right-of-way. Proposed light sources are anticipated to be local in nature, loop interior focused, and would not impact the region's overall light environment. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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"/>
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):

Countywide Policy Plan; San Bernardino Countywide Policy Plan web maps

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

No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity.² The nearest farmland to the Project Site occurs approximately 4 miles southeast of the property.³ The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under a Williamson Contract.⁴ It has a current zoning of Rural Living – 40 acre minimum (RL-40). The Proposed Project is an allowable use within the RL-40 zoning district. It would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is currently zoned RL-40. Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

² San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed September 20, 2024.

³ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed September 20, 2024.

⁴ San Bernardino County Assessor. "Parcels Under Open Space Contract Report." Accessed September 20, 2024.

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

The Project Site does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are identified or are 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 Project Site contains no agricultural resources or farmland that would be converted as a result of the Proposed Project. The Project Site is currently zoned RL-40; it is not zoned for agriculture or forestland. It is considered neither farmland nor forestland. No impacts are identified or are 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Policy Plan; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024; Lilburn Corporation, Air Quality Emission Inventory for Lynx Cat Rail Loadout Facility, December 2024

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

The Project Site is within the Mojave Desert Air Basin (MDAB) and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAB encompasses the desert portion of San Bernardino County. The MDAQMD has jurisdiction over air quality issues and regulations within the MDAB. To assist local agencies in determining if a project's emissions could pose a significant threat to air quality, the MDAQMD has adopted the California Environmental Quality Act (CEQA) and Federal Conformity Guideline (February 2020) which is a policy document intended to assist preparers of environmental analysis or review documents for projects within the jurisdiction of the MDAQMD by providing background information and guidance on the preferred analysis approach. The air and dust emissions from the construction and operational use of the Proposed Project were evaluated and compared to the MDAQMD air quality thresholds to determine significance.

The Proposed Project is the construction and operation of a railway track loop and aggregate loading facility. The Countywide Policy Plan Land Use Category (LUC) designation for the Project Site is Rural Living with a zoning of Rural Living – 40 acre minimum (RL-40). The Proposed Project would occur on 131 acres of the 640-acre private property

The Proposed Project would not require a zone change nor a general plan amendment. Furthermore, the Proposed Project would not exceed MDAQMD thresholds, as demonstrated below. In addition, greenhouse gas emissions generated by the Proposed Project would not exceed the County's screening threshold of 3,000 MTCO₂e per year (Refer to Section VIII: GHG for additional information). Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project's construction emissions were estimated using CalEEMod version 2022.1 (see Appendix A). The criteria pollutants estimated are reactive organic gases (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), and fugitive particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season emission levels were estimated.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: grubbing and land clearing; grading and excavation; drainage, utilities, and subgrade; and paving. It should be noted that although the model includes paving as those are automatically included in linear-type projects in CalEEMod, the Proposed Project does not involve paving. The Proposed Project only includes construction of the rail loop and Y-track, and relocation of the unpaved Santa Fe Road. Construction is anticipated to begin in 2025 and be completed in 2026. The resulting emissions generated by construction of the Proposed Project are shown in Table 1 and Table 2, which represent summer and winter construction emissions, respectively.

Table 1
Maximum Summer Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2025	6.79	62.8	66.8	0.17	7.92	3.34
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Summer Emissions.

Table 2
Maximum Winter Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2025	6.71	63.3	64.8	0.17	7.92	3.34
2026	5.06	42.6	50.0	0.11	4.57	1.94
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Winter Emissions.

As shown in Tables 1 and 2, construction emissions during either summer or winter seasonal conditions would not exceed the MDAQMD thresholds.

An Air Quality Emission Inventory report was prepared for the Proposed Project operational emissions in December 2024 (see Appendix B).

Proposed Operational Assumptions for Air Quality Assessment

Operational Hours:

The loading of train cars would take place on approximately 200 days per year and 12 hours per day. Loading would be allowed up to 365 days per year and 24 hours per day depending on train scheduling and demand.

Production: up to 2.0 million tons per year (mtpy)

- 2 mtpy transported to the site and loaded into 100-ton rail cars; 166,667 tons per month; 11,000 tons per day for approximately 200 days per year.
- 50 to 182 trains per year with 110 cars (typical) depending on train scheduling and product demand;
- 103 - 65-ton off-road trucks to transport material from Lynx Cat Mountain Quarry to rail loading facility;
- Round trip distance from mine and back is 4.5 miles; 463.5 miles per day; 92,700 miles per year.

Rail Loadout Facility Equipment

Typical mobile equipment types and numbers were provided by Lynx Cat and are listed in Table 3. These are estimated equipment types, numbers, and usage. All equipment would meet the Tier 4 Final emission standards.

Table 3
Production Information

	Proposed Operations
Loading	
Trains	110 cars with 100-ton capacity each
Number of trains	50 to 182 (used 182 in AQ inventory)
Rock and Aggregate	0.5 to 2 million tons per year (mtpy) (use 2 mtpy in AQ inventory)
Days/year	200 (allowed 365/24 hrs./day to meet rail scheduling and demand)
Tons/day	11,000
Hours/day	12 (up to 24 hrs./day)
Tons/hour	1,000
Two – three loaders; total 24 hours/day.	24 hours of loader time per operating day; assume one loader can load 4.5 to 5 rail cars/hour.
TRUCKING (off-road truck travel emissions included in the Lynx Cat Mountain Quarry operations)	
65-ton off-road haul trucks	2 mtpy
Days/year	200 to 300
# of trucks/day	103
Miles/year based on 4.5 miles round trip	463.5 miles/day; 92,700 miles/year

Source: Lynx Cat Rail Loop Operator, 2024

For the Proposed Project, on-site mobile criteria and dust emissions were screened using CalEEMod App. G, Version 2022, 1.1.3, Table G-13, Off-Road Equipment Emissions Factors; the MDAQMD Emissions Inventory Guidance; SCAQMD “Air Quality Handbook”; Emission Factors for On-Road Heavy-Duty Diesel Trucks (EMFAC2021(v1.0.2) California Air Resources Board (CARB) website (October 2024); AP-42 Chapters 11.19 and 13.2.2; and SCAQMD Particulate Matter Emission Factors.

Proposed operational emissions were analyzed with the following assumptions:

- All mobile equipment would meet Tier 4 Final diesel emission standards.
- Annual emissions were estimated based on 200 working days per calendar year.
- Equipment would operate approximately as estimated in Table 3 and Table 4 subject to change on occasion due to train scheduling and construction demand.
- Off-road 65-ton capacity haul trucks would transport material to the rail loadout 16 hours/day - 103 trips per day. The exhaust emissions of the off-road haul trucks were evaluated in the Lynx Cat Mountain Quarry revision project.
- MDAQMD process plant dust control requirements including Rule 403.1 for fugitive dust control measures are included in the emissions' estimates.

Table 4
Lynx Cat Rail Loadout Facility Mobile Equipment List (Typical)

Number	Equipment Description	Hrs/day (total)	Load Factor	HP	Net HP	Equipment Uses
2 - 3	CAT 988 with 18 cy bucket	24 hrs. total/operating day	0.36	538	194	2-3 load rail cars at 24 total hrs./operating day.
3	CAT 773 Off-Road Trucks (65-ton capacity typ.)	Up to 24 hrs./day	0.39	727	283.5	Transportation of excavated material to the rail loadout. Exhaust emissions included as part of Lynx Cat Mtn. Quarry operations.
1	CAT 416 loader	12	0.37	78	29	Clean-up at facility and maintenance of roads.
1	CAT 730 6000-gal. Water Pull or Truck-	6	0.38	370	141	Water spray haul roads, stockpiles, and general dust control.
1	Service Truck	---	---	---	---	Servicing and fueling onsite equipment.
1	25kW gen set	24	0.74	15	11	Trailer and lights

Source: Lynx Cat Operations; December 2024
 HP - horsepower

The estimated operational air pollutant emissions of the Proposed Project as compared to the thresholds are summarized in Table 5. As shown, the air emissions from the Proposed Project are less than the annual thresholds of significance. With implementation of the MDAQMD rules, CARB's Off-Road diesel Vehicle regulations, and measures to limit emissions listed below, air quality impacts are expected to be less than significant.

Table 5
Lynx Cat Rail Loadout Facility
Estimated Air Pollutant Emissions and Significance (Proposed)
Tons/Year

	ROG	NO_x	CO	PM₁₀	PM_{2.5}
Site Equipment	0.09	0.38	3.79	0.10	0.09
Off-Road Haul Trucks road dust	---	---	---	6.67	1.39
Fugitive Dust (loading, un-loading, & stockpiles)	---	---	---	2.49	0.52
Vendors & Employees Exhaust (on and off-site)	0.05	0.09	0.44	0.01	0.01
Emissions Totals	0.14	0.47	4.23	9.27	2.01
MDAQMD CEQA Thresholds (Tons/year)	25	25	100	15	12
Significant	No	No	No	No	No

Scenario Year for Emissions: Proposed (2025 and thereafter) depending on train scheduling and demand. Emission Sources: EMFAC2021(v1.0.2) CARB website (October 2024) for off-road equipment including off-road trucks; SCAQMD Emission Factors for on-road mobile vehicles; Particulate Matter Emission Factors SCAQMD, July 2010); and AP-42 Section 13.2.2 EPA, November 2006)

The following air quality regulations and measures will be required to be implemented by the Lynx Cat Rail Loadout Facility operations:

1. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures.
2. Water would be sprayed on unpaved haul and access roads, active operational areas, and material stockpiles.
3. Roads would be treated with EPA approved dust suppressants to prevent dust as needed.
4. Speed limits on unpaved roads shall be 25 mph.
5. Loading activities shall be suspended when winds exceed 25 mph.
6. Production shall be scheduled to minimize daily equipment operations;
7. Trucks in loading queues would have their engines turned off when not in use for more than 5 minutes to reduce idling and vehicle emissions in compliance with Title 13, California Code of Regulations, Section 2485 (Anti-Idling Policy);

8. All equipment used for transporting and loading materials must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
9. The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.
10. The operator shall obtain permits to construct and annually renew permits to operate the generator(s) from the MDAQMD as applicable and be in compliance with such permits.

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

Less Than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

The Proposed Project is located in the desert region within a remote area of San Bernardino County with no residences or recreational areas in the immediate vicinity. No schools, hospitals or public facilities are located anywhere near the site and the nearest residence is located approximately 1.3 miles southeasterly of the site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The generation of objectionable odors is not associated with train operations nor with the loading and unloading of aggregates. Moreover, there are no sensitive receptors in the immediate vicinity. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (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 <input checked="" type="checkbox"/>):				
RCA Associates, Inc. General Biological Resources Assessment – Rail Loop Project, June 24, 2024				

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

A General Biological Assessment report, dated June 24, 2024, was prepared for the Proposed Project by RCA Associates, Inc. (see Appendix C). As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on May 14, 2024, during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife species. The property was evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas. Focused surveys were conducted for both desert tortoise and burrowing owl and a habitat evaluation was performed for the Mohave ground squirrel. Based on the California Natural Diversity Database review, it was determined that eight sensitive wildlife species and two sensitive plant species have been documented within the Twelve Guage Lake and Hinkley quadrangles of the property.

Federal and/or State Listed Species

Desert Tortoise (*Gopherus agassizii*) (Federal and State threatened): The Project Site does not support suitable habitat for the desert tortoise. Only the northern most ¼-mile of the one-mile haul road zone of influence was found to be suitable as it is a creosote bush habitat. The habitat in the area of and inside the planned rail loop is not considered suitable nor was there any sign of desert tortoise observed. During the field investigations there were two potential burrows found that had not been used in recent years along with two active burrows, one of which was occupied by an adult desert tortoise, all on the east side of the proposed haul road. The two potential burrows were identified as class 2 and class 3 burrows while the two active burrows were identified as class 1 burrows. A class 1 burrow is a burrow that has a living tortoise occupying it or one that shows tracks and scats around it that is being clearly utilized. A class 2 burrow is one that is tortoise shaped and shows no signs of structural degradation internally or at the mouth of the burrow. Class 3 burrows show signs of heavy degradation of the burrow and typically are burrows that may have been tortoise burrows at one time but have been abandoned and partially caved in, not allowing tortoises to go inside. In addition to the burrows, one adult desert tortoise carcass was found to the west of the haul road that was not intact. The adult tortoise was in its burrow located along the eastern side of the haul road. Due to the presence of tortoises and tortoise sign on site, consultation with the USFWS and CDFW to determine the best methods to protect and mitigate impacts to this species and if incidental take permits (ITP) are required. Therefore, Mitigation Measure BIO-1 shall be implemented to reduce potential impacts to a less-than-significant level with mitigation.

Mohave Ground Squirrel (*Xerospermophilus mohavensis*) (State threatened): There are no recent observations of Mohave ground squirrels within the area or zone of influence within the last 10 years. The most recent sighting occurrence of the species is

occurrence 491 which happened a mile and a half to the south in the Twelve Guage Lake USGS Quadrangle. It is the opinion of RCA Associates, Inc. that the habitat is not prime Mohave ground squirrel habitat and is very unlikely to support populations of the species based on the following criteria:

1. No recent documented observations in the general region.
2. No connectivity with critical habitat which may support the species.
3. Project Site not having crucial habitat for survival.

Western Burrowing Owl (*Athene cunicularia*) (State candidate species): In October 2024, the burrowing owl was officially designated as a State Candidate Species under the California Endangered Species Act (CESA) by the California Fish and Game Commission. For the next 12-18 months, while the CDFW assesses whether this species should be officially listed at the State level, the burrowing owl has all of the same CESA protections as any other State listed species.

A habitat assessment (Phase 1) was conducted for the burrowing owl to determine if the site supports suitable habitat for the species on May 14, 2024. The habitat assessment determined that the site does support suitable habitat for the burrowing owl, but no owls or sign were observed. After the field investigations it was determined that there was no owl sign (e.g. whitewash, feathers, or castings) or inhabiting owls due to the lack of many suitable burrows on site or in the immediate vicinity. However, a pre-construction survey is required per CDFW protocol prior to new ground disturbance (see Mitigation Measure BIO-2).

Species of Special Concern

Sensitive Plants: There are two plant species that are species of special concern documented within the Twelve Guage Lake and Hinkley quadrangles, these are the: Barstow woolly sunflower and desert cymopterus. Of the two sensitive plant species, the Barstow woolly sunflower has the potential to occur given the presence of creosote bush scrub habitat. No sign of this species was observed during the field surveys. The desert cymopterus does not occur on site due to the lack of crucial habitat present on the property.

Sensitive Wildlife: There are four wildlife species that are considered species of special concern: arroyo toad, loggerhead shrike, American badger, and the Mojave fringe-toed lizard. Two of the five species have a nominal chance to occur on-site: the American badger and Mojave fringe-toed lizard. The site shows very little suitable habitat for these species, and they are most likely not to occur on site. The remaining two species, arroyo toad and loggerhead shrike, do not have the potential to occur on-site and will not occur on-site given their specific habitat requirements. None of these species were observed on-site or in the surrounding area during the May 2024 survey.

Nesting Birds

Nesting birds are protected under the Migratory Bird Treaty Act (MBTA) and Section 3503 of the California Fish and Game Code. The site vegetation provides suitable foraging and nesting habitat for year-round and seasonal avian residents, as

well as migrating songbirds that have adapted to conditions in the Mojave Desert. It is recommended that construction activities and/or the removal of any shrubs or any other potential nesting habitat shall be conducted outside the avian nesting season of February 1 and September 15. During the nesting season, prior to ground distributing activities a pre-construction nesting bird clearance survey shall be conducted in accordance with Mitigation Measure BIO-3 to ensure that less than significant impacts occur:

Protected Plants

As of July 10, 2023, California legislature passed and signed the Western Joshua Tree Conservation Act (WJTCA, Senate Bill 122) into effect listing the western Joshua tree (*Yucca brevifolia*) as an endangered species. During the May 2024 field investigations, no western Joshua trees were observed on the site or in the surrounding areas. The Proposed Project would not require an ITP for this species.

The desert tortoise-specific Conservation and Management Actions, listed below as Mitigation Measures BIO-4 to BIO-20, are additional measures which shall be required by BLM based on consultation with USFWS and CDFW. These measures shall be included as Stipulations to the Right-of Way issued by BLM.

Mitigation Measure BIO-1 (desert tortoise):

- *A pre-construction clearance survey be conducted thirty (30) days prior to ground disturbing activities in undeveloped areas to confirm the absence of desert tortoise within the boundaries of the survey area. Survey transects shall be spaced at 5-meter (16-foot) intervals throughout the undeveloped portions of the project area to provide 100 percent visual coverage and increase the likelihood of locating desert tortoise and/or sign. All burrows, if present, will be thoroughly inspected for the presence of desert tortoise or evidence of recent use using non-intrusive methods (i.e., mirror, digital camera).*
- *If desert tortoise are found on-site during the pre-construction clearance survey, coordination will be required with the USFWS and CDFW to determine if avoidance and minimization measures can be implemented to avoid any direct or indirect impacts to desert tortoise, or if an ITP will need to be prepared, and approved by the USFWS and CDFW.*
- *A Workers' Education and Awareness Program for desert tortoise protection shall be completed by all workers/drivers/employees prior to working on-site and reviewed annually;*
- *Disturbance shall be confined to the smallest practical areas within the planned disturbance areas;*
- *Vehicle speeds shall not exceed 25 miles per hour on-site and on the access road;*
- *Vehicles must remain on established roads at all times outside the project site and cross-country travel with motorized vehicles outside of the Project Site by project personnel is prohibited;*

- Vehicles and equipment parked shall be inspected immediately prior to being moved;
- To the extent possible, new disturbances on undisturbed areas shall be scheduled when tortoises are inactive (November 1 – February 28);
- All trash and food items shall be promptly contained within closed, common raven-proofed containers; and
- Firearms, dogs, or other pets shall be prohibited at the work site.

Mitigation Measure BIO-2 (burrowing owl):

A pre-construction survey is required to be conducted per CDFW protocol to determine if any burrowing owls have moved on to the site since the May 2024 survey. As per CDFW Staff Report (2012) on Burrowing Owl Mitigation protocol, the most effective method of completing a pre-construction survey (take avoidance survey) should be performed no less than 14 days prior to ground disturbance, followed by a final pre-construction survey within 24 hours of breaking ground. If borrowing owl are observed, consultation with CDFW is required to determine if avoidance and minimization measures can be implemented to avoid any direct or indirect impacts to burrowing owl, or if an ITP will need to be prepared and approved by the CDFW.

Mitigation Measure BIO-3 (nesting birds)

If construction occurs between February 1st and September 15th, a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist based on on-site conditions (a 250-foot buffer shall be marked around songbird nests. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

Mitigation Measure BIO-4

Temporary exclusion fencing will be installed around the rail loop disturbance area and a pre-construction clearance survey will be conducted that is supervised by an authorized biologist - any desert tortoises found in this fenced area shall be translocated a short distance, not more than 300 meters, outside of the fenced area to a site with cover (i.e., at the mouth of a burrow or under a shrub). Fence installation must be overseen by an authorized biologist or desert tortoise monitor. This provision may be modified based on the Translocation Plan which shall be developed as part of the CDFW Incidental Take Permit (ITP) process.

Mitigation Measure BIO-5

Permanent exclusion fencing with appropriately spaced shade structures shall be installed along both sides of the haul road followed by a pre-construction clearance survey within the haul road area by an authorized biologist. Fence installation must be overseen by an authorized biologist or desert tortoise monitor. Any tortoises found during the pre-construction clearance survey shall be translocated a short distance (i.e., not more than 300 meters) to either side of the fenced area to a site with cover (i.e., at the mouth of a burrow or under a shrub) or consistent with the Translocation Plan.

Mitigation Measure BIO-6

The project shall submit the names and statements of qualifications of all proposed authorized biologists to the BLM for review and approval by USFWS at least 30 calendar days prior to initiation of any ground-disturbing activities and pre-activity surveys. An authorized biologist will be present on site and directly oversee clearance surveys, and the capture and handling of desert tortoises for short-distance translocation.

Mitigation Measure BIO-7

The Applicant shall install at least two culverts in the 'straight section' of the rail extension that runs from the main BNSF rail line to the rail loop. Culverts shall be at least 36 inches diameter (per the Desert Renewable Energy Conservation Plan).

Mitigation Measure BIO-8

The Applicant shall include two tortoise escape channels on the rail lines allowing escape to the west side of the project. The placement and design of these escape channels must be approved by BLM. USFWS can provide schematics.

Mitigation Measure BIO-9

The Applicant shall promptly remove and dispose of any roadkill found along the haul route or rail loop during operation to minimize subsidies for desert tortoise predators (i.e., common raven, coyotes, etc.).

Mitigation Measure BIO-10

All personnel working at the project will attend a Worker Environmental Awareness Program conducted by an authorized biologist (or desert tortoise monitor with approval by an authorized biologist) prior to the commencement of construction activities and each calendar year until the end of construction. This program will include at a minimum information on desert tortoise biology and identification and the protective measures required by the BLM of any personnel working at the project.

Mitigation Measure BIO-11

In the event a desert tortoise is found injured at the project, the project is responsible for notifying BLM and the USFWS immediately so that they can determine if further action is required and provide guidance on veterinary care. Written follow-up notification and a brief report will be submitted via email to the BLM within two calendar days of the incident. All veterinary care costs shall be the responsibility of the Applicant.

Mitigation Measure BIO-12

In the event a desert tortoise is found dead at the project, the project is responsible for securing the carcass (i.e., putting a tarp over it) and notifying BLM and the USFWS within 24 hours so that they can determine if further action is required. Written follow-up notification and a brief report will be submitted via email to the BLM within two calendar days of the incident.

Mitigation Measure BIO-13

Ballast size for the base of rail lines shall be sized large enough to deter passage of desert tortoises. Size of this ballast will be discussed with the Applicant, BLM and USFWS.

Mitigation Measure BIO-14

Prior to the installation of desert tortoise exclusion fencing and whenever a vehicle or construction equipment is parked outside of the desert tortoise exclusion fence at the project, personnel will inspect underneath any parked vehicle and equipment before moving them to check for desert tortoise.

Mitigation Measure BIO-15

Any construction pipe, culvert, or similar structure outside of the desert tortoise exclusion fencing with a diameter greater than 3 inches and stored less than 8 inches aboveground for one or more days will be inspected for desert tortoise before the material is moved, buried, or capped. As an alternative, all such structures may be capped or placed on pipe racks to prevent animal entry.

Mitigation Measure BIO-16

If a desert tortoise is found under vehicle, equipment, or within construction materials, an authorized biologist will be contacted to capture and translocate the animal a short distance (not more than 300 meters) to a site with cover (i.e., at the mouth of a burrow or under a shrub).

Mitigation Measure BIO-17

Personnel are prohibited from bringing pets to the project during construction, operation, and decommissioning.

Mitigation Measure BIO-18

The Applicant shall implement predator abatement measures to reduce the attraction of the project to common ravens, coyotes and roaming dogs. Specifically, the Applicant will reduce attraction and implement appropriate measures including timely removal of trash, limiting available food and water subsidies and inadvertently creating habitat (e.g., creation of perch/roost sites and nesting or denning sites) within the project area. All trash items and food waste shall be kept in closed containers.

Mitigation Measure BIO-19

The Applicant shall be responsible for contributing to the Raven Management Fee as prescribed in the DRECP. This shall be accomplished by applying the current fee per acre (\$105/acre) of permanent disturbances on BLM-managed lands (the fee does not apply to the private lands associated with this project). This shall be done prior to initiation of construction activities.

Mitigation Measure BIO-20

Compensation for impacts to the Fremont-Cramer ACEC and tortoise habitat shall be accomplished through the implementation of the BLM approved Habitat Restoration Plan.

Less than Significant with Mitigation

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*
- 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 United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States, and the State of California also regulates waters of the State and streambeds under the preview of regional water quality boards and CDFW jurisdiction. These waters include wetlands and non-wetland bodies of water that meet specific criteria. No riparian habitats, streambeds, or drainages were observed during the field investigations on the Project Site or in the immediate surrounding area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

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?*

As stated in the General Biological Assessment report, no distinct wildlife corridors were identified on the site or in the immediate area. There is vacant open desert land surrounding the Project Site that could still facilitate wildlife movement. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The San Bernardino County Development Code Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Per Section 88.01.060 of the San Bernardino County Development Code, the following desert native plants or any part of them, except the fruit shall not be removed, except under a Tree or Plant Removal Permit:

- The following desert native plants with stems two inches or greater in diameter or six feet or greater in height:
 - *Dalea spinosa* (smoke tree).
 - All species of the genus *Prosopis* (mesquites).
- All species of the family *Agavaceae* (century plants, nolin, yuccas).
- Creosote Rings, ten feet or greater in diameter.
- All Joshua trees.
- Any part of any of the following species, whether living or dead:
 - *Olneya tesota* (desert ironwood).
 - All species of the genus *Prosopis* (mesquites).
 - All species of the genus *Cercidium* (palos verdes).

The vegetation community on-site is native desert scrub encompassing mainly native plants and a few non-native grasses. The site is dominated by Mexican bladder sage (*Scutellaria mexicana*), water jacket (*Lycium andersonii*), white bursage (*Ambrosia dumosa*), pincushion flower (*Chaenactis fremontii*), turkshead (*Chorizanthe rigida*), creosote bush (*Larrea tridentata*), redstem stork's bill (*Erodium cicutarium*), Menzies fiddleneck (*Amsinckia menziesii*) and kelch grass (*Schismus barbatus*). Species present on the site included Asian mustard (*Brassica tournefortii*), big saltbush (*Atriplex lentiformis*), white bursage (*Ambrosia dumosa*), desert sand verbena (*Abronia villosa*) and rattlesnake weed (*Euphorbia albomarginata*). No desert native plants regulated under Section 88.01.060 of the San Bernardino Development Code are present on the site. No conflicts with local policies or ordinances are expected. No impacts are identified or anticipated, and no mitigation measures are required.

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 an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

BCR Consulting LLC, Cultural Resources Inventory - Lynx Cat Mountain Quarry Expansion Rail Loop Project, October 23, 2024

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

A Cultural Resources Inventory report, dated October 23, 2024, was prepared for the Proposed Project by BCR Consulting, LLC (see Appendix D). A cultural resources records search, intensive-level pedestrian field survey, and Native American Heritage Commission (NAHC) Sacred Lands File Search were conducted for the Proposed Project in partial fulfillment of CEQA requirements. The literature review and background research included a one-mile radius for prehistoric and historic-period archaeological sites and for historic-period architectural resources. The literature review was completed at the South-Central Coastal Information Center. The research also reviewed known cultural resources reports completed in the vicinity. The literature review revealed that

three cultural resource studies have taken place within one mile of the Project Site, resulting in five cultural resources recorded in that radius. Of the previous studies, none have assessed any portion of the Project Site, and no cultural resources have been previously recorded within its boundaries.

The survey resulted in the recordation of five cultural properties within the Project Site, two of which are historic-period archaeological sites and one of which is a historic-period isolate. Temporary site designations have been assigned for the newly recorded cultural properties. None of the cultural properties are eligible for the California Register of Historical Resources. As such, they do not qualify as historical resources and are not considered significant under CEQA. Therefore, the five cultural properties identified during the study do not merit further consideration. BCR Consulting concludes that the Proposed Project would not result in a significant adverse effect on a historical resource.

However, because there is always a potential for buried cultural resources, Mitigation Measures CUL-1 and CUL-2 shall be implemented to avoid potential significant impacts to cultural resources.

Mitigation Measure CUL-1:

In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 100-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

Mitigation Measure CUL-2

If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Less than Significant with Mitigation

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

A Sacred Lands File (SLF) search was requested from the NAHC to search for the presence of any recorded Native American sacred sites or locations of religious or ceremonial importance within one mile of the Project Site. The SLF search was returned with negative results. The field survey resulted in the recordation of five cultural properties within the Project Site, two of which are prehistoric isolates. As stated

previously, none of the cultural properties are eligible for the California Register of Historical Resources.

Mitigation Measure CUL-1 and CUL-2 identified above shall be implemented to avoid potential significant impacts to cultural resources.

Less than Significant with Mitigation

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

Construction activities could potentially disturb human remains outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during implementation of the Proposed Project. Therefore, Mitigation Measure CUL-3, defined below, shall be implemented to ensure that less than significant impacts regarding human remains occur.

Mitigation Measure CUL-3:

If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

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

Less than Significant with Mitigation

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

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

SUBSTANTIATION: *Lilburn Corporation, Air Quality Emission Inventory for Lynx Cat Rail Loadout Facility, December 2024*

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

The operation and use of the rail loop and aggregate loading facility would be dependent upon the volumes of aggregates needed for construction projects. It is expected that the rail loop and loadout facility would see daily to weekly usage that would be market-driven and rail companies' directed. Electricity for small office facilities would be provided by on-site generators. Operational activities would be limited to consumption of fuel.

Tables 6 and 7 show the modeled fuel consumption for all operational activities. The loading facility's operational activities would consume an estimated 607,650 gallons of fuel per year.

Table 6
Mobile Equipment Fuel Consumption Estimates

Equipment	#	Hours per Day	Fuel Used / Day (gallons)	Fuel Used / Year (gallons)
CAT 988 with 18 cy bucket	3	24	246	221,307
CAT 773 Off-Road Trucks (65-ton capacity typ.)	3	24	360	323,973
CAT 416 loader	1	12	20	6,109
CAT 730 6000-gal. Water Pull or Truck	1	6	45	13,388
25kW gen set	1	24	14	4,699
Total Fuel			685	569,476

- (1) United States Environmental Protection Agency. 2018. Exhaust and Crankcase Emission Factors for Nonroad Compression-Ignition Engines in MOVES2014b. July 2018. Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100UXEN.pdf>.
- (2) Federal Highway Administration. Highway Statistics 2018, Table VM-1. Accessed 1/30/23 at fhwa.dot.gov/policyinformation/statistics/2018/pdf/vm1.pdf. Worksheet available at afdc.energy.gov/data. Last updated 02/11/2020
- (3) CAT Performance Handbook Edition 48, June 2018.

Table 7
Worker and Truck Trips

Operational Phase	MPG	Trips	Trip Length (miles)	Fuel Used (gallons/day)	Total (gallons/yr)
Employee Trips	24.0	12	60.0	30.00	9,000
Off-Road Haul Truck Trips	6.0	103	4.5	77.25	23,175
Vendor Trucks	6.0	2	60.0	20.00	6,000
			Total	127.25	38,175

- (1) United States Environmental Protection Agency. 2018. Exhaust and Crankcase Emission Factors for Nonroad Compression-Ignition Engines in MOVES2014b. July 2018. Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100UXEN.pdf>.
- (2) Federal Highway Administration. Highway Statistics 2018, Table VM-1. Accessed 1/30/23 at fhwa.dot.gov/policyinformation/statistics/2018/pdf/vm1.pdf. Worksheet available at afdc.energy.gov/data

All fuel would be provided locally. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As stated previously, the Proposed Project activities would consume an estimated 607,650 gallons of fuel annually. The Proposed Project's demand for fuel would not be significant. In addition, the Proposed Project would not be connecting to electric power or natural gas lines and would therefore not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Less than significant impacts are anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VII. GEOLOGY AND SOILS - Would the project:				

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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):

Countywide Policy Plan

- 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?*

The nearest fault zone is Mount General Fault Zone,⁵ located approximately 7 miles east of the Project Site. Accordingly, on-site surface fault rupture is not anticipated. Moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the Proposed Project. The only structures proposed are an office trailer and portable sanitation facilities. No permanent, habitable structures are proposed. As such, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- iii) *Seismic-related ground failure, including liquefaction?*

As stated previously, moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the Proposed Project. Although the susceptibility to liquefaction is unknown, no permanent, habitable structures are proposed. Therefore,

⁵ San Bernardino County. Policy Plan web maps. HZ-1 "Earthquake Fault Zones." Accessed October 24, 2024.

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

Less Than Significant Impact

iv) Landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is located in a relatively flat desert area. 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?

Approximately 131 acres of grading or vegetation removal would occur during the installation of the new tracks and development of the loading facility. The Project Site is relatively flat, and vegetation is sparse. Best management practices (BMPs) would be implemented during construction to control erosion and runoff. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the Proposed Project. The Project Site is located in a relatively flat area, so the Proposed Project would not be susceptible to landslides or lateral spreading. As discussed above, no permanent, habitable structures are proposed. Less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site consists of cajon sand with less than 5% clay content.⁶ Therefore, the Project Site soils are considered to have low expansive potential. Moreover, no permanent structures are on or planned for the site. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

⁶ Natural Resources Conservation Service. Web Soil Survey. Accessed December 6, 2024.

- e) *Are 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?*

Septic tanks and/or alternative wastewater supply systems do not exist at the Project Site. Portable toilets are supplied for use by employees and are located on-site in the operations area. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

BCR Consulting LLC's Cultural Resources Inventory report includes a paleontological overview. The geologic units underlying the Project Site are mapped as mixed-aged Holocene and Pleistocene units, along with a portion of a Miocene-aged unit of avalanche breccia. Pleistocene units are considered to be highly paleontologically sensitive. Excavation activity could impact the paleontologically sensitive Pleistocene alluvial units. However, the proposed project does not entail any excavation; therefore, no impacts are expected for paleontological resources.

No Impact

Therefore, less than 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Lilburn Corporation, Air Quality Emission Inventory for Lynx Cat Rail Loadout Facility, December 2024

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

Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin. Greenhouse gas

emissions are treated differently, in that the perspective is global, not local. Therefore, emissions for certain types of projects might not necessarily be considered as new emissions if the project is primarily population driven. Many gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O). Nitrous oxide is not of concern due its very low emissions from this type of operation and methane is included but is also a very minor contributor.

The Proposed Project's GHG construction emissions were estimated using CalEEMod version 2022.1. Construction is anticipated to begin in 2025 and be completed in 2026. Other parameters which are used to estimate construction emissions such as those associated with worker and vendor trips, and trip lengths were based on the CalEEMod defaults. The greenhouse gas emissions from project construction equipment and worker vehicles are shown in Table 8. The emissions are from all phases of construction. The total construction emissions amortized over a period of 30 years are estimated at 38.3 metric tons of CO₂e (MTCO₂e) per year.

Table 8
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O	R ¹
2025	986	0.03	0.05	0.33
2026	147	0.01	0.00	0.02
Total (MTCO₂e)	1,148			
Construction Amortized 30 Years	38.3			

The proposed project's GHG emissions were compared to the MDAQMD threshold of 100,000 tons/year and the screening threshold of 3,000 MTCO₂e per year adopted by the County as potentially significant to global warming. The annual operational GHG emissions amount to approximately 483 MTCO₂e per year based on 200 days of operations per year. The Proposed Project's estimated GHGs would not exceed the MDAQMD's or the County's thresholds, as shown in Table 9 below.

In a broader sense, the Proposed Project is providing the more favorable environmental option of transporting heavy construction material by rail instead of long-distance trucking. Local-sourced material in conjunction with the utilization of the rail load-out facility would substantially reduce truck trips, miles driven, fuel consumption, air pollutant and GHG emissions, and degradation of public roads. To the extent that a project reduces vehicle miles driven, GHG emissions, particularly CO₂, may be reduced. GHG impacts for the operation of the proposed rail loadout facility are deemed to cause a less than significant impact on climate change.

Table 9
Lynx Cat Rail Loadout Facility
Greenhouse Gas Emissions
Operational Annual Emissions (MTCO₂e)

Source/Phase	CO ₂	CH ₄
	Proposed	Proposed
Onsite Equipment & Generator	370	0.4
Vendor Trucks & Employees	112	0.1
Total MTCO₂e per Year	482	0.5
Total MTCO₂e	482.5	
MDAQMD Threshold	100,000	
Significant	No	
County's GHG Plan	3,000	
Significant	No	

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

Less Than Significant Impact

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

The state and local regulatory programs for GHG emissions and climate change are described above. There are no existing GHG plans, policies, or regulations that have been adopted by California Air Resources Board (CARB) or MDAQMD that would apply to project emissions. If CARB does develop performance standards, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulation. Furthermore, as concluded above, the Proposed Project greenhouse gas emissions would be below MDQAMD thresholds and County's GHG Plan Screening Guidance Standard of 3,000 MTCO₂e. Therefore, impacts would be less than significant, and no mitigation would be required.

Less Than Significant Impact

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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:				
EnviroStor Database; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024; Countywide Policy Plan web maps				

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

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?

The operation and maintenance of the railroad automated switches and the main line section of track currently on BNSF property would continue to be maintained by the BNSF trained crews. The “Y” transition track from the main line across BLM property to the rail loading loop would be jointly maintained by BNSF and LCMD personnel, whereas all track and switch maintenance of the loading loop itself located in Section 13 would be the sole maintenance responsibility of LCMD and would be inspected by BNSF and the LCMD Loop Track Maintenance Team on a monthly and quarterly basis. Any rail track, tie connection points, or switch issues would be immediately identified and repaired any time they are encountered.

BNSF would have the responsibility for the prevention of fire, hazardous material or chemical spills, and for the safe operation of their equipment. However, whenever the rail loop is in operation with cars being loaded and/or unloaded, LCMD would have a water truck and trained fire watch on duty to address and control any unforeseen hazardous conditions or in the unlikely event of a fire. San Bernardino County Fire Department assumes the role for implementing the Certified Unified Program Agency (CUPA) program, with responsibility for enforcing state mandated hazardous materials laws and regulations. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

No existing school facilities or proposed school facilities are located within one-quarter mile radius of the Project Site.⁷ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site was not found on 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. The nearest cleanup site is inactive and located

⁷ San Bernardino County. Policy Plan web maps. HW-1 “Education Facilities.” Accessed November 22, 2024.

⁸ California Department of Toxic Substances Control. EnviroStor. Accessed November 22, 2024.

approximately 1.5 miles northeast 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?*

The nearest airport to the Project Site is Barstow-Daggett Airport, located approximately 23 miles southeast. The Project Site is not located within an Airport Runway Protection Zone, Airport Noise Contours or an Airport Safety Review Area. However, the Project Site is located within the low-altitude/high speed military airspace (Airport Safety Review Area 4 [AR4]).⁹ An Aviation Easement would be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4. However, as no building permits would be required for the Proposed Project, no action would be required. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is located 1.5 miles north of SR-58, which is an evacuation route.¹⁰ The Proposed Project would allow material from the Lynx Cat Quarry to be delivered to customers via train and reduce the number of truck trips. Therefore, impacts on SR-58 would be reduced. On-site parking spaces would be available for employees. No project vehicles would park off-site. Therefore, the Proposed Project would not interfere with the use of evacuation routes. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.¹¹ Therefore, the Proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

⁹ San Bernardino County Policy Plan web maps. HZ-9 "Airport Safety & Planning Areas." Accessed November 22, 24.

¹⁰ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed November 22, 2024.

¹¹ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 23, 24.

<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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Policy Plan; Merrell-Johnson Companies, Hydrology Study, December 16, 2024

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*
- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The Proposed Project is the construction and operation of an aggregate loading facility and a rail loop to connect to the existing BNSF main line. Best management practices (BMPs) would be implemented during construction to control erosion and runoff. A Hydrology Study, dated December 16, 2024, was prepared for the Proposed Project by Merrell-Johnson Companies (see Appendix E). Under proposed conditions, the existing drainage flows would be captured as they enter the Project Site along the southern and southwestern project boundaries. Storm runoff crossing the southern project boundary would be directed towards a proposed drainage culvert beneath the loop railbed. This flow would be retained within the rail loop and infiltrated into the ground. The runoff would infiltrate within the area of the crushed ballast and would not flow across the loading areas or equipment storage areas. The drainages which flow beneath the BNSF railroad improvements do not enter the Project Site and would not be disturbed by the Proposed Project. The Proposed Project operations would involve discharge of pollutants that would impact water quality. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Water would be provided by a 6,000-gallon water truck and used at the Project Site for dust control on Santa Fe Road, within the loading area, and on the stockpiles. Approximately 2 to 4 water truck trips per day are anticipated depending on weather conditions and on-site activities. Water would be supplied by private well on the near-by Lynx Cat Mountain Quarry. Therefore, water supplies needed for the Proposed Project would not be substantial. As stated previously, BMPs would be implemented during construction to control erosion and runoff. As such, the Proposed Project would not degrade water quality and would not disrupt infiltration of runoff, such that groundwater recharge would be impacted. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

The Project Site is located south of Harper Dry Lake. The tributary watershed area south of the Project Site is bounded to the south by the BNSF railroad main line. The raised rail bed serves to divert storm runoff flows to the east and west towards existing drainage culverts beneath the railroad track bed. The Project Site is located north of the railroad and between the two existing drainage culverts. Runoff flows from areas south of the BNSF railroad are diverted by the existing culverts to the east and west of the Project Site. These two flowlines are mapped as blue line streams on the USGS maps and flow around and past the Project Site and are not impacted by the Project Site. 100-year storm runoff flows into the site enter the site along the southern and southwestern boundaries of the Project Site.

Under proposed conditions, the existing drainage flows would be captured as they enter the Project Site along the southern and southwestern project boundaries. Storm runoff crossing the southern project boundary would be directed towards a proposed drainage culvert beneath the loop railbed. This flow would be retained within the rail loop and infiltrated into the ground. The runoff would infiltrate within the area of the crushed ballast and would not flow across the loading areas or equipment storage areas. The blue line streams, which flow beneath the BNSF railroad improvements, do not enter the Project Site and would not be disturbed by the Proposed Project. Therefore, the Proposed Project would not substantially alter the existing drainage pattern of the site or area. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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. Additionally, the site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone nor a 500-year FEMA flood zone.¹² Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

¹² San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed December 6, 2024.

<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:

Countywide Policy Plan; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

- a) *Physically divide an established community?*

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project would construct a rail loop that would connect to the existing BNSF railroad tracks. In addition, Santa Fe Road would be relocated 300 feet to the north to a vacant portion of the parcel owned by the Applicant. The site is vacant, and surrounded by vacant, open desert lands. Therefore, the Proposed Project would not physically divide an established community. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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?

- b)

The property is currently zoned Rural Living – 40 acre minimum (RL-40) within the land use category of Rural Living. The Applicant proposes a transportation facility, which is an allowable use within the RL zone. The Proposed Project would comply with the development and operational standards set forth for the RL zoning district. The Project Site is not located within or near an environmental justice area.¹³ The Project Site is surrounded by vacant land and the nearest residence is approximately 1.3 miles southeasterly of the site. The Proposed Project would not 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

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

¹³ San Bernardino County. Policy Plan web maps. HZ-10 “Environmental Justice & Legacy Communities” web map. Accessed September 24, 2024.

<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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024; Countywide Policy Plan web maps

- | | |
|----|--|
| a) | Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? |
| b) | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |

The Project Site is located in a Mineral Resource zone for aggregate materials.¹⁴ The proposed rail loop and loading facility would remove the area from possible short-term aggregate mining but would not cause permanent loss of aggregate resources in the area. The increased efficiency of the rail traffic in the movement and transportation of mineral resources, in this case – aggregate resources mined from Lynx Cat Quarry, would be a benefit to the mineral resource industry. Therefore, the Proposed Project would not result in lack of availability of a mineral resource, but rather, assist in the expanded use of it. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

¹⁴ San Bernardino County. Policy Plan web maps. NR-4 “Mineral Resource zones” web map. Accessed November 22, 2022.

<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 checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Generation of excessive ground borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 Countywide Policy Plan Noise Element ☐):

LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

- 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?*

Construction of the Proposed Project would create short-term construction noise impacts as a result of equipment required for earthwork and construction. The Proposed Project would be adjacent to the existing BNSF main line, which is a major source of intermittent noise in the area. With implementation of the Proposed Project, the periodic increase in noise levels would last longer with the loading and unloading of aggregates. There would also be an increase in traffic as haul trucks would be coming to and from the Lynx Cat Quarry for delivery of aggregates. However, the Project Site is surrounded by vacant land. There are no sensitive receptors in the immediate vicinity that would be impacted by the increase in noise levels. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The major source of vibration in the area is the BNSF trains passing through. With implementation of the Proposed Project, scheduled trains would stop at the proposed loading facility as aggregates are loaded into the gondola cars. Therefore, the periodic increase in vibration levels would last longer. However, the Project Site is surrounded by miles of vacant land. There are no sensitive receptors in the immediate vicinity that would be impacted by the increase in vibration duration. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The nearest airport to the Project Site is Barstow-Daggett Airport, located approximately 23 miles southeast. The Project Site is not located within an Airport Runway Protection Zone, Airport Noise Contours or an Airport Safety Review Area. However, the Project Site is located within the low-altitude/high speed military airspace (Airport Safety Review Area 4 [AR4]).¹⁵ An Avigation Easement would be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4. However, as no building permits would be required for the Proposed Project, no action would be required. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, less than 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>
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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

¹⁵ San Bernardino County Policy Plan web maps. HZ-9 "Airport Safety & Planning Areas." Accessed November 22, 2024.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
b) 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:

LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

- 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 facility would employ up to 6 employees and expand, if needed. Because of the low employment demand, the Proposed Project would not induce substantial unplanned population growth. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The proposed uses would not displace any housing units, or require the construction of replacement housing, as no housing units are proposed to be demolished. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<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>
---------------	---	---	----------------------------------	----------------------

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 checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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:

LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

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

Fire Protection?

The Project Site is located within the service area of the San Bernardino County Fire Protection District. The Project Site is not located within a High or Very High Fire Hazard Severity Zone.¹⁶ The Proposed Project does not involve operations that would induce or exacerbate fires. Fire prevention would be a shared responsibility between BNSF and LCMD for the rail traffic on the transition track. BNSF would have the responsibility for the prevention of fire, hazardous material or chemical spills, and for the safe operation of their equipment. However, whenever the rail loop is in operation with cars being loaded and/or unloaded, Applicant would have a water truck and trained fire watch on duty to address and control any unforeseen hazardous conditions or in the unlikely event of a fire. Therefore, the Proposed Project is not anticipated to result in the need for new or physically altered fire protection facilities. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Police Protection?

The Project Site is located within the High Desert region of the County. It is within the jurisdiction of the Barstow Sheriff Service Agency. Given the rural nature of the Project Site and that the operations that would occur on-site are not crime-inducing, the Proposed Project is not anticipated to require police protection. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

¹⁶ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 23, 2024.

Schools?

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

No Impact

Parks?

Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing. Furthermore, there are no parks in the vicinity of the Proposed Project that would be visited by project employees.¹⁷ The reclamation activities would not involve the introduction of a new permanent human population into the area. Therefore, the Proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

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

No Impact

Therefore, less than 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>
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"/>

¹⁷ San Bernardino County. Policy Plan web maps. NR-2 "Parks and Open Space Resources." Accessed September 5, 2024.

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

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

SUBSTANTIATION:

LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

- 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 facility would employ up to 6 employees and expand, if needed. The Proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. Moreover, there are no neighborhood or regional parks near the Project Site.¹⁸ Therefore, the Proposed Project would not result in an increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. 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. No recreational facilities would be removed, and the number of employees required would not create the need for additional facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

¹⁸ San Bernardino County. Policy Plan web maps. NR-2 "Parks and Open Space Resources." Accessed September 25, 2024.

<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>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Policy Plan; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

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

There are no existing or planned transit, bicycle, and pedestrian facilities in the vicinity of the Project Site.^{19,20,21} The nearest facility is Bus Route 28 in Hinkley, located approximately 3.5 miles east of the Project Site.²²

The following details how the Proposed Project would be consistent with the applicable Countywide Policy Plan Transportation and Mobility Element goals and policies:

Goal TM-2: Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.

¹⁹ San Bernardino County. Policy Plan web maps. TM-4 “Bicycle and Pedestrian Planning.” Accessed September 25, 2024.

²⁰ San Bernardino County. Policy Plan web maps. TM-3 “Focus Areas.” Accessed September 25, 2024.

²¹ San Bernardino County. Policy Plan web maps. TM-2 “Transit Network.” Accessed September 25, 2024.

²² San Bernardino County. Policy Plan web maps. TM-2 “Transit Network.” Accessed September 25, 2024.

Policy TM-2.2: We promote new development that will reduce household and employment Vehicle Miles Travelled (VMT) relative to existing conditions.

Consistent: Any increase in VMT from employee trips would be insignificant given the low employment demand. Furthermore, the Proposed Project would reduce the number of haul trucks on the road by diverting delivery trips that would otherwise be on the road to the rail loop.

Goal TM-4: On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas

Policy TM-5.5: We support and work with local transit agencies to generate public transportation systems that provide access to job centers and reduce congestion in tourist destinations in unincorporated areas.

Consistent: Many projects are seeking a local rail loading facility to deliver the required rock and construction aggregates to their projects to reduce truck traffic and allow them to utilize their specialized ballast placement and track laying equipment and to greatly reduce the use of trucks and traffic congestion in the general area. The rail loop and aggregate loading facility will facilitate the delivery of aggregates

Goal TM-5: A road, rail, and air transportation system that supports the logistics industry and minimizes congestion in unincorporated areas.

Policy TM-5.1: We advocate for the maintenance of a goods movement system in southern California that is efficient and sustainable and that prioritizes public health through the use of zero-emission equipment and infrastructure.

Consistent: The proposed aggregate loading facility would transport rock and construction aggregates to various public projects in the high desert and across the southwest region. The Proposed Project would reduce traffic, congestion, and emission impacts on the I-15, SR-58, and in the High Desert region in general by keeping haul trucks off the road. Moreover, as the Proposed Project would support planned transportation projects, it would have indirectly facilitated sustainability and efficiency.

Policy TM-5.3: We support the development of the High Desert Corridor to improve the regional goods movement network and foster economic development in the North Desert region.

Consistent: The Proposed Project would reduce the trips by haul trucks coming from Lynx Cat Mountain Quarry. Furthermore, the transport of aggregates via rail would allow for safer loading and shipment of large volumes of rock products needed for planned and scheduled railroad maintenance projects.

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

Less Than Significant Impact

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

Senate Bill 743 (SB 743), approved in 2013, endeavors to change the way transportation impacts will be determined according to the CEQA. In December 2018, the Natural Resources Agency finalized updates to CEQA Guidelines to incorporate SB 743 (i.e., Vehicle Miles Traveled [VMT]).

Approximately 103 round trips per day of heavy haul trucks would transport materials from Lynx Cat Mountain Quarry to the loading facility, using 65-ton rock quarry trucks or off-road haul trucks. The Proposed Project would reduce VMT by reducing the number of trips by haul trucks coming from the Lynx Cat Mountain Quarry. Furthermore, construction of the proposed loading facility would support the transport of rock and construction aggregates to various public transportation projects in the high desert and across the southwest region. These projects would facilitate the reduction of regional VMT. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The proposed loading facility includes a rail loop to accommodate and allow 100-120 car unit trains to enter the loop from two directions from the BNSF main rail line. The expected train travel volume that would utilize this planned “Y” track access and rail loop facility track would consist of approximately four-to-five-unit trains per month. Operating speed on the “Y” track entering and leaving the aggregate loading facility loop track would range from 3 to 5 mph. Facility operations are subject to Railway Safety requirements, California Occupational Safety & Health Administration (CALOSHA), and San Bernardino County permit compliance standards. In addition, as the Project Site is surrounded by vacant land, nearby development could be negatively impacted by the Proposed Project. The existing Santa Fe Road on Section 13 would be slightly relocated approximately 300 feet to the north and around the outside of the rail loop facility. Various warning and flashing stop signs would be placed along the relocated road to alert the minimal public traffic traveling on Santa Fe Road. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Result in inadequate emergency access?*

The nearest publicly dedicated road is Santa Fe Road, transecting the Project Site. Santa Fe Road is a dirt road that is lightly traveled. The existing Santa Fe Road on Section 13 would be slightly relocated 300 feet north and would still be publicly accessible. Aggregate would be delivered to the loop loading facility via an existing haul road that would intersect with and cross the relocated Santa Fe Road. None of these

roads are evacuation routes.²³ During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles. Road closures during construction would be short-term and temporary. Parcels surrounding the Project Site are vacant, desert land. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, facility operations would not result in inadequate emergency access. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, less than 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>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION:				
AB52 Consultation; BCR Consulting LLC, Cultural Resources Inventory - Lynx Cat Mountain Quarry Expansion Rail Loop Project, October 23, 2024				

²³ San Bernardino Countywide Plan, PP-2 Evacuation Routes. Accessed September 26, 2024.

- 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;*

BCR Consulting's survey resulted in the recordation of five cultural properties within the Project Site. None of the resources are recommended eligible for California Register listing eligibility due to failure to meet any eligibility criteria. Therefore, they are not recommended historical resources under CEQA. Based on these results, the five cultural properties identified during the cultural study do not merit further consideration. As such, the Proposed Project would not result in a significant adverse effect to a historical resource under CEQA. Mitigation Measures CUL-1 and CUL-2, as identified above, would address potential impacts to buried prehistoric and historic resources. No additional mitigation measures are required.

Less than Significant with Mitigation

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

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

The County, serving as the Lead Agency, is responsible for conducting government-to-government consultation with local tribes as requested per AB52. On September 27, 2024, the San Bernardino County mailed notification pursuant to AB52 to the following tribes:

- Twenty-Nine Palms Band of Mission Indians
- Chemehuevi Indian Tribe
- Colorado River Indian Tribes
- Fort Mojave Indian Tribe
- Fort Yuma Quechan Tribe

- Kern Valley Indian Community
- Morongo Band of Mission Indians
- Serrano Nation of Mission Indians
- Yuhaaviatam of the San Manuel Nation

Requests for consultations were due to the County by October 27, 2024. In an email dated February 11, 2025, YSMN requested that Mitigation Measures TCR-1 and TCR-2 below, and CUL-1 to CUL-3 identified previously, be implemented.

Mitigation Measure TCR-1

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

Mitigation Measure TCR-2

Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

Less than Significant with Mitigation

Less than significant impacts are anticipated with implementation of the applicable Mitigation Measure.

<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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
b)	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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Policy Plan; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

- 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?*

Water shall be provided for project operations by a water truck. Bottled water is delivered to the site for drinking water. A 6,000-gallon water truck would be used at the Project Site for dust control on the roads, within the loading area, and on the stockpiles. The Proposed Project would not require the relocation or construction of new or expanded water utilities as water will be provided by private well at the Lynx Cat Mountain Quarry nearby.

Only portable toilet facilities with handwashes would be used for the workers. No septic systems are, or would be, installed on-site. The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur.

Under proposed conditions, the existing drainage flows would be captured as they enter the Project Site along the southern and southwestern project boundaries. Storm runoff

crossing the southern project boundary would be directed towards a proposed drainage culvert beneath the loop railbed. This flow would be retained within the rail loop and infiltrated into the ground. The runoff would infiltrate within the area of the crushed ballast and would not flow across the loading areas or equipment storage areas. The blue line streams which flow beneath the BNSF railroad improvements do not enter the Project Site and would not be disturbed by the Proposed Project. Therefore, the Proposed Project would not require the relocation or construction of new storm water drainage facilities.

Power for the Proposed Project would be supplied by a generator. The Proposed Project would not require natural gas. New cellular service would not be necessary. Therefore, the Proposed Project would not require the relocation or construction of electric power, natural gas, or telecommunications facilities.

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

Less Than Significant Impact

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

Water would be provided by a 6,000-gallon water truck and used at the Project Site for dust control on Santa Fe Road, the loading area, and on the stockpiles. Approximately 2 to 4 water truck trips would provide water from a private well at the nearby mine site. Without the proposed rail loop and loading facility, material mined from the Lynx Cat Mountain Quarry would be delivered via on-road haul trucks to customers. Under this scenario, water for dust suppression would still occur at the Lynx Cat Quarry. Therefore, water supplies needed for the Proposed Project would be less than significant. No mitigation measures are required.

Less Than Significant Impact

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

There is no sewer service at the Project Site and the Proposed Project would not require sewer collection or treatment services. Therefore, no off-site discharge of treated wastewater would occur. No impacts are identified or are 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?*
- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The Proposed Project is a rail loop and aggregates loading facility that would require up to six employees. Minimal solid waste would be generated with implementation of the Proposed Project. Waste collection and disposal would be performed by the LCMD crews in accordance with both County and BNSF requirements. No trash, debris, or illegal dumping would be permitted to accumulate on or near the right-of-way and, if found, it would be collected and removed whenever noticed or encountered. Solid waste would be collected in waste bins and disposed of at the Barstow landfill. As such, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, less than 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>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

landslides, as a result of runoff, post-fire slope instability, or drainage changes?

SUBSTANTIATION:

Countywide Policy Plan; LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024

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

The nearest publicly dedicated road is Santa Fe Road, transecting the Project Site. Santa Fe Road is a dirt road that is lightly traveled. The existing Santa Fe Road on Section 13 would be slightly relocated 300 feet north and would still be publicly accessible. Aggregate would be delivered to the loop loading facility via an existing haul road that would intersect with and cross the relocated Santa Fe Road. None of these roads are evacuation routes.²⁴ During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles. Road closures during construction would be short-term and temporary. Parcels surrounding the Project Site are vacant, desert land. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, facility operations would not result in inadequate emergency access. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.²⁵ Therefore, risks associated with exposing project employees to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors, exacerbate wildfire risks is unlikely. Furthermore, the Proposed Project does not include construction of permanent, habitable structures nor are there any such existing structures. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

²⁴ San Bernardino Countywide Plan, PP-2 Evacuation Routes. Accessed September 26, 2024.

²⁵ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 23, 2024.

- 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 would not require the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Under the Proposed Project, the existing Santa Fe Road would be relocated north 300 feet to curve around the proposed rail loop. Construction of the rail loop and relocation of the Santa Fe Road would be done in accordance with fire safety regulations. Whenever the rail loop is in operation with cars being loaded and/or unloaded, LCMD would have a water truck and trained fire watch on duty to address and control any unforeseen hazardous conditions or in the unlikely event of a fire. Therefore, the Proposed Project is not anticipated to require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary ongoing impacts to the environment. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone nor a 500-year FEMA flood zone.²⁶ As no major grading and paving are proposed, the existing drainage pattern would be maintained. The Project Site is not located within a High or Very High Fire Hazard Severity Zone.²⁷ The Project Site is located in a relatively flat desert area not susceptible to landslides. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

²⁶ San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed September 27, 2024.

²⁷ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 23, 2024.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) <i>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?</i>				

The proposed development activities are expected to have minimal impact on any State or Federal listed or State special status plant or animal species. Desert tortoise were not observed on the project site. The one-mile haul road and its zone of influence does support desert tortoises, but with implementation of Mitigation Measures BIO-1 and BIO-4 to BIO-20, the impact can be reduced to less than significant. In addition, burrowing owls do not inhabit the site and are not expected to be impacted given the lack of suitable burrows and the lack of sign (whitewash, castings, etc.). Mitigation Measure BIO-2 will be implemented to reduce any impact to burrowing owl to less than significant. The Project Site does not contain western Joshua trees nor Mojave ground squirrel and Proposed Project would not require an ITP for these species.

BCR Consulting's survey resulted in the recordation of five cultural properties within the Project Site. None of the resources are recommended eligible for the California Register of Historical Resources due to failure to meet any eligibility criteria. Therefore, they are not recommended historical resources under CEQA. Based on these results, the five cultural properties identified during the cultural study do not merit further consideration. As such, the Proposed Project would not result in a significant adverse effect to a historical resource under CEQA. Mitigation Measures CUL-1 to CUL-3, TCR-1, and TCR-2 shall be implemented to ensure no adverse impacts to cultural resources occur.

Less than Significant with Mitigation

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

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

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

Greenhouse emissions resulting from the Proposed Project would not exceed County and MDAQMD thresholds. Therefore, impacts are not cumulatively considerable. Development of the Proposed Project would be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality.

The cumulative impacts to the general biological resources (plants and animals) in the surrounding area are expected to be negligible. This assumption is based on the presence of ample suitable habitat in the surrounding areas.

Cumulative impacts identified in this Initial Study are anticipated to be less than significant. Therefore, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As discussed, the Proposed Project would not expose persons to adverse impacts either directly or indirectly related to Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Hazards and Hazardous Materials, Noise, or Transportation/Traffic hazards. These impacts were identified to have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated.

The implementation of the existing rules and regulations, conditions from permit approvals and the mitigation measures identified in this Initial Study Checklist would result in a less than significant impact.

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

Less Than Significant Impact

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

GENERAL REFERENCES

California Department of Toxic Substances Control. EnviroStor. Accessed November 22, 2024.

California Energy Commission. California Retail Fuel Outlet Annual Reporting. Accessed November 14, 2024.

LSA Associates, Inc. County of San Bernardino Greenhouse Gas Reduction Plan Update. June 2021.

Natural Resources Conservation Service. Web Soil Survey. Accessed December 6, 2024.

San Bernardino County. Countywide Policy Plan. Approved October 27, 2020, Adopted November 27, 2020.

San Bernardino County. Title 8: Development Code.

San Bernardino County Assessor. "Parcels Under Open Space Contract Report." September 20, 2024.

San Bernardino County. Countywide Policy Plan web maps. Accessed periodically.

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

PROJECT-SPECIFIC REFERENCES

BCR Consulting LLC, Cultural Resources Inventory - Lynx Cat Mountain Quarry Expansion Rail Loop Project, October 23, 2024.

LCM Development, LLC, Plan of Development – Conditional Use Permit for Rail Loop Aggregate Loading Facility, May 10, 2024.

Lilburn Corporation. Air Quality Emission Inventory for Lynx Cat Rail Loadout Facility. December 2024.

Lilburn Corporation. Detailed CalEEMod Report. December 17, 2024.

Merrell-Johnson Companies. Hydrology Study. December 16, 2024.

RCA Associates, Inc., General Biological Resources Assessment Rail Loop Project, June 24, 2024.