

**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:	0655-181-16	USGS Quad:	Fenner
Applicant:	Skanska USA Civil West	T, R, Section:	T8N, R17E, Section 13
Location	Approximately 6 miles northeast of Essex and 33 miles west of Needles.	Thomas Bros	
Project No:	PROJ-2024-00123	Community	None
Rep	Lilburn Corporation	LUC: Zone:	(OS) Resource Conservation – RC.
Proposal:	The Applicant is requesting approval of a Conditional Use Permit and Reclamation Plan Revision to resume rock mining on a 50-acre portion of a 90-acre site.	Overlays:	Airport Safety Review Area (AR4)

PROJECT CONTACT INFORMATION:

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

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

PROJECT DESCRIPTION:

Entitlement Background

The Project Site is located on Yeager Skanska Inc. privately held lands on the southeast side of U.S. Highway 66 (Historic Route 66 and/or National Trails Highway (NTH)); 6.5 miles southwest of the intersection with Interstate 40 (I-40), and over 100 miles east of Barstow in the far eastern Mojave Desert within unincorporated San Bernardino County. The extent of ownership consists of 536.6 acres of Assessor’s Parcel Number (APN) 0655-181-16. Refer to Figure 1 for a Regional Map, Figure 2 for a Location Map, and Figure 3 for extent of holding map that delineates the Mine Plan.

A Mine Reclamation Plan and an Initial Study/Mitigated Negative Declaration were approved by San Bernardino (County) in 1994 (94M-01) (1994 Plan). The mine was used for Caltrans and other road improvements intermittently from 1994 through 2005; activities were limited to stockpile of material removal. The 1994 Plan operations permit expired in 2014 and the 1994 Reclamation Plan expired in 2019. The mine has been generally inactive with an “idle” status filed with the California Department of Conservation Division of Mine Reclamation (DMR), CA MINE ID #91-36-0120.

Existing Conditions

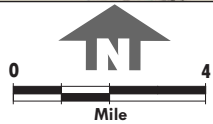
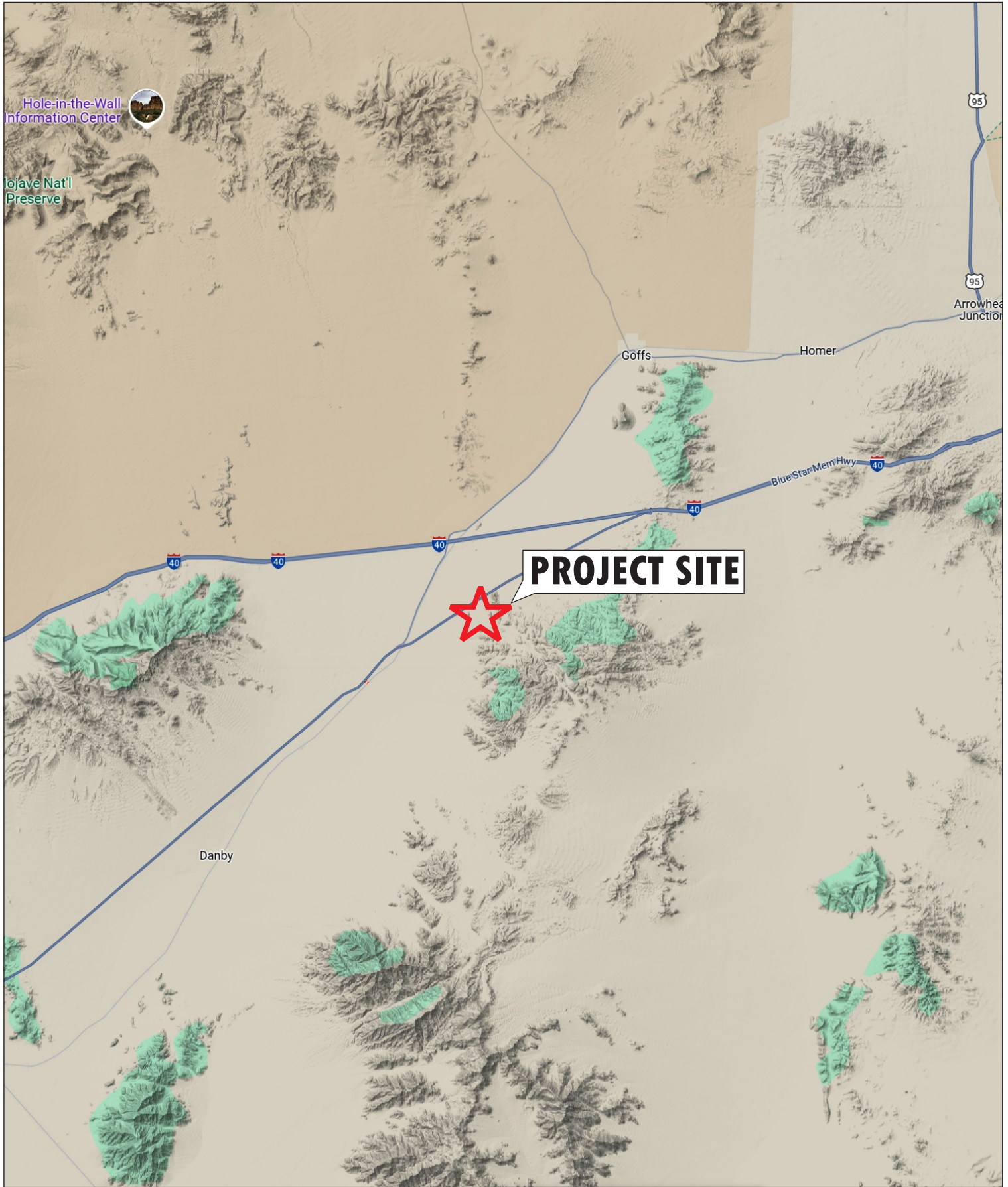
The 1994 Plan allowed mining on 50-acres, approximately 32 acres within an unnamed wash, mining to a depth of 20 feet with 3 horizontal to 1 vertical (3H:1V side slopes), and 18 acres within the Operations Areas. The approved production rates were a maximum of 400,000 tons per year (tpy) with about 10% overburden or surface material to be used for reclamation. Currently, approximately 43 acres have been disturbed by past mining and processing including: 25 acres within the wash (which has been deemed reclaimed), and 18 acres within the pit and operations areas to the east of the wash (Refer to Table 1 for additional information).

Despite the expiration of the 1994 permit, Skanska has maintained the mine in a safe condition, submitted annual mining reports to the County and the State Division of Mine Reclamation (DMR), conducted annual County mine inspections, provided updated financial assurances cost estimates (FACEs) and financial assurance mechanisms (FAMs). Currently the reclamation bond on file with the County for the mine totals \$159,899.

Proposed Project

Skanska USA Civil West (Skanska) submitted an application to the San Bernardino County Land Use Services Department for a revised Mine Reclamation Plan (2024 Plan) and a Conditional Use Permit (CUP) to renew mining operations for the Essex Sand & Gravel Mine. As the mine site has been maintained and has continued to comply with State and County reporting requirements, the operator is seeking to continue to provide material for maintenance, repair, and improvements under a revised Mine Reclamation Plan. Due to the remote location of this area and that most lands are public lands managed and protected by the Bureau of Land Management (BLM), it is important to maintain local private aggregate sites to provide road materials for the Eastern Desert Region. This site reduces the need to transport materials from more distant aggregate sources.

Approval of the revised Plan consists of a 90-acre Mine Reclamation Plan. 50-acres of active mining activities, 15-acres of setbacks, and 25-acres within the wash deemed reclaimed and to be avoided. No changes to production rates are proposed.



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CORPORATION

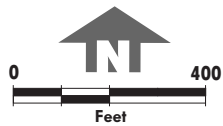
REGIONAL MAP
ESSEX MINE
County of San Bernardino, California

FIGURE 1



PROJECT SITE

Route 66 National Trails



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PROJECT LOCATION

ESSEX MINE
County of San Bernardino, California

FIGURE 2



Skanska proposes to operate the mine for 50 years to provide aggregates for regional road projects. The 2024 Plan would continue the past permitted processing operations (crushing, screening, and asphalt production). Future planned mining would be conducted on approximately 40 acres to the east and outside of the wash, mostly within the previously permitted 1994 Plan boundary and within the existing desert tortoise fencing. The pit, approximately 25 acres of undisturbed areas and 15 acres disturbed areas, will be excavated. The processing plants (10 acres disturbed) are all portable and would be moved as needed to accommodate planned mining. The reclamation slopes would be 3H:1V with a depth of 30 feet. Approximately 15-acres of setbacks (distance from the tortoise fence, the wash, and existing access) would not be disturbed. The planned mining and operations area would be set back 50 feet from the reclaimed wash channel. Additional desert tortoise fence will be installed between the two areas (the wash and pit). Refer to Table 1 for project details.

No future mining would be conducted in the 25-acre wash area to avoid possible hydrological and biological impacts. A County inspector conducted an inspection in November of 2020 and commented: “the wash area crossing the central portion of the site appears to be reclaimed and supports a vibrant riparian community of maturing smoke trees. The operator is advised to continue protecting areas with maturing vegetation.” The southeastern portion of the wash planned for mining was never disturbed and as such this area is being removed from the revised 2024 Plan. Other minor areas observed as disturbed by County inspections were incorporated into the 2024 Plan.

**Table 1
 Past, Existing, and Planned Areas
 Essex Sand & Gravel Mine**

Description	1994 Plan acres	2024 Plan acres
Project Limits	50	90
Planned Disturbance Area	50	50
<i>Pit</i>	<i>32 (25 ac. disturbed in wash, deemed reclaimed)</i>	<i>40 (15 ac. disturbed & 25 ac. new disturbance)</i>
<i>Operations Areas</i>	<i>18 (disturbed)</i>	<i>10 (disturbed)</i>
Undisturbed/Setbacks	---	15
<i>Not a part-Wash Area (deemed reclaimed by Co. inspection)</i>	---	<i>25 (deemed reclaimed; to be avoided)</i>

Summary of Mining Operations

Mining operations would occur over a period of 50 years from approval date. Up to an estimated 400,000 tons of material may be mined for use in road construction and maintenance projects along I-40 and NTH. Operations would vary substantially from year to year from inactive up to the 400,000 tons per year (tpy) depending on federal, Caltrans, and County Road projects. The reclaimed end use of the Project Site will be revegetated open space.

According to the current protocols per latest United States Fish and Wildlife Service (USFWS) Desert Tortoise Field Manual, the 50-acre Project Site will be fenced with a combination of desert tortoise fencing and 4-strand wire.¹ The north and east side of the mine site is currently fenced with tortoise fencing required from the 1994 Plan; new fencing would be constructed on the west side of the new pit approximately 50 feet from the banks or edge of the existing wash as determined in the field.

Mining would take place in a 40-acre shallow pit extending northwest to southwest for approximately 2,400 feet with an average width of about 800 feet. Mining would be conducted from approximately 2,300 feet above mean-sea-level (amsl) on the northwest to 2,375 feet amsl on the southeast rim with an average depth of 30 feet or an average floor elevation of 2,300 feet amsl. Mining would be conducted with 3H:1V or 18° overall slopes.

Setbacks of a minimum of 50 feet would be established along the southwest side of the pit adjacent to the wash to avoid hydrologic and biologic resources such as riparian habitat, or other sensitive natural community or any species identified as a candidate, sensitive, 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. There would also be a 500-foot setback established on the northwest side adjacent to NTH (see Figure 4, Mine Plan). These setbacks will include desert tortoise wire exclusion fencing with warning signs on the outside edge of the property and secured gates at the access road. Access into the mining area is from the NTH with an existing 50-foot-wide compacted gravel road extending to the 10-acre operations area on the northwest of the pit. Once off the Project Site, the street-legal transport trucks (trucks legally allowed to drive on asphalt roads) would utilize NTH to construction sites.

The following activities will be conducted prior to opening new areas for mining to limit disturbed areas and to facilitate ongoing and future reclamation and revegetation:

- Excavation and other disturbance limits will be located and marked in the field;
- Specified plants per the California Department of Fish and Wildlife's (CDFW) California Desert Native Plant Act (CDPA) if found on-site, including any cactus, yucca, and cholla that can tolerate transplant will be salvaged and stored in a nursery area and replanted on reclaimed land available for revegetation. Revegetation will take place via seeding and transplanting, on land disturbed by mining activities throughout the Project Site. Note that there are no western Joshua trees (*Yucca brevifolia*) on-site (a candidate species under the California Endangered Species Act (CESA)); and
- Salvageable "topsoil" or growth media up to 0.5 feet typically will be placed in a separate identified topsoil stockpile(s) and clearly marked and covered with larger material to limit wind and water erosion. If needed, the native overburden or waste materials will be crushed for additional soil cover.

Mining would occur with one loader and/or excavator, and a dozer and/or grader to break, move, and load material directly into a crushing and screening plant, or transported by a conveyor or truck from the mining area to the plant feeder. No blasting is required. Based on need, a portable crushing and screening plant with conveyors and a portable asphalt batch plant would be utilized

¹ U.S. Fish and Wildlife Service, Desert Tortoise Field Manual. <https://www.fws.gov/media/desert-tortoise-field-manual>

onsite for construction projects. A portable office, storage structure, and scales would also be established on-site. No permanent buildings or facilities would be constructed on-site. Excavated material (raw or processed) road demolition material, recycled material, and soils may be stockpiled on-site for use as needed for construction and maintenance.

Summary of Reclamation Plan

Reclamation of the mine will be undertaken when portions of the pit have been mined out and principally at the completion of mining operations. Any over-steepened slopes will be partially backfilled or recontoured to 3H:1V as needed. Fill material made up of excess stockpiled material and/or overburden pushed up onto slopes to create 3H:1V. The fill will be compacted by tracking the dozer over the slope to achieve necessary compaction consistent with final end use of revegetated open space. Any rock or gravel on the roads to be reclaimed will be removed and used as fill in the pit area. Final graded slopes and the ten-acre existing disturbance area in the northwest will be revegetated and reclaimed as open space. The re-contoured slopes, pit floor, storage areas, and processing area will be planted with salvaged plants and seeded with the recommended seed mix in the Reclamation Plan. The access road will remain to provide access onto the site for future monitoring. Refer to the 2024 Reclamation Plan for CA MINE ID#91-36-0120, on file with the County.

Surrounding Land Uses and Setting

The Project Site is vacant land that has been partially disturbed by mining, grading, exploration, and roads. The Project Site rises approximately 100 feet from the northwest to southeast with elevations ranging from 2,275 to 2,375 feet amsl. The Project Site is designated Open Space (OS) and is zoned Resource Conservation (RC). Mining within the RC zone requires the approval of a Conditional Use Permit (CUP).

The surrounding areas consist of vacant land to the south, east and west, with past mining operations and vacant land to the north. The land use designations, zoning, and existing land uses for the Project Site and adjacent properties are shown below.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site (50-acre)	Vacant; partially disturbed by mining	Open Space (OS)	Resource Conservation
North	Vacant; former mining area	Open Space (OS)	Resource Conservation
South	Vacant	Open Space (OS)	Resource Conservation
East	Vacant	Open Space (OS)	Resource Conservation
West	Vacant	Open Space (OS)	Resource Conservation

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

State of California: Air quality permits for on-site processing from Mojave Desert Air Quality Management District (annual renewals), and DMR for approval of mine plan.

County of San Bernardino: Land Use Services Department

Regional: None known

Local: None known

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 December 18, 2024, the County of San Bernardino mailed notification pursuant to AB52 to the following tribes: Yuhaaviatam of San Manuel Nation, Fort Mojave Indian Tribe, Gabrieleno Band of Mission Indians – Kizh Nation, Morongo Band of Mission Indians, Gabrieleno Tongva San Gabriel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, and Soboba Band of Luiseno Indians. Requests for consultations were due to the County by January 18, 2025. Only one response was received and is summarized below.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
Yuhaaviatam of San Manuel Nation (YSMN)	12/27/2024	The proposed project is located outside of Serrano ancestral territory.	YSMN will not be requesting to receive consulting party status with the lead agency or to participate in the scoping, development, or review of documents created pursuant to legal and regulatory mandates.

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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


- | | | |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Energy</u> |
| <input checked="" 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, Associate Planner

6/4/26
 Date


 Signature Gina Gibson-Williams, Supervising Manager

6/4/26
 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; Lilburn Corporation, Reclamation Plan for the Essex Mine, August 2024

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

The Project Site is within the Desert Region of San Bernardino County which provides numerous scenic vistas. The existing mine site is located adjacent to and southeast of the National Trails Highway (NTH). The Proposed Project includes a request to renew the mining permit and Mine Reclamation Plan (approved in 1994) for a 50-acre portion of the 90-acre plan boundary within APN 0655-181-16. The Project Site has been partially disturbed by past mining operations. There are no nearby residences, commercial development or recreation areas that have visibility of the Project Site. The 10-acre operations area is adjacent to and at grade level with the NTH to the north.

Mining would be conducted in a shallow pit generally below grade level and not visible from the NTH. The Project includes a 500-foot setback from NTH. Access into the mining area would continue to be from NTH via an existing 50-foot-wide compacted gravel road extending to the 10-acre operations area on the northwest of the pit. A

portable processing and asphalt batch plant would be used on-site and removed after construction projects are complete. The portable asphalt batch plant would be approximately 40 feet in height and would occupy a space equal to approximately five semi-trucks. The portable asphalt batch plant would be positioned in the 10-acre operations area (refer to Figure 3) and would be visible from NTH as it would be at the same grade as the highway. Due to its height, size, and distance from NTH (i.e., over 500 feet) the temporary asphalt batch plant is not expected to obscure views of the surrounding desert environment or be intrusive as a manmade object to travelers along NTH.

The I-40 is approximately six miles north of the Project Site. Mining would take place in a 40-acre shallow pit extending northwest to southwest for approximately 2,400 feet with an average width of about 800 feet. Due to the surrounding topography the I-40 at this location is at an elevation of 2,020 feet amsl and the portable plant would be buffered by surrounding hills that have an elevation of approximately 2,400 feet amsl.

Mining would be conducted from approximately 2,300 feet amsl on the northwest to 2,375 feet amsl on the southeast rim with an average depth of 30 feet or an average floor elevation of 2,300 feet amsl. Since views of mining operations would be shielded by existing topography and located approximately six miles south as viewed from I-40. Less than significant impacts would occur to scenic vistas 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 adjacent to and south of NTH, a designated County Scenic Route and is approximately six miles south of I-40, a designated County Scenic Route and Eligible State Scenic Highway.² As stated previously, only the portable asphalt batch plant would be visible on a small portion (within the 10-acre operations area) of the Project Site. Furthermore, there are no known scenic resources on the Project Site, including trees, rock outcroppings, or historic buildings that would be impacted by mining operations. Therefore, less than significant impact is 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?*

² San Bernardino County. Policy Plan web maps. NR-3 "Scenic Routes and Highways." Accessed November 08, 2024.

According to Site Check, the Project Site does not occur within an urbanized area.³ The nearest Urbanized Area is Needles, California, located approximately 33 miles east of the Project Site. The Project Site does not meet the definition of an Urbanized Area under Section 15387 of the *State CEQA Guidelines*. The following analysis reviews potential visual impacts of the Proposed Project on the existing visual character and quality of public views on the Project Site and surrounding area.

Impacts to visual resources are based on changes to the existing character of the landscape, viewer sensitivity, and the number of viewers that may view project activities. The Project Site is within a non-urbanized area consisting of vacant desert land that has been partially disturbed by mining, grading, exploration, and roads since the 1990s. I-40 is located about six miles north of the Project Site. The Project includes a revised Mine Reclamation Plan to allow for the continued mining and previously permitted processing operations (i.e., crushing, screening, and asphalt production). The eventual reclamation and revegetation would aid in blending the Project Site with the surrounding topography and vegetation. Therefore, mining operations would not substantially degrade the existing visual character or quality of public views of the Project Site and its surroundings. 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 Proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area as no permanent new light sources are proposed. Mining activities would be conducted intermittently primarily between the hours of 5:30 a.m. and 6:00 p.m. (daylight hours only), up to 6 days per week; Monday through Saturday. Occasionally operations may be conducted on Sundays and nights (24/7) depending on road construction contract requirements and scheduling of road construction to avoid peak travel times. No permanent lighting is proposed; however, in the event temporary lighting is needed, the operator shall comply with the requirements outlined in the San Bernardino County Development Code, Section 83.07.040(a) Glare and Outdoor Lighting – Mountain and Desert Regions, permitted lighting for new construction. Proposed light sources are anticipated to be localized and comply with the Development Code and would not impact the region's overall light environment. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

³ Site Check <https://sitecheck.lci.ca.gov/> Accessed December 23, 2024.

	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"/>
<i>SUBSTANTIATION:</i> (Check <input type="checkbox"/> if project is located in the Important Farmlands Overlay):					
Countywide Policy Plan; San Bernardino County Policy Plan webmaps					

- 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.⁴ The nearest designated Prime farmland to the Project Site occurs approximately 82.5 miles west of the Project Site in Newberry Springs.⁵ The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under or adjacent to any lands under a Williamson Contract.⁶ It has a current zoning of RC. The Proposed Project is conditionally permitted within the RC zone and therefore would be consistent with the Countywide Policy Plan and 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 RC. 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

- 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

⁴ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed November 08, 2024.

⁵ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed November 08, 2024.

⁶ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed November 08, 2024.

- 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 was previously used for mining and consists of disturbed desert land. Currently there are no agricultural resources or farmland on-site that would be converted with implementation of the Proposed Project. The Project Site is currently zoned RC. Although this designation allows for agricultural uses, the Proposed Project would not result in the conversion of Farmland to a non-agricultural use. Therefore, no impacts involving other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agriculture use would occur. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

San Bernardino Countywide Policy Plan; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 2024; Air Quality Model Data Tables prepared by Lilburn Corporation, 2025 (Appendix A)

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

The Project includes a request for a Conditional Use Permit and Reclamation Plan to allow mining at the existing Essex Sand and Gravel Mine. Previous operations approved by the County (94M-01) occurred on a 50-acre portion of a 90-acre site from the 1990's to about 2005.

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 MDAQMD is responsible for updating the Air Quality Management Plan (AQMP). The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. Since previous mining has occurred on-site since the 1990s and no change in land use is proposed, the Proposed Project would not conflict with or obstruct implementation of the plan. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project is limited to the Reclamation Plan, the decrease in mine site acreage, and the term of mining and reclamation activities. Mining activities were screened for emission generation using MDAQMD "Rule Book" guidelines, and Off-Road Mobile Source Emissions Factors (2025), and AP-42, refer to Air Quality Model Data Tables prepared by Lilburn Corporation, 2025 (Appendix A) for data. Emissions screened include reactive organic gases (ROG), nitrous oxides (NO_x), carbon monoxide (CO), and particulates (PM₁₀ and PM_{2.5}). Two of these, ROG and NO_x, are ozone precursors.

Typical daily operations were screened for the following: On-Site Emissions – dump/haul trucks dozer, loader, generator sets, water truck, processing plant emissions and road dust; Off-Site Emissions: Haul Truck, employee trips, and Fuel Delivery Trucks emissions. Refer to Table 2 for emissions.

**Table 2
 Essex Sand & Gravel Mine Emissions
 (Pounds per Day)**

Source: On-Site	ROG	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
Water Truck	0.46	1.91	2.15	0.01	0.1	0.02
Loader	0.45	2.27	3.45	0.01	0.1	0.02
Dozer	0.63	3.59	4.05	0.01	0.18	0.04
Generator Sets	0.23	1.86	2.13	0.01	0.13	0.03
Dump/Haul Truck	1.82	7.63	8.62	0.04	0.23	0.05
Other Material Handling Equipment	0.28	1.54	1.74	0.01	0.10	0.02
Processing Plant	---	---	---	---	6.07	1.26
Road Dust	---	---	---	---	7.8	1.6
Source: Off-Site						

Haul Trucks	2.6	30.22	13.17	---	2.66	2.45
Employee Trips	0.25	0.18	2.07	---	0.05	0.04
Fuel/Water Delivery Trucks	0.06	0.71	0.31	---	0.06	0.05
Total Value (lbs/day)	6.78	49.91	37.75	0.09	17.48	5.59
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: SCAQMD Off-Road Mobile Source Emissions Factors 2025
 Refer to Appendix A: Tables A1 through A4 and Appendix B – Lilburn Corporation

As shown in Table 2, project emissions would not exceed MDAQMD thresholds.

Compliance with MDAQMD Regulation and Rules

During mining activities, the Applicant is required to comply with all applicable MDAQMD rules and regulations as the MDAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5} (state)). The Proposed Project shall comply with Regulation II which requires the Applicant to obtain and implement conditions for a Permit to Operate the proposed crush/screening plant and power generator. To limit dust production, the Applicant must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (e.g. water will be sprayed on working mine areas and onsite access roads regularly with increased frequency during windy conditions; un-surfaced haul and access roads will also be managed for dust control through regular watering or by applying road base material as needed) for each fugitive dust source. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The Applicant would be required to implement the following conditions as required by MDAQMD:

1. All equipment used for mining must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks to minimize exhaust emissions from truck idling.
3. The operator shall comply with all existing and future California Air Resources Board (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.
4. The aggregate crusher must annually renew permits to operate from the MDAQMD and be in compliance with such permits.

MDAQMD rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide CARB Diesel Reduction Plan. These measures will be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines. Therefore, less than significant impact is 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 north desert region of a remote area of San Bernardino County with no residences or recreational areas in the immediate vicinity. The nearest occupied residential structure is approximately 6 miles southwest of the Project Site. No sensitive receptors are located within the Project vicinity. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The generation of objectionable odors is typically not associated with surface mining operations and 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, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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):

Countywide Policy Plan Draft EIR; Jennings Environmental, General Biological Resources Assessment, Jurisdictional Delineation and Native Plant Protection Plan October 2023; Lilburn Corporation. Reclamation Plan for the Essex Sand & Gravel Mine, August 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 Resources Assessment (BRA), Jurisdictional Delineation (JD) and Native Plant Protection Plan, dated October 2023, was prepared for the Project Site by Jennings Environmental and is summarized herein and attached to this Initial Study as Appendix B.

No State and/or federally listed threatened or endangered species or other sensitive species were observed on-site during surveys. According to the California Natural Diversity Database (CNDDDB), California Native Plant Society's Electronic Inventory (CNPSEI), and other relevant literature and databases, 11 sensitive species including 4 listed species, have been documented in the *Fenner, Fenner Spring, Little Piute Mountains, and Essex* quadrangles. Below is a description of the species that have the potential to occur on or near the Project Site.

Special Status Species

Desert Tortoise - The habitat within the southeast corner of the Project Site is minimally suitable for desert tortoise. However, because the Project Site is within designated critical habitat for the desert tortoise, protocol surveys were completed July 2023 for this

species using the 2018 USFWS Desert Tortoise Protocol.⁷ Per the USFWS, quantitative surveys can be completed at any time of year for the desert tortoise.

Based on the field survey, no live desert tortoises were observed within the Project Site. A Class 5 desert tortoise carcass was located outside the current Proposed Project Site (e.g. 50 acres), but within the permitted mine boundary. The anterior portion of the shell was absent and broken, which is considered disarticulated. However, scutes were not peeling off the bone, and the shell was mostly complete. The shell was cracked, and no spinal cord was present. No other desert tortoise signs were observed. Additionally, the tortoise survey identified additional suitable burrows that were not occupied. There was no sign of tortoise (scat, tracks, etc.) within the entrance to the burrows or in the vicinity of the burrows.

Burrowing Owl - The breeding season for BUOW is February 1 through August 31. Based on the August 2023 field survey, the Project Site does contain suitable habitat for this species. However, no burrowing owls were observed during the site visit. No portion of the Project Site showed any evidence of past or present BUOW activity (i.e., no feathers, whitewash, or castings).

The BRA concluded that although the burrowing owl was absent from the Project Site during the survey, there is suitable habitat within the Project Site. As such, pre-construction surveys are necessary for this species as required in Mitigation Measure BIO-1 below and shall follow the recommended guidance from the CDFW.

Desert Kit Fox – The BRA determined that although the Desert Kit Fox was not observed during the field survey, the Project Site provides suitable habitat for this species as some burrows of suitable size or shape were observed. Mitigation Measure BIO-2 will reduce potential impacts to this species to less than significant.

American Badger - The BRA determined that although the American Badger was not observed during the field survey, the Project Site contains suitable habitat for this species (i.e., burrows of suitable site and shape). Mitigation Measure BIO-3 will reduce potential impacts to this species to less than significant.

Nesting Birds – As concluded in the BRA, the Project Site and immediate surrounding area provides marginal suitable habitat for nesting birds. As such implementation of the Project is subject to nesting bird regulations and Mitigation Measure BIO-4 is required to reduce impacts to less than significant.

To minimize potential impacts to the biological resources, including special status species, the following mitigation measures shall be implemented:

Mitigation Measure BIO-1:

Prior to the start of any construction, a 30-day pre-construction survey should be conducted for the presence of BUOW. Surveys shall be completed following the

⁷U.S. Fish and Wildlife Service, Mojave Desert Tortoise Pre-project Survey Protocol
https://www.fws.gov/sites/default/files/documents/Mojave%20Desert%20Tortoise_Pre-project%20Survey%20Protocol_2019.pdf

recommendations and guidelines provided within the 2012 BUOW Staff Report provided by the CDFW.

Mitigation Measure BIO-2:

Prior to any ground disturbing activities, a pre-construction survey for the Desert Kit Fox shall be conducted by a qualified biologist. The surveys shall be conducted during the appropriate times to observe the target species and using the most current survey protocol.

Mitigation Measure BIO-3:

Prior to any ground disturbing activities, a pre-construction survey for the American Badger shall be conducted by a qualified biologist. The surveys shall be conducted during the appropriate times to observe the target species and using the most current survey protocol.

Mitigation Measure BIO-4:

Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

Implementation of the above mitigation measures would ensure potential impacts to any species identified as a candidate, sensitive or special status species by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, would be reduced to less than significant.

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?*

The Proposed Project includes the operation of an approximate 50-acre area for mining to provide aggregates for regional road projects. Although a drainage area is present within the mine boundary, the Proposed Project would exclude any work from within the drainage area. The drainage area is a broad (approximately 400 to 675 feet in width) dry wash with surface flows from the southeast to the northwest. As such, there are no

streams, channels, washes, or swales that meet the definitions of Section 1600 of the State of California Fish and Game Code (FGC) under the jurisdiction of the CDFW, Section 401 (“Waters of the State”) of the Clean Water Act (CWA) under the jurisdiction of the Regional Water Quality Control Board (RWQCB), or “Waters of the United States” (WoUS) as defined by Section 404 of the CWA under the jurisdiction of the United States Army Corps of Engineers (USACE) within the Project Site. The drainage area will be avoided by mining operations with a 50-foot setback on the east side of the drainage area as defined by a planned desert tortoise protection fence.

Therefore, no substantial adverse effect would occur to any riparian habitat.

Less Than Significant Impact

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

A Jurisdictional Delineation was performed by Jennings Environmental to assess potential jurisdictional waters at the Project Site. The assessment reviewed the Project Site for the presence of waters regulated by the USACE, RWQCB, and CDFW. The delineation was conducted based on aerial maps, and global positioning units were used to determine the limits of jurisdictional waters. All areas identified as supporting jurisdictional waters were measured to the nearest foot. Suspected jurisdictional areas were checked for the presence of definable channels and/or wetland vegetation, riparian habitat, soils, and hydrology. The JD was conducted in accordance with regulations set forth in 33CFR part 328 and the USACE guidance documents. Evaluation of CDFW jurisdiction followed guidance in the Fish and Game Code and *A Review of Stream Processes and Forms in Dryland Watersheds* (CDFW, 2010).⁸

The Project Site was surveyed with 100 percent visual coverage of the drainage on-site. The drainage does not meet the definition for Waters of the US (WOUS) and Waters of the State (WOS). Therefore, there are no permits needed from the USACE or the RWQCB.

CDFW asserts jurisdiction over any drainage feature that contains a definable bed and bank or associated riparian vegetation. The Project Site was surveyed with 100 percent visual coverage and the drainage on-site is considered jurisdictional under CDFW. Although the drainage area is present within the former mining area, the Project includes a reduction in the boundary of the site to exclude any work from within the drainage area, the proposed tortoise fencing would enclose the Proposed Project Site, approximately 50 feet from the banks or edge of the existing wash, excluding the drainage area (see Figure 3). Therefore, there would be no impact to the 38.6 acres

⁸ California Department of Fish and Game, *A Review of Stream Processes and Forms in Dryland Watersheds*
file:///C:/Users/alex/Downloads/Dryland%20Stream%20Processes%20and%20Forms%20_final_.pdf

under CDFW jurisdiction. Refer to the Jurisdictional Delineation Assessment for additional information.

According to the National Wetlands Inventory Map (NWI), the jurisdictional area is mapped as Riverine. More specifically the classification is listed as R4SBJ (R=Riverine, 4=Intermittent, SB=Streambed, and J=Intermittently Flooded). Although the jurisdictional area is classified as Riverine, there are no wetlands present within the area. In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology. The site can not be considered a jurisdictional wetland under Section 404, because it does not meet three of the wetland criteria listed above. The site is also not adjacent to, contributes flow to, or is connected to a WOUS (as noted earlier). Therefore, there are no wetlands present on-site.

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

Less Than Significant Impact

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

According to the BRA the Project Site is not mapped within an area for wildlife movement. Additionally, the site is not within a desert linkage as mapped by the Mojave Desert Land Trust. Therefore, the Proposed Project is not anticipated to impede the use of a wildlife corridor. In addition, in the long-term the Project Site would be backfilled and revegetated to return the area to OS. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The BRA found that the Proposed Project would be subject to the Desert Native Plants Act. San Bernardino County Development Code, Section 88.01.060 Desert Native Plant Protection provides regulations for the removal of specified desert native plant species to preserve and protect the plants and to provide conservation and wise use of desert resources. The provisions of Section 88.01.060 are intended to augment and coordinate with the Desert Native Plants Act. The Desert Native Plant Act was passed in 1981 to protect non-listed California desert native plants from unlawful harvesting on both public and privately-owned lands. Harvest, transport, sale, or possession of specific native desert plants is prohibited unless a person has a valid permit. The following plants are under the protection of the California Desert Native Plants Act:

- Dalea spinosa (smoketree)
- All species of the genus Prosopis (mesquites)
- All species of the family Agavaceae (century plants, nolinias, yuccas)

- All species of Cactus
- Creosote Rings, ten feet in diameter or greater
- All Joshua Trees

The field survey conducted in July 2023 found that the Project Site contains smoketree, silver cholla, pencil cholla, clustered barrel cactus, Engleman's hedgehog cactus, barrel cactus, spiny fishhook cactus, beavertail, and Mojave yucca, all of which are protected species under San Bernardino County Development Code § 88.01.060 and the California Desert Native Plant Act.

Based on the literature review and field survey, no State and/or federally-listed threatened or endangered species were documented or are expected to occur on the Project Site. Additionally, no plant species with the California Rare Plant Rank (CRPR) of 1 or 2 were observed on-site or documented to occur on-site. No other sensitive species were observed within the Project Site or buffer area.

As concluded in the BRA, the Proposed Project would be subject to compliance with the San Bernardino County Development Code § 88.01.060 and the California Desert Native Plant Act. Therefore, the following mitigation measure shall be implemented:

Mitigation Measure BIO-5:

Any native desert plant protected by the Desert Native Plant Act that would be impacted, shall be flagged for relocation. Either on-site, to a nursery, or suitable other entity (as determined by the County) prior to construction. Any construction that removes any protected plant species shall require a permit.

The Proposed Project is also subject to comply with the revegetation efforts outlined in the Reclamation Plan. In general, this includes topsoil salvage; salvaging and transplanting of Mojave yucca cacti, and other species protected under the California Desert Native Plant Act and the San Bernardino County Code Title 8, Chapter 88.01.060 Desert Native Plant Protection; native seed collection and seeding with a native seed mix based on species observed on-site to augment the transplanting plan; revegetation; monitored annually for five years after seeding or until revegetation is self-sustaining. This schedule may be revised depending on the results of the revegetation effort and the meeting of the success criteria. Monitoring and revegetation results will be reported to the County in an annual monitoring report. Remedial activities will also be implemented, as necessary. These may include weeding and reseedling of specific areas. Refer to the 2024 Reclamation Plan for CA MINE ID#91-36-0120, on file with the County.

Implementation of the above mitigation measure and adherence to the Reclamation Plan would ensure potential impacts to any species identified as a candidate by the San Bernardino County Development Code § 88.01.060 and the California Desert Native Plant Act, would be reduced to less than significant.

Less than Significant with Mitigation

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

The Project Site is not located within a state habitat conservation plan or natural community conservation plan as identified in the California Department of Fish and Wildlife’s California Natural Community Conservation Plans Map (August 2023).⁹

The Project Site is within the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO).¹⁰ NECO amends the 1980 California Desert Conservation Area (CDCA) plan. The reclaimed end use of the Project Site will be revegetated open space. Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

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

BFSA Environmental Services, Cultural Resources Study for the Essex Mine Project, February 15, 2024 (Appendix C).

⁹ California Department of Fish and Wildlife. Natural Community Conservation Planning (NCCP). California Regional Conservation Plans Map (PDF). Accessed November 14, 2024

¹⁰ Bureau of Land Management National NEPA Register <https://eplanning.blm.gov/eplanning-ui/project/67044/510> Accessed October 1, 2025

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

In February 2024, a Cultural Resources Study was completed for the Project Site by BFS Environmental Services. The purpose of the investigation was to locate and record any cultural resources within the Project Site and subsequently evaluate any resources as part of CEQA. The Cultural Resources Study is attached to this Initial Study as Appendix C and is summarized herein.

The Cultural Resources Study did not identify any cultural resources including historical resources as defined by CEQA within the Project Site. Review of aerial imagery and historic maps illustrate that the Project Site did not historically contain any structures. Further, the northern half of the Project Site has been impacted by sand and gravel mining that occurred between 1983 and 1995. As such, the continued use of the Project Site for sand and gravel mining would not adversely impact any known cultural resources including historical resources. Based upon these findings the Cultural Resources Study determined that no further archaeological studies are necessary or recommended. Therefore, no impacts to historical resources would result.

Less Than Significant Impact

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

The Cultural Resources Study included an archaeological records search at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton (CSU Fullerton). The records search identified one previously recorded resource within one-mile of the Project Site. The resource is outside of the Project Site, therefore it would not be impacted.

The SCCIC records search results also identified five previous studies conducted within a one-mile radius of the Project Site. Two of these studies included portions of the Project Site. Both previous studies that cover portions of the Project Site are long linear overviews and do not directly address the Project Site.

A Sacred Lands File search was also requested from the Native American Heritage Commission (NAHC). The results were negative for the presence of any recorded Native American sacred sites or locations of religious or ceremonial importance within the vicinity of the Project. A field survey was conducted at the Project Site on February 5, 2024. Survey conditions and ground visibility were characterized as excellent. The northern half of the Project Site primarily consists of the graded, cleared, and previously utilized sand and gravel mine, while the southern half consists of vacant desert land. No cultural resources were identified during the survey.

The Cultural Resources Study did not identify any archaeological resources within the Project Site. As concluded in the study, the continued use of the Project Site for sand and gravel mining would not adversely impact any known cultural resources. No further archaeological studies were recommended.

Less Than Significant Impact

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

Mining activities could potentially disturb human remains outside of a formal cemetery. Should human remains be encountered during construction, California Health and Safety Code Section 7050.5 requires that disturbance of the site must be halted until a coroner has conducted an investigation into the circumstances, manner, and cause of any death, and recommendations concerning the treatment and disposition of the human remains have been made. If the remains are determined to be of Native American descent, the coroner will have 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendent, who would then help determine the appropriate course of action. The Proposed Project would comply with existing law, and potential impacts to human remains would be less than significant and no mitigation is required.

Less Than Significant Impact

Therefore, less than 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>
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: Reclamation Plan for the Essex Sand & Gravel Mine, Air Quality Data Tables

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

Mining operations and reclamation activities would be limited to vehicle and equipment consumption of diesel and gasoline. No natural gas or electricity would be used.

Energy consumption is dependent on the type of vehicles used, number of vehicle trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Temporary transportation fuel use such as gasoline and diesel during mining operations would result from the use of delivery vehicles and trucks, equipment, and employee vehicles. Additionally, most equipment during mining activities would be powered by diesel. Table 3 shows the modeled fuel consumption for all mining activities. Based on output

from the annual production, mining activities would consume an estimated 65,638 gallons of diesel fuel for operation of heavy-duty equipment and 2,083 gallons of gasoline annually.

During the short-term temporary reclamation activities, the Performance Standards listed below shall be applicable to the Project and stipulated as Conditions of Approval. These conditions would assist in reducing fuel consumption.

1. *Public Works shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce Green House Gas (GHG) emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:*
 - i. *Select construction equipment based on low GHG emissions factors and high-energy efficiency.*
 - ii. *All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturer's specifications prior to arriving on site and throughout construction duration.*
 - iii. *All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.*

Table 3
Fuel Consumption Estimates

Days of operation	Mining Equipment	Amount	Total Fuel Consumption / Year (gallons)
250	Excavator	1	7,518
250	Dozer	1	10,453
250	Generator Sets	2	7,310
250	Loader	2	18,815
250	Water Truck	1	7,288
250	Haul Trucks	8	6,667
250	Other Material Handling Eq.	1	6,754
250	Fuel Delivery Truck	1	833
250	Employee Trips (gasoline)	10	2,083
250	Total Gasoline	---	2,083
250	Total Diesel	---	65,638
250	Total Fuel Consumption	---	67,721

Sources:

- United States Environmental Protection Agency. 2018. *Exhaust and Crankcase Emission Factors for Nonrod Compression-Ignition Engines in MOVES2014b*. July 2018. Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P100UXEN.pdf>.
- Federal Highway Administration. Highway Statistics 2018, Table VM-1. Accessed 02/11/20 at fhwa.dot.gov/policyinformation/statistics/2018/pdf/vm1.pdf. Worksheet available at afdc.energy.gov/data Last updated 02/11/2020
- CAT Performance Handbook Edition 48

All fuel would be provided by fueling stations in the project vicinity. No 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, mining activities would consume an estimated 65,638 gallons of diesel fuel for operation of heavy-duty equipment and 2,083 gallons of gasoline. In comparison, the California reported sale of diesel fuel was about 2,016 million gallons in 2023 with a state-wide total of taxable diesel fuel usage of 2,982 million gallons.¹¹ The California reported sale of gasoline was about 11,685 million gallons in 2023 with a state-wide total of taxable gasoline usage of 13,576 million gallons.¹² The Proposed Project's diesel usage represents approximately 0.0022% of California's total taxable diesel fuel usage in 2023. Gasoline usage is even less, approximately 0.000015% of the state's total taxable gasoline use. The Proposed Project's demand for diesel fuel and gasoline 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. No significant impacts are anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

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

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

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹¹ California Energy Commission. California Retail Fuel Outlet Annual Reporting. Accessed December 23, 2024.
¹² California Energy Commission. California Retail Fuel Outlet Annual Reporting. Accessed December 23, 2024.

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

Countywide Policy Plan; BFSAs Environmental Services, Paleontological Assessment for the Essex Mine Project, February 15, 2024; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 2024; California’s Groundwater Bulletin 118, Hydrologic Region Colorado River, Fenner Valley Groundwater Basin, February 27, 2004.

- 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*

According to the California Department of Conservation, California Earthquake Hazards Zone Application ("EQ Zapp"), the nearest active fault listed is the Lavic Lake

fault zone, approximately 66 miles West from the Project Site.¹³ The Project Site is not within an Alquist-Priolo Earthquake Fault Zone.¹⁴ Due to the absence of known faults within the immediate vicinity, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

ii) *Strong seismic ground shaking?*

No active faults pass through the Project Site.¹⁵ As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project Site. Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. The proposed Project does not include construction of habitable structures or permanent facilities with foundations that could fail as a result of strong seismic ground shaking. As such, less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. The Project Site has not been mapped for liquefaction susceptibility.¹⁶ The Proposed Project does not include any permanent structures and therefore liquefaction is not anticipated to affect the Project or stability of the reclamation slopes. 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 not located in an area with mapped, existing landslides nor is it located in an area susceptible to landslides.¹⁷

¹³California Department of Conservation. California Earthquake Hazards Zone Application ("EQ Zapp"), 2021. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed November 11th, 2024.

¹⁴California Department of Conservation. California Earthquake Hazards Zone Application ("EQ Zapp"), 2021. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed November 11th, 2024.

¹⁵California Department of Conservation. California Earthquake Hazards Zone Application ("EQ Zapp"), 2021. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed November 11th, 2024.

¹⁶ San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed November 14, 2024.

¹⁷San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed November 14, 2024.

Mining would be conducted with 3H:1V or 18° overall slopes. The gentle slopes are designed to reduce possible slope erosion and runoff channeling down the slopes. 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?

No soil surveys are available for this area, the nearest listed soil surveys were conducted approximately 3 miles northwest of the Project Site. The referenced soil studies are not adjacent to the Project Site and therefore may not be indicative of on-site conditions. The existence of topsoil is very minimal at the Project Site. All identified topsoil, or at minimum the top 6 inches of surface soils and material, would be graded into stockpiles for future use as a growth media to be used during reclamation and to preserve as much of the organic material and seeds as practicable.

The process of limiting the size of total disturbed areas assist in preventing erosion and sedimentation. Where practical, run-off would be diverted from undisturbed areas around the active mining area. All stockpiles on-site would have slope angles of 3H:1V and shall be contour graded to blend in with the surrounding topography to the extent possible to prevent water erosion. Keeping the stockpiles to a low profile, contour graded and wetted as necessary would minimize wind erosion of stockpile material. The operator is required to comply with Statewide National Pollutant Discharge Elimination System (NPDES) and prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) including applicable Best Management Practices (BMPs). The control of drainage, erosion, and sedimentation of the mine site will primarily involve the following primary BMPs as applicable:

- Limiting surface disturbance to the minimum area required for active operations.
- Monitoring erosion on slopes and implementation of one or more soil stabilization practices as applicable for the site such as: earthen berms or dikes; silt fence; fiber rolls; straw bales; gravel bags; sediment basin(s); and straw mulch.
- Stabilizing disturbed areas through grading slopes to 3H:1V; and
- After project completion - final revegetation of slopes will be by seeding or hydroseeding with native species.

Revegetation would be used for the long-term control of erosion. Access points and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations. With implementation of associated BMPs, no 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?*

As discussed above, the potential for liquefaction at the Project Site is very low. Moderate seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation. No slope stability analyses were conducted as there would be no permanent structures at the Project Site. According to the Reclamation Plan for the Essex Sand & Gravel Mine, August 2024, the proposed slope configurations are considered stable under static and seismic conditions as reclaimed slopes. The Project Site is neither located in an area with mapped, existing landslides nor is it located in an area as noted above that is susceptible to liquefaction.¹⁸ Although no site-specific geotechnical investigation has been conducted, the risk of subsidence is considered less than significant based on the nature of the proposed project and regional conditions. Additionally, the site is not located within a known subsidence hazard area.¹⁹ As such, the potential for adverse effects from subsidence is minimal as no dwelling units or permanent structures are proposed. Reclamation of the mine will be undertaken at the completion of mining operations. No 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?*

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. No soil surveys are available in this remote area, however alluvial deposits exist at the mine site (see Appendix D) and the Mine Plan is for the extraction of sand and gravel which has a low degree of soil expansivity. Additionally, no permanent structures are on or planned for the site. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Septic systems and/or alternative wastewater supply systems are not proposed at the Project Site. Portable toilets are supplied for use by employees and would be located

¹⁸ San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed November 14, 2024.

¹⁹ USGS. Areas of Land Subsidence in California. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html Accessed October, 2, 2025

on-site at 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?*

A Paleontological Assessment was completed for the Project Site by BFS Environmental Services and is attached as Appendix D. The Paleontological Assessment concluded that based on the dimensions of the proposed mine site, mining activities would appear to avoid the paleontologically undetermined potential-rated Pleistocene alluvial deposits that are mapped at the surface at the northern corner. Paleontologically low potential-rated Holocene alluvial and artificial fill deposits are mapped within the confines of the proposed mine; however, the depth of the mining excavation would likely pass through the surficial Holocene alluvium and impact Pleistocene alluvium. While Pleistocene-aged alluvial deposits in the Mojave Desert and San Bernardino County are known to produce significant vertebrate fossils, the closest known are approximately 20 miles southwest of the Project Site.

The source of the Pleistocene (and Holocene) alluvial deposits are the metamorphic rocks that compose the Piute Mountains, which lie in close proximity west and south of the project. Typically, sediments originating from nearby mountainside or hillside source areas are often deposited as a result of intense storm activity, where coarse sedimentary materials are swept away and carried downslope in a torrent of mud and rock debris. Transport of the coarse materials will eventually cease once the debris flow settles out on the flat surfaces. Finer sands and silts will be carried farther away from the source; in this case, to Fenner wash. Any animal remains preserved in a debris flow would not be expected, as the debris flow would tend to destroy anything caught in the path of the flow. While this scenario of sedimentary deposition at the project can't be proven without an inspection of the excavation cut by a geologist or a paleontological monitor versed in stratigraphy, based on this analysis, paleontological monitoring is not recommended at the Project Site; however, mitigation measure **GEO-1** will ensure that any inadvertent paleontological discoveries are treated in such a way to reduce impacts to a less than significant level.

Mitigation Measure Geo-1:

If paleontological resources (fossils) are discovered, it is recommended that a San Bernardino County-qualified professional paleontologist be contacted by the operator to inspect and assess the finds to determine their significance. If significant, the qualified paleontologist shall then perform the necessary procedures to preserve, document, and curate the specimen(s), in accordance with County of San Bernardino 2018 guidelines (San Bernardino Code of Ordinances § 82.20.030 c-f).

- (c) Recovered Specimens. Qualified palaeontologic personnel shall prepare recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.*

Preparation and stabilization of all recovered fossils is essential in order to fully mitigate adverse impacts to the resources.

(d) Identification and Curation of Specimens. Qualified paleontologic personnel shall identify and curate specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, an established, accredited museum repository with permanent retrievable paleontologic storage. These procedures are also essential steps in effective paleontologic mitigation and CEQA compliance. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impacts to significant paleontologic resources is not considered complete until curation into an established museum repository has been fully completed and documented.

(e) Report of Findings. Qualified paleontologic personnel shall prepare a report of findings with an appended itemized of specimens A preliminary report shall be submitted and approved before granting of building permits, and a final report shall be submitted and approved before granting of occupancy permits. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into the collections of the San Bernardino County Museum, will signify completion of the program to mitigate impacts to paleontologic resources.

(f) Mitigation Financial Limits. In no event shall the County require the applicant to pay more for mitigation as required by Subdivisions (b), (c), and (d), above within the site of the project than the following amounts:

(1) One-half of one percent of the projected cost of the project, if the project is a commercial or industrial project;

(2) Three-fourths of one percent of the projected cost of the project for a housing project consisting of one unit; and

(3) If a housing project consists of more than one unit, three-fourths of one percent of the projected cost of the first unit plus the sum of the following:

(A) \$200.00 per unit for any of the next 99 units;

(B) \$150.00 per unit for any of the next 400 units; and

(C) \$100.00 per unit for units in excess of 500

Implementation of Mitigation Measure GEO-1 would prevent potential impacts on significant paleontological resources or reduce such impacts to a level less than significant.

Less than Significant with Mitigation

<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:

Countywide Policy Plan; Greenhouse Gas Emissions Reduction Plan Update, September 21, 2021; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, Air Quality Model Data Tables 2025 (Appendix A)

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

According to CEQA Guidelines section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use.” Moreover, CEQA Guidelines section 15064.7(c) provides that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

In September 2021, San Bernardino County adopted the Greenhouse Gas Reduction Plan (GHGRP) Update, which outlines a strategy to use energy more efficiently, harness renewable energy to power buildings, enhance access to sustainable transportation modes, and recycle waste. The 2015 update of the GHG Emissions Development Review Process updates the language the performance standard bringing it up to date with the then current code. In September 2021, the County adopted its GHGRP Update. Since the adoption of the County’s GHGRP in 2011 and its update in 2015, the State has enacted new climate change regulations, most notably the Senate Bill (SB) 32, which provides statewide targets to reduce GHG emissions to 40 percent below 1990 levels by 2030. To ensure conformity with the latest State climate change regulations, the County has updated its 2011 and 2015 GHGRP. The 2021 GHGRP Update serves as a comprehensive roadmap to outline strategies that the County will implement to continue achieving its GHG emissions reductions into the year 2030 and beyond, thereby ensuring sustainable and healthy growth.

The 2021 GHGRP Update summarizes the County’s historic and future GHG emissions, and the reduction targets the County has established; the local reduction strategies that will be implemented and benefit at the community level to meet the reduction targets;

and the implementation of the measures, potential funding sources, and how the GHGRP Update will be monitored and updated over time.

However, specific requirements for mining projects to reduce emissions of GHGs have not been adopted and thus the Reclamation Plan would not conflict with the County's Greenhouse Gas Reduction Plan. GHG is inherently a cumulative issue, because no single project would be expected to result in a measurable change in global climate. The cumulative nature of GHG is considered by agencies in adopting significance thresholds and adopted significance thresholds represents levels at which a project is considered cumulatively significant.

The Proposed Project is limited to the Reclamation Plan including the term of mining and reclamation activities, and the decrease in mine site acreage. Operational activities to include the use of heavy-duty equipment would generate GHG emissions. The GHG emissions were calculated and compared to the MDAQMD's 100,000 MTCO_{2e} screening threshold. As well as the total County Screening threshold of 3,000 MTCO_{2e} per year to determine if potentially significant to global warming. GHG emissions were estimated using the following models: CARB - SCAQMD's Off-road Model - Mobile Source Emission Factors (2025); Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (2025); AP-42, and U.S. EPA Office of Transportation and Air Quality. These factors are state-wide factors and are appropriate for the Reclamation Plan. Refer to Appendix A for calculations.

As shown in Table 4, the operational GHG emissions are not anticipated to exceed the MDAQMD GHG emissions threshold. During the short-term temporary reclamation activities the following are the Performance Standards that would be applicable to the Project, and stipulated as Conditions of Approval:

1. *Public Works shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:*
 - iv. *Select construction equipment based on low GHG emissions factors and high-energy efficiency.*
 - v. *All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturer's specifications prior to arriving on site and throughout construction duration.*
 - vi. *All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.*

Therefore, less than significant impact related to Greenhouse Gas emissions would be anticipated from mining operations.

**Table 4
 Greenhouse Gas Operational Emissions
 (lbs. per day)**

Source-Onsite		CO ₂	CH ₄	N ₂ O			
Loader		872.0	0.0	0.0			
Dozer		912.0	0.1	0.0			
Other Material Handling Equipment		1128.0	0.1	0.0			
Generator Sets		2696.0	0.1	0.0			
Dump/Haul Trucks		4160.0	0.2	0.0			
Water Truck		1040.0	0.0	0.0			
	Source-Offsite	CO₂	CO₂	CH₄	CH₄	CH₄	N₂
Haul Trucks		9,983	0.00	--			
Employee Trips		577	0.02	--			
Water/Fuel Delivery Truck		187	0.00	--			
Total lbs. per day		21,555.5					
Total MTCO₂e per Year		2,941.3					
MDAQMD Threshold		100,000					
SB County Screening Threshold		3,000					
Significant		No					

Source: SCAQMD Off-Road/On-Road Mobile Source Emissions 2025
 N2O: California Climate Action Registry General Reporting Protocol, 2009I; Table A9-8-C
 SCAQMD Handbook; Climate Leaders EPA, Section 3, Table 2
 Duration Days: 300

Therefore, less than significant impact related to Greenhouse Gas emissions would be anticipated from mining operations and reclamation activities.

- 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 must be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulation; 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.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>
<i>SUBSTANTIATION:</i>				
<i>EnviroStor Database; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 2024.</i>				

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

The Hazardous Materials Division of the San Bernardino County Fire Department is designated as the Certified Unified Program Agency (CUPA) for the County to focus the management of specific environmental programs at the local government level. Skanska would prepare a Business Emergency/Contingency Plan to include operations for the site. The Business Plan would include a hazardous materials inventory and Spill Prevention Control and Countermeasure Plan (SPCC) to ensure that on site materials (fuel, oil, grease, or any hazardous materials) are stored appropriately and contained in the event of uncontrolled release utilizing BMPs. Fuel storage specifications apply to all above ground fuel and oil containers. A Hazardous Materials Business Plan (HMBP) for the mine site that addresses any hazardous materials stored and used at these facilities would be prepared. The HMBP describes methods and procedures to minimize the potential for hazardous material and waste releases including an emergency response and contingency and spill response procedures. These wastes will be also contained and controlled by methods described in the Storm Water Pollution Prevention Plan (SWPPP).

The imported waste materials or chemicals brought to the Project Site or stored onsite would be limited to asphaltic oil, fuel and equipment maintenance fluids. The fuel would be stored in mobile maintenance trucks and in portable onsite fuel tanks that may be up to 10,000 gallons. Re-fueling and maintenance would be conducted at the mine with appropriate required safeguards and using BMPs. Any used oil generated at the mine site will be collected and transported for off-site recycling. The transport of all hazardous waste materials would be in compliance with Caltrans and other regulatory agencies. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Hazardous Materials Division of the San Bernardino County Fire Department is designated as the Certified Unified Program Agency (CUPA) for the County to focus the management of specific environmental programs at the local government level. Skanska would prepare a Business Emergency/Contingency Plan to include operations for the site. The Business Plan includes a hazardous materials inventory and Spill Prevention Control and Countermeasure Plan (SPCC) to ensure that on site materials (fuel, oil, grease, or any hazardous materials) are stored appropriately and contained in the event of uncontrolled release utilizing BMPs. Example BMPs include: Designated Fueling Areas, Containment Systems, Spill Kits, and Maintenance and Inspections, conduct regular inspections of equipment and fueling areas to identify and address potential leaks or problems before they become major issues.

Fuel storage specifications apply to all above ground fuel and oil containers. A Hazardous Materials Business Plan (HMBP) for the mine site that addresses any hazardous materials stored and used at these facilities would be prepared. The HMBP describes methods and procedures to minimize the potential for hazardous material and waste

releases including an emergency response and contingency and spill response procedures. These wastes will be also contained and controlled by methods described in the Storm Water Pollution Prevention Plan (SWPPP). There would be no blasting on-site, therefore, no explosives would be used or stored on site.

No 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?*

The Proposed Project involves the use of materials common to the mining industry and includes the transport, storage and use of fuels and lubricants. The operator would continue to comply with all applicable federal and state safety rules and regulations regarding hazardous materials during reclamation of the site. Diesel exhaust would be generated by heavy construction equipment. No existing school facilities or proposed school facilities are located within one-quarter mile radius of the Project Site.²⁰ 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.²¹ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. The nearest site found on the list of hazardous materials sites is approximately 4 miles north.²² 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?*

According to San Bernardino County Hazards Element Overlay Maps, the Project Site is within Airport Safety Review Area (AR4) and subject to military review.²³ However, the

²⁰ San Bernardino County. Policy Plan web maps. HW-1 "Education Facilities." Accessed November 15, 2024.

²¹ California Department of Toxic Substances Control. EnviroStor. Accessed September 04, 2025.

²² California Department of Toxic Substances Control. EnviroStor. Accessed September 04, 2025.

²³ San Bernardino County. Policy Plan web maps. HZ-9 "Airport Safety & Planning Areas." Accessed November 15, 2024.

Project is not within two miles of an active airport or private airstrip. The Proposed Project does not include construction of habitable structures or permanent facilities and, therefore, the Proposed Project would not result in a safety hazard for people residing or working in the project area. Therefore, the Proposed Project would not result in a safety hazard for people residing or working in the project area. As a result, less than significant impacts are 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 within a Local Responsibility Area (LRA),²⁴ which is an area of California where the local government, San Bernardino County Fire Department, is responsible for providing fire protection. The I-40 is approximately six miles north of the Project Site, which is an evacuation route.²⁵ Access is from an existing 50-foot-wide compacted gravel road south from the from the NTH exit via I-40. Unauthorized access to the mine area along the gravel access road at the entrance to the Project Site would be gated and signed to keep the public out and safe. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Implementation of operational activities would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant 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.²⁶ The nearest Fire Department to the Project Site is located at 100 Safari Dr, Needles, CA 92363, approximately 30 miles east of the Project Site. Therefore, operation and eventual reclamation of the site 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, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

²⁴ San Bernardino County. Policy Plan web maps. HZ-6 "Fire Responsibility Areas." Accessed November 18, 2024.

²⁵ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed November 15, 2024.

²⁶ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed November 15, 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>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Policy Plan; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 2024.

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

The Proposed Project would disturb approximately 50 acres and would therefore be subject to the NPDES permit. The State of California is authorized to administer various aspects of the NPDES.

Construction activities covered under the State's General Construction permit include the removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP. The SWPPP is based on the principles of Best Management Practices BMPs to control and abate pollutants. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters. Examples of BMPs include, i.e., sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, sweep roadway from track-out, and rumble strips. BMPs applicable to the Proposed Project would be subject to County approval and implementation by the Operator.

The RWQCB has issued an area wide NPDES Storm Water Permit for the County of San Bernardino, the San Bernardino County Flood Control District, and the unincorporated areas of San Bernardino County. The implementation of NPDES permits ensures that the State and Federal mandatory standards for the maintenance of clean water are met. In addition, the County requires the preparation of a Water Quality Management Plan (WQMP) for development projects that involve the creation of 10,000 ft² or more of impervious surface collectively over the entire site and parking lots of 5,000 ft² or more exposed to storm water. A WQMP is not required for the Proposed Project because there would be no impervious surface created. Implementation of BMPs would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. Therefore, less than significant impact is 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 is currently brought to the site in a water truck and used for dust control on the access roads and the mine floor. Water is also used by the portable crushing/screen plant for dust control which has its own separate water tank. It is estimated that 8,000 gallons or two water trucks per day is required for operations. Bottled water would be provided for employees. During reclamation, water shall be required for dust control and employee drinking water. Onsite water storage would be adequate to meet reclamation needs.

No evidence for springs or shallow groundwater has been observed on the site. Records do not show that there is a well drilled on the site. No groundwater is proposed to be pumped for the Proposed Projects water needs. The Project Site overlies the Fenner Valley Groundwater Basin which is a non-adjudicated basin. Skanska has a contract with Caltrans to haul water from their Essex Station for use as dust control. The Caltrans station is not a public water supply system and Caltrans is responsible for any State-required reporting of groundwater pumping.

Impervious surfaces (i.e additional paved roads or building footprints) are what primarily interfere with groundwater recharge. The project does not include the addition of any impervious surfaces.

Reclamation operations will not introduce any toxic substances or contaminants into the runoff from the mine. Therefore, mining operations would not substantially decrease groundwater supplies or interfere with groundwater recharge. 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;*

All stockpiles on-site will have slope angles of 3H:1V and shall be contour graded to blend in with the surrounding topography to the extent possible to prevent water erosion. Keeping the stockpiles to a low profile, contour graded and wetting materials as necessary will minimize wind erosion of stockpile material. The control of drainage, erosion, and sedimentation of the mine site will primarily involve the following BMPs as applicable:

- Limiting surface disturbance to the minimum area required for active operations.
- Monitoring erosion on slopes and implementation of one or more soil stabilization practices as applicable for the site such as: earthen berms or dikes; silt fence; fiber rolls; straw bales; gravel bags; sediment basin(s); and straw mulch.
- Stabilizing disturbed areas through grading slopes to 3H:1V; and
- After project completion - final revegetation of slopes will be by seeding or hydroseeding with native species.

During the course of mining, some erosion may occur during heavy rainfall on the slopes. Erosion sediment caused by rainfall will be retained on-site and rills or channels backfilled. Any water retained would not impact adjacent properties or local roads due to its containment. As a condition of approval, after each major storm event or at least annually, slopes will be visually inspected to determine if any substantial erosion is evident such as sheet, rill, or gully erosion. A major storm event is defined as precipitation totals of 0.5 inches per 24-hour period. Any rills or gullies in excess of 8 square inches in cross sectional areas and are more than 10 linear feet located on final slopes shall be arrested using methods listed above. Revegetation will be used for the long-term control of erosion. Access points and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

No impervious surfaces would be created. Any flow from minor drainages will be allowed to enter the pit. The slopes would gently slope at 3H:1V into the closed pit floor. Mainly only direct precipitation will affect the pit and will be collected within the pit and allowed to evaporate or percolate. The gentle slopes are designed to reduce possible slope erosion and runoff channeling down the slopes. There will be no run-off away from the pit. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

There are no existing or planned stormwater drainage systems in place.²⁷ As such 3H:1V slope contouring will be put in place to help minimize run-off into the pit. There will be no run-off away from the pit. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- iv) *Impede or redirect flood flows?*

The Project Site lies within an alluvial fan with a broad (approximately 400 to 675 feet in width) dry wash with surface flows from the southeast to the northwest. There are no perennial (year-round) streams on-site. The Project has reduced the mine footprint to exclude the wash area, drainage occurring outside of the disturbed area would continue to flow through natural channels. Only minor sheet flow may drain into the pit. Post-reclamation drainage on-site will be contained by the resulting shallow basin. No defined drainages will be intersected by the Project Site.²⁸

Therefore, no 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 (approximately 170 miles away) and no other nearby 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 mapped zone for a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year

²⁷ San Bernardino County. Policy Plan web maps. IU-4 "Regional Flood Control Facilities" web map. Accessed November 27, 2024.

²⁸ Reclamation Plan for the Essex Sand & Gravel Mine. Lilburn Corporation. August 2024.

Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.²⁹ Reclamation activities will not introduce any toxic substances or contaminants into runoff waters originating from the mine.³⁰ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

All operations on-site comply with a SWPPP, which would be prepared upon approval. No wastewater would be generated as a result of the portable plant. There are no contaminants generated or introduced in the mining process and no run-off water is collected, altered, or contaminated at the mine. Contaminates such as spilled diesel or crankcase oil will be removed and disposed of at an authorized waste facility. The operation would not introduce any toxic substances, contaminate, or otherwise degrade the quality of stream runoff or ground water on or near the Project Site.³¹ Drainage outside of the disturbed area would continue to be diverted around the mining area and into natural channels.

Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise degrade surface or ground water quality. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are anticipated with 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>
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:

²⁹ San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed November 22, 2024.
³⁰ Reclamation Plan for the Essex Sand & Gravel Mine. Lilburn Corporation. August 2024.
³¹ Reclamation Plan for the Essex Sand & Gravel Mine. Lilburn Corporation. August 2024.

Countywide Policy Plan

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 does not include the construction of such linear features. Furthermore, the Project Site is in an uninhabited area of the North Desert region and is 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

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?*

The Proposed Project is consistent with the Countywide Policy Plan zoning of RC. Although the Project Site is not located in a Mineral Resource zone for industrial minerals, it would not conflict with the Countywide Policy Plan as mining is conditionally permitted within the RC zone. The Project Site is not located within or near an environmental justice area.³² The Project Site is surrounded by vacant land. The Proposed Project would not cause a significant environmental impact due to conflict with any land use plans or policies. No significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

³² San Bernardino County. Policy Plan web maps. HZ-10 “Environmental Justice & Legacy Communities” web map. Accessed November 18, 2024.

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

Countywide Policy Plan;

- 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?*

According to Map NR-4 of the General Plan, the Project Site and vicinity is not within a Mineral Resource Zone. The Project Site is also not within a Mineral Resources (MR) Overlay pursuant to San Bernardino County Development Code Section 82.17.020. Furthermore, according to the California Department of Conservation Well Finder map, there are no active oil or gas wells on or around the Project Site. However, the Project Site has been used as a sand and gravel mine since 1994. The Proposed Project would not result in lack of availability of a mineral resource, but rather, make use of it as a valuable resource. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site does not occur within a Mineral Resource zone.³³ Approval of the Project would not result in a lack of availability of a locally important mineral resource site, but would continue to provide sand and gravel as a resource necessary to the construction industry. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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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 groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

³³ San Bernardino County. Policy Plan web maps. NR-4 "Mineral Resource zones" web map. Accessed January 15, 2024.

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

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

Countywide Policy Plan.

- 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?*

Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The predominant rating scales for noise in the State of California are the Equivalent-Continuous Sound Level (Leq) and the Community Noise Equivalent Level (CNEL). Both are based on the A-weighted decibel (dBA) which approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. The Leq is defined as the total sound energy of time-varying noise over a sample period. The CNEL is defined as time-varying noise over a 24-hour period with a weighted factor of 5 dBA applied to the hourly Leq for noise occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA applied to events occurring between (10:00 p.m. and 7:00 a.m. defined as sleeping hours). The State of California's Office of Noise Control has established standards and guidelines for acceptable community noise levels based on the CNEL and day-night average sound level (Ldn) rating scales. The purpose of these standards and guidelines is to provide a framework for setting local standards for human exposure to noise.

The dominant noise source within the vicinity of the Project Site is from vehicles traveling on NTH which is located directly Northwest of the Project Site. The other substantial noise source within the vicinity of the Project Site is the I-40 which is located directly North of the Project Site. The section of NTH near the Project Site is listed as a future noise contour of 70 CNEL and the I-40 is listed as an existing Noise contour 70 CNEL.³⁴ Mining of the site is achieved with one loader and/or excavator, and a dozer and/or grader to break, move, and load material directly into a crushing and screening plant, or transported by a conveyor or truck from the mining area to the plant feeder. No blasting is required. Noise generated by the on-site equipment and trucks is not audible to any sensitive receptors as the nearest occupied residence is approximately 6 miles from the mine site. During reclamation noise would not be greater than what occurs during mining

³⁴ San Bernardino Countywide Plan. HZ-7(A-C) Existing Noise Contour. November 20, 2024.

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

Less Than Significant Impact

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

Vibration would be generated as a result of the mining activities described above. There would be no drilling and blasting at the Project Site. As noted, the nearest occupied structure is a residence approximately 6 miles from the site. Therefore, no 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 Project Site is not located within an Airport Runway Protection Zone, Airport Noise Contours or an Airport Safety Review Area.³⁵ Therefore, the Proposed Project would not expose people residing or working in the project area to excessive noise levels. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

³⁵San Bernardino County. Policy Plan web maps. HZ-9 "Airport Safety & Planning Areas." Accessed November 18, 2024. "

SUBSTANTIATION:
Countywide Policy Plan; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 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)?*

During mining operations, there would be a total of ten full-time employees, and a maximum of ten employees are expected to work on-site during reclamation activities. Due to the low employment demand, the Proposed Project would not induce substantial unplanned population growth by creating new jobs. No 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, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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

Countywide Policy Plan; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 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 a LRA,³⁶ which is an area of California where the local government, San Bernardino County Fire Department, is responsible for providing fire protection. The Project Site is not located within a High or Very High Fire Hazard Severity Zone.³⁷ The nearest Fire Department to the Project Site is located at 100 Safari Dr, Needles, CA 92363, approximately 30 miles east of the Project Site. The Proposed Project does not involve operations that would induce or exacerbate fires. 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 North Desert region of the County. It is within the jurisdiction of the Colorado River Sheriff Service Agency.³⁸ The nearest police station to the Project Site is located at 1111 Bailey Ave, Needles, CA 92363, approximately 30 miles east of the Project Site. 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

Schools?

The Proposed Project would not create a direct demand for public school services as it would not necessitate significant number of employees, and 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, nor increase the demand for school facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

³⁶ San Bernardino County. Policy Plan web maps. HZ-6 "Fire Responsibility Areas." Accessed November 18, 2024.

³⁷ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed November 18, 2024.

³⁸ San Bernardino County. Policy Plan web maps. PP-3 "Sheriff Operations" Accessed November 18, 2024

No Impact

Parks?

Operation of the Proposed Project would place no demands on parks because it would not necessitate the addition of a significant number of new employees and would not involve the construction of housing. 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, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of 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:
Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 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?*

Mining operations would require a total of ten full-time employees and no additional employees would occur during reclamation activities. The Proposed Project does not include development of residential housing or other uses that would lead to substantial population growth with demands for park or recreational services. Moreover, there are no neighborhood or regional parks near the Project Site.³⁹ 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. 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.

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

³⁹ San Bernardino County. Policy Plan web maps. NR-2 “Parks and Open Space Resources.” Accessed November 18, 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>
or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Policy Plan; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 2024

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

Future bicycle facilities within the County planning area include a mixture of Class I, Class II, Class III, and Class IV facilities. These facilities are consistent with San Bernardino County Transportation Authority’s (SBCTA) Active Transportation Plan.⁴⁰ Existing transit in the County consists of Metrolink, bus rapid transit, and local bus routes.

Existing bus transits near the Project Site include the Victor Valley Transit Authority along the I-40.⁴¹ There is a Class III bicycle lane along NTH, that stops approximately three miles southeast of the Project Site at the intersection of Goffe Road.⁴²

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

Goal TM-3: A pattern of development and transportation system that minimizes vehicle miles traveled.

Policy TM-3.1: We promote new development that will reduce household and employment Vehicle Miles Travelled (VMT) relative to existing conditions.

Consistent: The Proposed Project would require ten new employees. Although it would not reduce VMT, any increase in VMT would be insignificant given the low employment demand and number of haul trips.

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

Policy TM-5.5: We support SBCTA’s establishment of regional truck routes that efficiently distribute regional truck traffic while minimizing impacts on residents. We

⁴⁰ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Transportation and Traffic. June 2019.

⁴¹ San Bernardino County. Policy Plan web maps. TM-2 “Transit Network.” Accessed January 9, 2024.

⁴² San Bernardino County. Policy Plan web maps. TM-4 “Bicycle and Pedestrian Planning.” Accessed January 9, 2024.

support funding through the Regional Transportation Plan to build adequate truck route infrastructure.

Consistent: Trucks would utilize I-40 via NTH for transportation of materials to job sites. I-40 is a designated federal and State truck route.⁴³

Policy TM-5.6: We may establish local truck routes in unincorporated areas to efficiently funnel truck traffic to freeways while minimizing impacts on residents. We establish routes where trucks are prohibited in unincorporated environmental justice focus areas and to avoid overlaps or conflicts with safe routes to schools.

Consistent: The Project Site is not located near an environmental justice focus area. The nearest environmental justice focus area (Newbury Springs) is located approximately 80 miles west of the Project Site.⁴⁴ There are no schools near the Project Site. The nearest school is located approximately 30 miles to the east (Needles Middle School in Needles), and haul trucks would not be passing through neighborhoods. Therefore, the Proposed Project is not anticipated to interfere with safe routes to school.

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]).

Mining operations will be conducted as needed intermittently from 5:30 am till 6:00 pm, up to 6 days per week: Monday through Saturday. Occasionally operations may be conducted on Sundays and nights (24/7) depending on road construction contract requirements and scheduling of road construction to avoid peak travel times. Employees for operations would total ten and no increase is anticipated for reclamation activities.

Truck traffic per day and year will be entirely based on construction projects, schedules, and production, which may vary from zero to an average of 400,000 tons/year of both road base and asphaltic concrete. Based on street-legal 25-ton trucks and daily production of about 1,375 tons per day (tpd) (400,000 tpy per 6 days/week and 300 days/year), approximately 55 haul trucks may access the site per day. However, depending on the ratio of aggregate and asphalt the number of trips may change to account for the allotted 1,375 tpd. Assuming half of aggregates are made into asphalt, approximately 35 asphalt trucks and 27 aggregate trucks would ship material per day

⁴³ San Bernardino County Policy Plan web maps. TM-5 "Goods Movement Network." Accessed January 9, 2024.

⁴⁴ San Bernardino County Policy Plan web maps. HZ-10 Environmental Justice & Legacy Communities. Accessed November 20, 2024.

for a total of 62 trucks per day. Although there would be no reduction in VMT, any increase in VMT would be insignificant given the low employment demand and number of daily haul trips. Mining and reclamation operations would take place on-site and on access roads. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Access to the mine is from the existing dirt road off of NTH. During reclamation, public access would continue to be limited by locked gates where the access road enters the site, the boundary will be clearly marked and there will be no open trenches. The Proposed Project does not involve any changes to road design features that could substantially increase hazards due to a geometric design feature or incompatible uses. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Result in inadequate emergency access?*

The I-40 is approximately six miles north of the Project Site, which is an evacuation route.⁴⁵ Access to the mine site is from an existing 50-foot-wide compacted gravel road south from the from the NTH exit via I-40. Unauthorized access to the mine area along the gravel access road at the entrance to the Project Site would be gated and signed to keep the public out and safe. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Implementation of operational activities would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

⁴⁵ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed November 20, 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>
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XVIII. TRIBAL CULTURAL RESOURCES

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

SUBSTANTIATION:

BFSA Environmental Services, Cultural Resources Study for the Essex Mine Project, February 15, 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;*

The Cultural Resources Study included an archaeological records search at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton (CSU Fullerton). The records search identified one previously recorded resource within one-mile of the Project Site, characterized as a horseshoe-shaped three-quarters rock ring made of 12 rocks of unknown age. When recorded, it could not be determined if the rock ring was prehistoric or historic (Mone 1979)⁴⁶. The resource is outside of the Project Site and therefore it would not be impacted.

⁴⁶ Mone 1979 Site record form for Site SBR-3726. On file at the South Central Coastal Information Center at California State University at Fullerton, Fullerton, California.

The SCCIC records search results also identified five previous studies conducted within a one-mile radius of the Project Site. Two of these studies included portions of the Project Site. Both previous studies that cover portions of the Project Site are long linear overviews and do not directly address the Project Site.

A Sacred Lands File search was also requested from the Native American Heritage Commission (NAHC). The results were negative for the presence of any recorded Native American sacred sites or locations of religious or ceremonial importance within the vicinity of the Project. A field survey was conducted at the Project Site on February 5, 2024. Survey conditions and ground visibility were characterized as excellent. The northern half of the Project Site primarily consists of the graded, cleared, and previously utilized sand and gravel mine, while the southern half consists of vacant desert land. No cultural resources were identified during the survey.

The Cultural Resources Study did not identify any archaeological resources within the Project Site. As concluded in the study, the continued use of the Project Site for sand and gravel mining would not adversely impact any known cultural resources. No further archaeological studies were recommended.

Less Than Significant Impact

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

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. The County initiated consultation on December 18, 2024. Tribal letter public notice mailers were sent to the following tribe:

- Yuhaaviatam of San Manuel Nation

Based on completion of consultation under AB 52, the Yuhaaviatam of San Manuel Nation (YSMN) stated that the proposed project is located outside of Serrano ancestral territory and, as such, YSMN will not be requesting to receive consulting

party status with the lead agency or to participate in the scoping, development, or review of documents created pursuant to legal and regulatory mandates. However, additional recommendations may be incorporated into the Project's Conditions of Approval. Therefore, Tribes' requests for additional project information, coordination, or consultation with the Lead Agency, and/or Native American monitoring, shall be acknowledged through implementation of appropriate Conditions of Approval, at the County's discretion as applicable.

Implementation of County Conditions of Approval, would ensure that potential impacts to tribal cultural resources are reduced to a less than significant level.

Less Than Significant Impact

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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"/>
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; San Bernardino Countywide Plan Draft EIR; Lilburn Corporation, Reclamation Plan for the Essex Sand & Gravel Mine, August 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 is currently brought to the site in a water truck and used for dust control on the access roads and mine floor. Bottled water is delivered to the site for drinking water. The Proposed Project would not require the relocation or construction of new or expanded water utilities.

Portable toilets are used on-site and serviced by a commercial vendor. The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur.

Only minor sheet flow may drain into the active mine area and there will be no run-off away from the pit. There are no existing storm water facilities in the vicinity of the mine site. Therefore, the Proposed Project would not require the relocation or construction of new storm water drainage facilities.

Electricity for heat, light, and etc. in the scale shed would be supplied by a generator. The Proposed Project would not require natural gas. Cellular phones would be used instead of landlines. Therefore, the Proposed Project would not require the relocation or construction of electric power, natural gas, or telecommunications facilities.

Therefore, less than significant impact is 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 is brought from off site in a water truck and used for dust control on the access roads and mine floor, as well as the crushing/screening plant. This is estimated to be up to 8,000 gallons per day or two water trucks. The Proposed Project has a contract with Caltrans, the 4,000-gallon water truck (typical) would fill at the Caltrans Essex Maintenance Station about seven miles southwest or other local sources in Essex twice per day as needed. Caltrans station is not a public water supply system and Caltrans is responsible for any State-required reporting of groundwater pumping. Based on the historic use at the mine site and the San Bernardino Countywide Plan Draft EIR, water supplies are anticipated to sufficiently serve the Project in the future. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

There is no sewer service at the mine site and the Proposed Project would not require sewer collection or treatment services. Therefore, no off-site discharge of treated wastewater would occur. Therefore, 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?*

Overburden or waste material of 10% approximately 50,000 tpy are expected. Mine waste generated would be stockpiled. Following each relocation of mining equipment and operations as mining moves, the overburden will be spread back over exposed areas for reclamation and reseeding per the Reclamation Plan. The portable office building would be the Project's only generator of solid waste. According to the CalRecycle's estimates solid waste generation rates for the office sector, the Project would generate at most, approximately 0.0062 tons per day.⁴⁷ All solid waste is taken to the Barstow Sanitary Landfill, located at 32553 Barstow Rd. Barstow, California 92311. Its maximum permitted capacity is 80,354,500 cubic yards. It has a maximum permitted throughput of 1,500 tons per day. As of December 31, 2014, it has a remaining capacity of 71,481,660 cubic yards.⁴⁸ Waste generated from the Project is not expected to significantly impact solid waste collection or disposal systems. Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Following each relocation of mining equipment and mining operations move to another area of the quarry, the overburden and or mine waste will be spread back over the previously mined exposed areas for reclamation and reseeding per the Reclamation Plan. Waste materials or chemicals brought to the Project Site and stored for use are limited to fuel and equipment maintenance fluids, Best Management Practices BMPs shall be implemented. All used fluids are removed from the equipment and from the site following standard regulations. No used fluids are stored on-site. All refuse shall be disposed into approved trash bins (raven-proof) and removed by the operator or a

⁴⁷ CalRecycle "Estimated Solid Waste Generation Rates" accessed November 21, 2024

⁴⁸ CalRecycle. Solid Waste Information System database. accessed November 21, 2024

commercial vendor. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
Countywide Policy Plan

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

The mine is located 6 miles south of I-40, which is an evacuation route.⁴⁹ Access is from the existing 50-foot-wide compacted gravel road coming off of NTH at I-40. Unauthorized access to the mine area along the gravel access road at the entrance to the Project Site would be gated and signed to keep the public out and safe. All vehicles

⁴⁹ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed November 20, 2024.

and stationary equipment would be staged off public roads and would not block emergency access routes. Implementation of operational activities would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, less than significant impact is 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.⁵⁰ 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 habitable structures nor are there any existing structures. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project would not require the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. 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. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.⁵¹ The Project Site is neither located in an area with mapped, existing landslides nor is it located in an area susceptible to landslides.⁵² Additionally, the site is not within a 100-Year FEMA flood zone, 100-year Department of Water Resources Awareness Zone,

⁵⁰ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed November 20, 2024.

⁵¹ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed November 20, 2024.

⁵² San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed November 20, 2024.

or a 500-year FEMA flood zone.⁵³ All stockpiles on-site will have slope angles of 3H:1V and shall be contour graded to blend in with the surrounding topography to the extent possible to prevent water erosion. The operator is required to comply with Statewide NPDES and prepare and implement a SWPPP including applicable BMPs. The control of drainage, erosion, and sedimentation of the mine site will primarily involve the following primary BMPs as applicable:

- Limiting surface disturbance to the minimum area required for active operations.
- Monitoring erosion on slopes and implementation of one or more soil stabilization practices as applicable for the site such as: earthen berms or dikes; silt fence; fiber rolls; straw bales; gravel bags; sediment basin(s); and straw mulch.
- Stabilizing disturbed areas through grading slopes to 3H:1V; and
- After project completion - final revegetation of slopes will be by seeding or hydroseeding with native species.

Revegetation will be used for the long-term control of erosion. Access points and mined surfaces will be water sprayed as necessary to reduce wind erosion during operations. With implementation of associated BMPs, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

⁵³ San Bernardino County. Policy Plan web maps. HZ-4 “Flood Hazards” web map. Accessed November 20, 2024.

with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

SUBSTANTIATION:

- 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?*

Future mining activities in undisturbed areas (25-acres or 27% of new disturbance) would result in the removal of native vegetation and will be subject to reclamation activities summarized in the Mine and Reclamation Plan. A BRA was prepared. Based on the field survey, no live desert tortoises were observed within the Project Site. Additionally, the tortoise survey identified additional suitable burrows that were not occupied. There was no sign of tortoise (scat, tracks, etc.) within the entrance to the burrows or in the vicinity of the burrows. According to the current protocols per latest United States Fish and Wildlife Service (USFWS) Desert Tortoise Field Manual, the 50-acre Project Site will be fenced with a combination of desert tortoise fencing and 4-strand wire. The north and east side of the mine site is currently fenced with tortoise fencing required from the 1994 Plan; new fencing would be constructed on the west side of the new pit approximately 50 feet from the banks or edge of the existing wash as determined in the field. The Project Site is not mapped within an area for wildlife movement and is not within a habitat conservation plan. To minimize potential impacts to the biological resources occurring on the site, including special status species, Mitigation Measures BIO-1 to BIO-5 shall be implemented as per CDFW and USFWS requirements.

Mitigation Measure BIO-1:

Prior to the start of any construction, a 30-day pre-construction survey should be conducted for the presence of BUOW. Surveys shall be completed following the recommendations and guidelines provided within the 2012 BUOW Staff Report provided by the CDFW.

Mitigation Measure BIO-2:

Prior to any ground disturbing activities, a pre-construction survey for the Desert Kit Fox shall be conducted by a qualified biologist. The surveys shall be conducted during the appropriate times to observe the target species and using the most current survey protocol.

Mitigation Measure BIO-3:

Prior to any ground disturbing activities, a pre-construction survey for the American Badger shall be conducted by a qualified biologist. The surveys shall be conducted during the appropriate times to observe the target species and using the most current survey protocol.

Mitigation Measure BIO-4:

Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

Mitigation Measure BIO-5:

Any native desert plant protected by the Desert Native Plant Act that would be impacted, shall be flagged for relocation. Either on-site, to a nursery, or suitable other entity (as determined by the County) prior to construction. Any construction that removes any protected plant species shall require a permit.

Implementation of the above mitigation measures would ensure potential impacts to any species identified as a candidate, sensitive or special status species by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, would be reduced to less than significant.

As concluded in the Cultural Resources Study, BFSAs Environmental Services did not identify any cultural resources including historical resources as defined by CEQA within the Project Site. Furthermore, the northern half of the Project Site has been impacted by sand and gravel mining that occurred between 1983 and 1995. As such, the continued use of the Project Site for sand and gravel mining would not adversely impact any known cultural resources including historical resources.

A Paleontological Assessment was completed for the Project Site by BFSAs Environmental Services. The Paleontological Assessment concluded that based on the dimensions of the proposed mine site, mining activities would appear to avoid the paleontologically undetermined potential-rated Pleistocene alluvial deposits that are mapped at the surface at the northern corner. Paleontologically low potential-rated Holocene alluvial and artificial fill deposits are mapped within the confines of the proposed mine; however, the depth of the mining excavation would likely pass through

the surficial Holocene alluvium and impact Pleistocene alluvium. While Pleistocene-aged alluvial deposits in the Mojave Desert and San Bernardino County are known to produce significant vertebrate fossils, the closest known are approximately 20 miles to the southwest. While this scenario of sedimentary deposition at the project can't be proven without an inspection of the excavation cut by a geologist or a paleontological monitor versed in stratigraphy, based on this analysis, paleontological monitoring is not recommended at the Project Site; however, mitigation measure **GEO-1** will ensure that any inadvertent paleontological discoveries are treated in such a way to reduce impacts to a less than significant level.

Mitigation Measure Geo-1:

If paleontological resources (fossils) are discovered, it is recommended that a San Bernardino County-qualified professional paleontologist be contacted by the operator to inspect and assess the finds to determine their significance. If significant, the qualified paleontologist shall then perform the necessary procedures to preserve, document, and curate the specimen(s), in accordance with County of San Bernardino 2018 guidelines (San Bernardino code of ordinances § 82.20.030 c-f).

(c) Recovered Specimens. Qualified paleontologic personnel shall prepare recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Preparation and stabilization of all recovered fossils is essential in order to fully mitigate adverse impacts to the resources.

(d) Identification and Curation of Specimens. Qualified paleontologic personnel shall identify and curate specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, an established, accredited museum repository with permanent retrievable paleontologic storage. These procedures are also essential steps in effective paleontologic mitigation and CEQA compliance. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impacts to significant paleontologic resources is not considered complete until curation into an established museum repository has been fully completed and documented.

(e) Report of Findings. Qualified paleontologic personnel shall prepare a report of findings with an appended itemized of specimens A preliminary report shall be submitted and approved before granting of building permits, and a final report shall be submitted and approved before granting of occupancy permits. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into the collections of the San Bernardino County Museum, will signify completion of the program to mitigate impacts to paleontologic resources.

(f) Mitigation Financial Limits. In no event shall the County require the applicant to pay more for mitigation as required by Subdivisions (b), (c), and (d), above within the site of the project than the following amounts:

- (1) *One-half of one percent of the projected cost of the project, if the project is a commercial or industrial project;*
- (2) *Three-fourths of one percent of the projected cost of the project for a housing project consisting of one unit; and*
- (3) *If a housing project consists of more than one unit, three-fourths of one percent of the projected cost of the first unit plus the sum of the following:*
 - (A) *\$200.00 per unit for any of the next 99 units;*
 - (B) *\$150.00 per unit for any of the next 400 units; and*
 - (C) *\$100.00 per unit for units in excess of 500*

Implementation of Mitigation Measure GEO-1 would prevent potential impacts on significant paleontological resources or reduce such impacts to a level less than significant.

Skanska USA Civil West (Skanska) submitted an application to the San Bernardino County Land Use Services Department for a revised Mine Reclamation Plan (2024 Plan) for a CUP for the Essex Sand & Gravel Mine (CA MINE ID #91-36-0120). The mine site is located on Yeager Skanska Inc. privately held lands on the southeast side of U.S. Highway 66 (Historic Route 66 and/or National Trails Highway (NTH)); 6.5 miles southwest of the intersection with Interstate 40 (I-40). The site is approximately 6 miles northeast of Essex, 33 miles west of Needles, and over 100 miles east of Barstow in the far eastern Mojave Desert within unincorporated San Bernardino County (see Figures 1 and 2).⁵⁴

In the eastern Mojave Desert, public roads are impacted by flooding and erosion and often require repairs, maintenance and overall improvements. Due to the remote location of this area and that most lands are public lands managed and protected by the Bureau of Land Management (BLM), it is important to maintain local aggregate sites to provide road materials for the eastern desert region. This site reduces the need to transport materials from more distant aggregate sources.

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

⁵⁴ The County Plan Policies Maps reference to this area as “North Desert.”

- (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 will be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality.

To limit dust production, the Applicant must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (e.g. Spray working mine areas and access roads onsite with water on a regular basis and more frequently as needed during windy conditions, Un-surfaced haul road and access road will also have dust controlled with or covered with road base material as needed) for each fugitive dust source. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The Applicant shall be required to implement the following conditions as required by MDAQMD:

- b) All equipment used for mining must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
- c) The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks to minimize exhaust emissions from truck idling.
- d) The operator shall comply with all existing and future California Air Resources Board (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.
- e) The aggregate crusher must annually renew permits to operate from the MDAQMD and be in compliance with such permits.

MDAQMD rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide CARB Diesel Reduction Plan. These measures will be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines. Therefore, less than significant impact is identified or anticipated, and no mitigation measures are required.

Truck traffic per day and year will be entirely based on construction projects, schedules, and production, which may vary from zero to an average of 400,000 tons/year of both road base and asphaltic concrete. Based on street-legal 25-ton trucks and daily production of about 1,375 tpd (400,000 tpy per 6 days/week and 300 days/year), approximately 55 haul trucks may access the site per day. However, depending on the

ratio of aggregate and asphalt the number of trips may change to account for the allotted 1,375 tpd. Assuming half of aggregates are made into asphalt, approximately 35 asphalt trucks and 27 aggregate trucks would ship material per day for a total of 62 trucks per day. Although there would be no reduction in VMT, any increase in VMT would be insignificant given the low employment demand and number of daily haul trips. Therefore, impacts are not cumulatively considerable.

Additionally, the Proposed Project does not include growth-inducing characteristics as it's meant to supply aggregate to local projects within the County. Cumulative impacts identified in this Initial Study are anticipated to be less than significant. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As discussed in prior sections of the Initial Study, any impacts associated with the Proposed Project's air quality, geology and soil, GHG emissions, hazardous materials, land use, noise, and wildfire are considered less than significant. No hazardous materials, besides asphaltic oil, fuel and equipment maintenance fluids, are stored on-site. The fuel tanks used are double walled tanks. Any fuel-soaked material is placed in drums, labeled, and removed to an approved disposal site. The operation will not introduce any toxic substances, contaminate, or otherwise degrade the quality of stream runoff or ground water on or near the site. Moderate seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation activities. The Proposed Project does not include any residential dwelling units or permanent structures. Furthermore, the nearest sensitive receptors are approximately 5.5 miles to the north in the community of Essex. The Applicant will be required to obtain air quality permits from MDAQMD to operate (annual renewals). All emission levels associated with the Proposed Project were less than adopted thresholds.

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

Less Than Significant Impact

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

GENERAL REFERENCES

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PROJECT-SPECIFIC REFERENCES

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BFSA Environmental Services, Paleontological Assessment for the Essex Mine Project, April 17, 2024

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Skanska Essex Mine
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Appendices

Appendix A – Air Quality Model Data Tables prepared by Lilburn Corporation, 2025

Appendix B - General Biological Resources Assessment, Jurisdictional Delineation, and Native Plant Protection Plan for the Essex Sand and Gravel Mine Project, in Unincorporated San Bernardino County, California prepared by Jennings Environmental, LLC, October 2023

Appendix C - Cultural Resources Study for the Essex Mine Project, Essex, San Bernardino County, California prepared by BFSA Environmental Services, February 15, 2024

Appendix D - Paleontological Assessment for the Essex Mine Project, Essex, San Bernardino County, California prepared by BFSA Environmental Services, April 17, 2024