



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: November 6, 2025

AGENDA ITEM # 2

Project Description

APNs: 0446-033-08, -09, -17, -18, -19, -39

Applicant: Powerflex (Michael Landler)

Community: Lucerne Valley/District 3

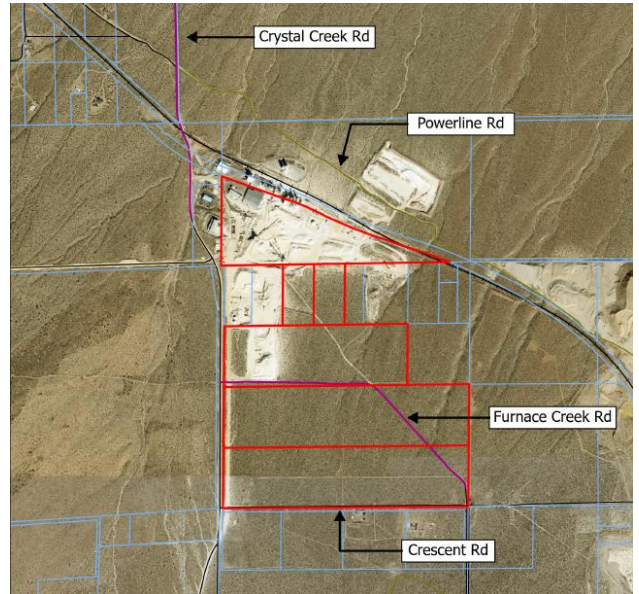
Location: 7225 Crystal Creek Road
Lucerne Valley, CA

Project No: PROJ-2024-00165

Staff: Amy Rossig, Contract Planner

Proposal: A Conditional Use Permit to construct and operate a 5-megawatt alternating current ground-mounted solar energy system and construct a 0.6-mile of a new interconnection line for onsite energy consumption at the OMYA Facility.

Vicinity Map



Hearing Notices Sent On: October 22, 2025
 Report Prepared By: Amy Rossig, Contract Planner

SITE INFORMATION

Project Size: 143.19 acres across six parcels (project area is limited to 29.39 acres)
Terrain: Vacant Land, Limited Industrial (IL) / General Industrial (GI)
Vegetation: Desert related vegetation, including Joshua Trees

TABLE 1 – SITE AND SURROUNDING LAND USE DESCRIPTION

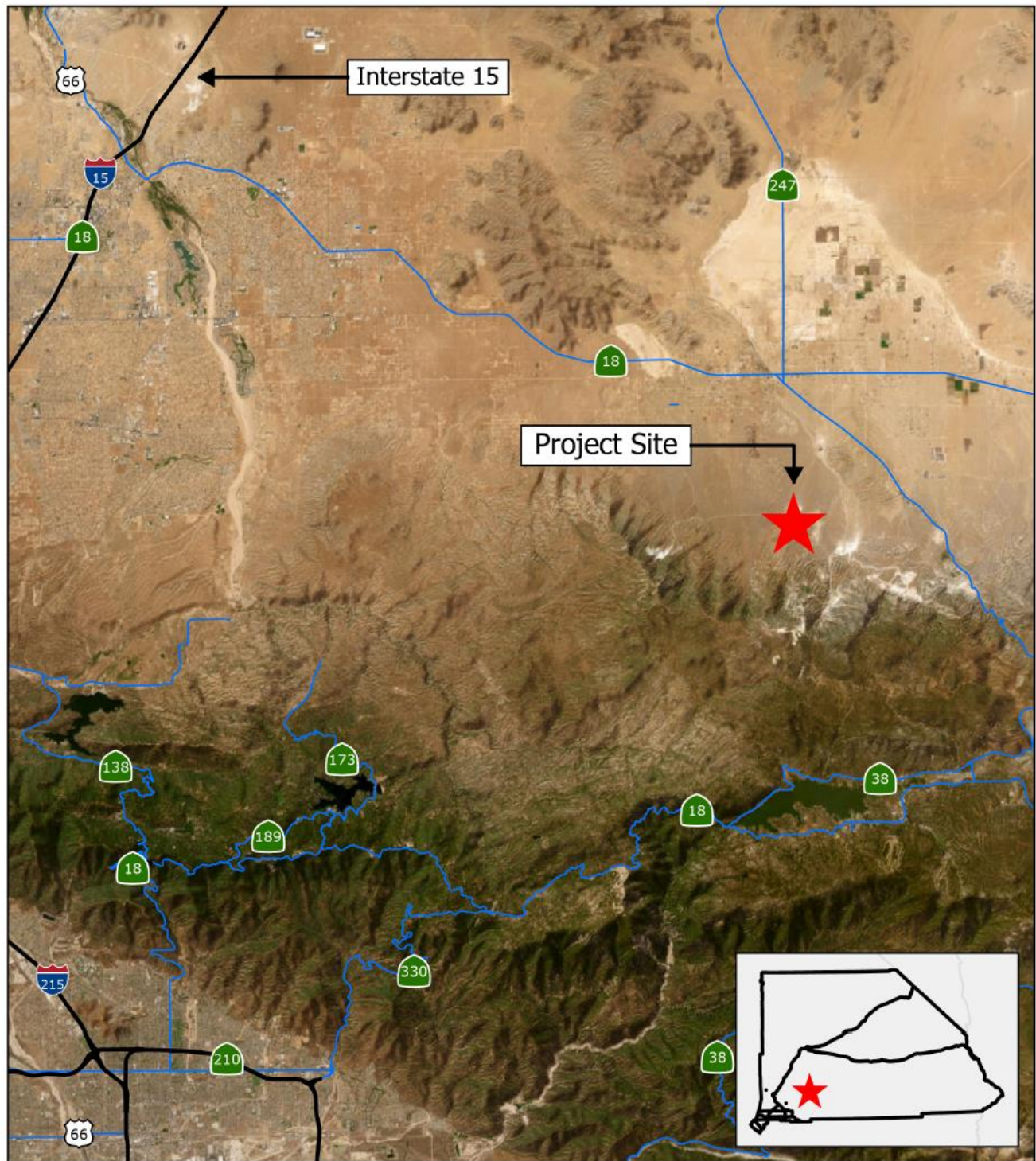
AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
Site	Vacant	Limited Industrial (LI) / General Industrial (GI)	Community Industrial (IC) / Regional Industrial (IR)
North	Industrial	General Industrial (GI)	Regional Industrial (IR)
South	Single family residence	Rural Living (RL)	Rural Living (RL)
East	Vacant	Limited Industrial (LI)	Community Industrial (IC)
West	Vacant	Rural Living (RL)	Rural Living (RL-20)

	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	N/A	N/A
Water Service:	N/A	N/A
Sewer Service:	N/A	N/A

STAFF RECOMMENDATION: That the Planning Commission take the following actions: 1) **Adopt** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; 2) **Adopt** the findings in support of the Conditional Use Permit; 3) **Approve** the Conditional Use Permit to establish 5MW AC solar energy system and construct a 0.6-mile of a new interconnection line for onsite consumption, subject to the recommended conditions of approval; and 4) **Direct** the Land Use Services Department to file the Notice of Determination¹.

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

Figure 1
REGIONAL LOCATION MAP



Scale: 1:250,000

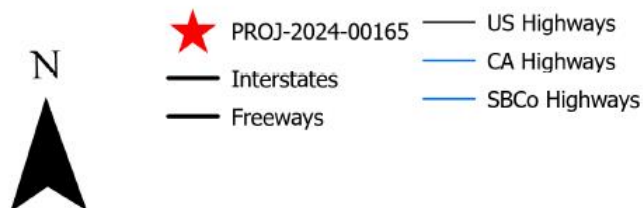
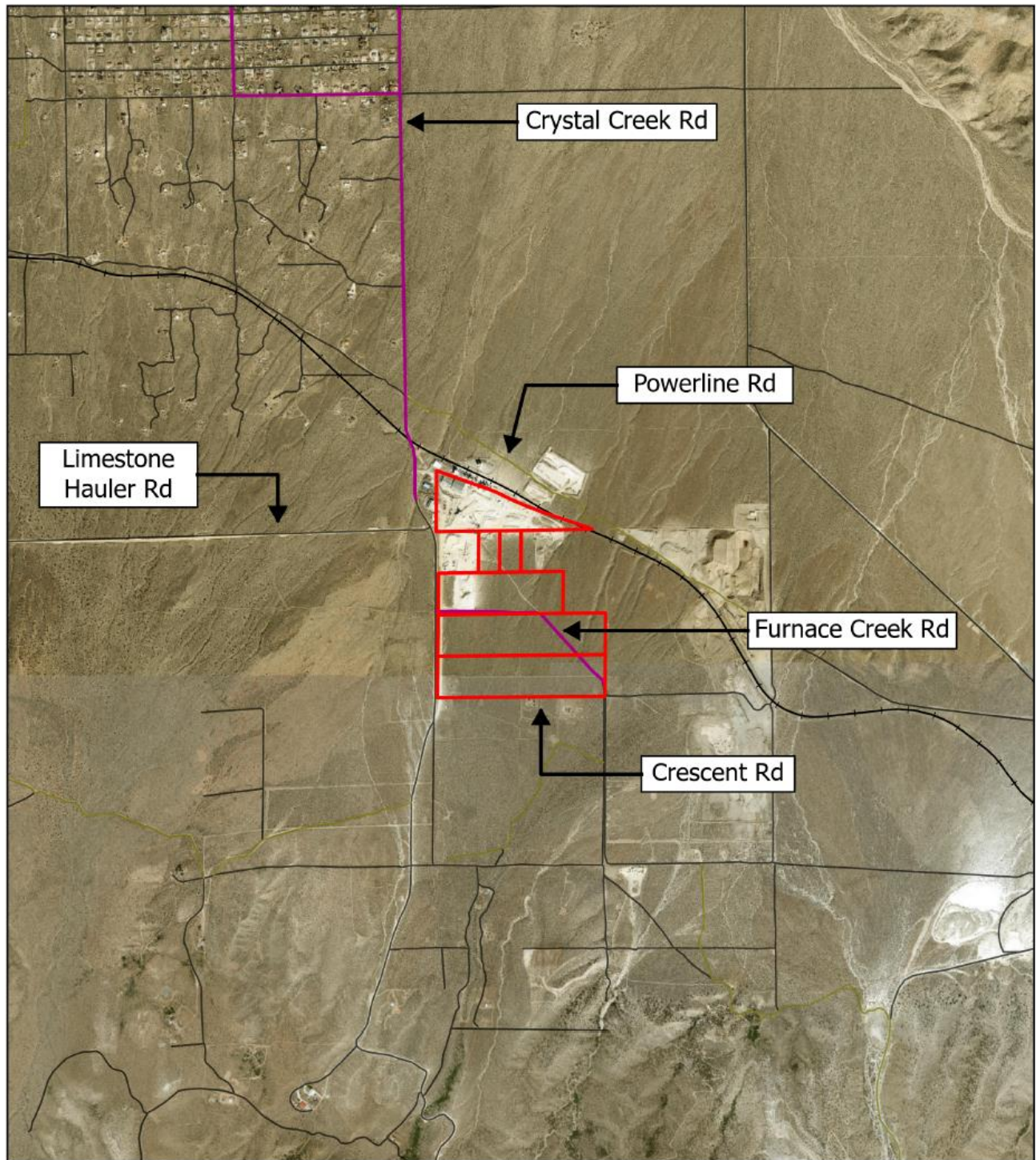


Figure 2
VICINITY MAP



Scale: 1:24,000

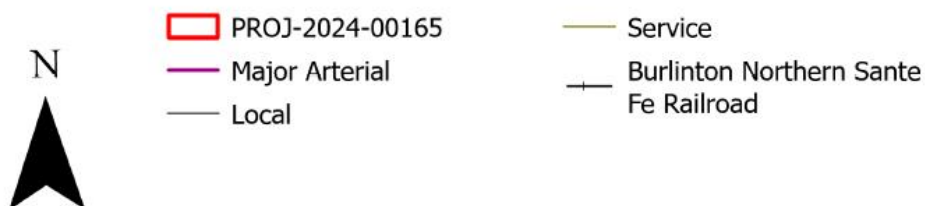
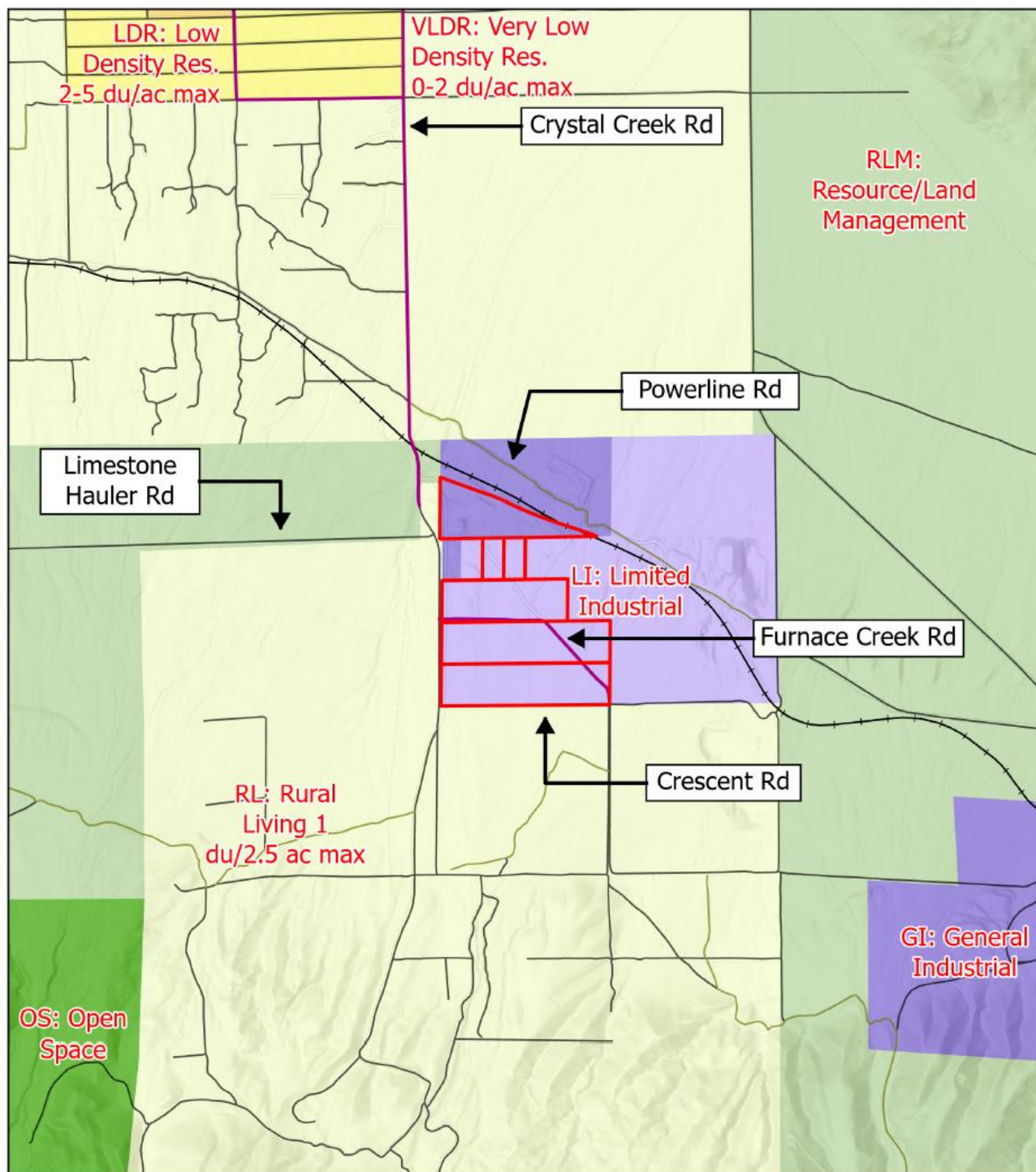


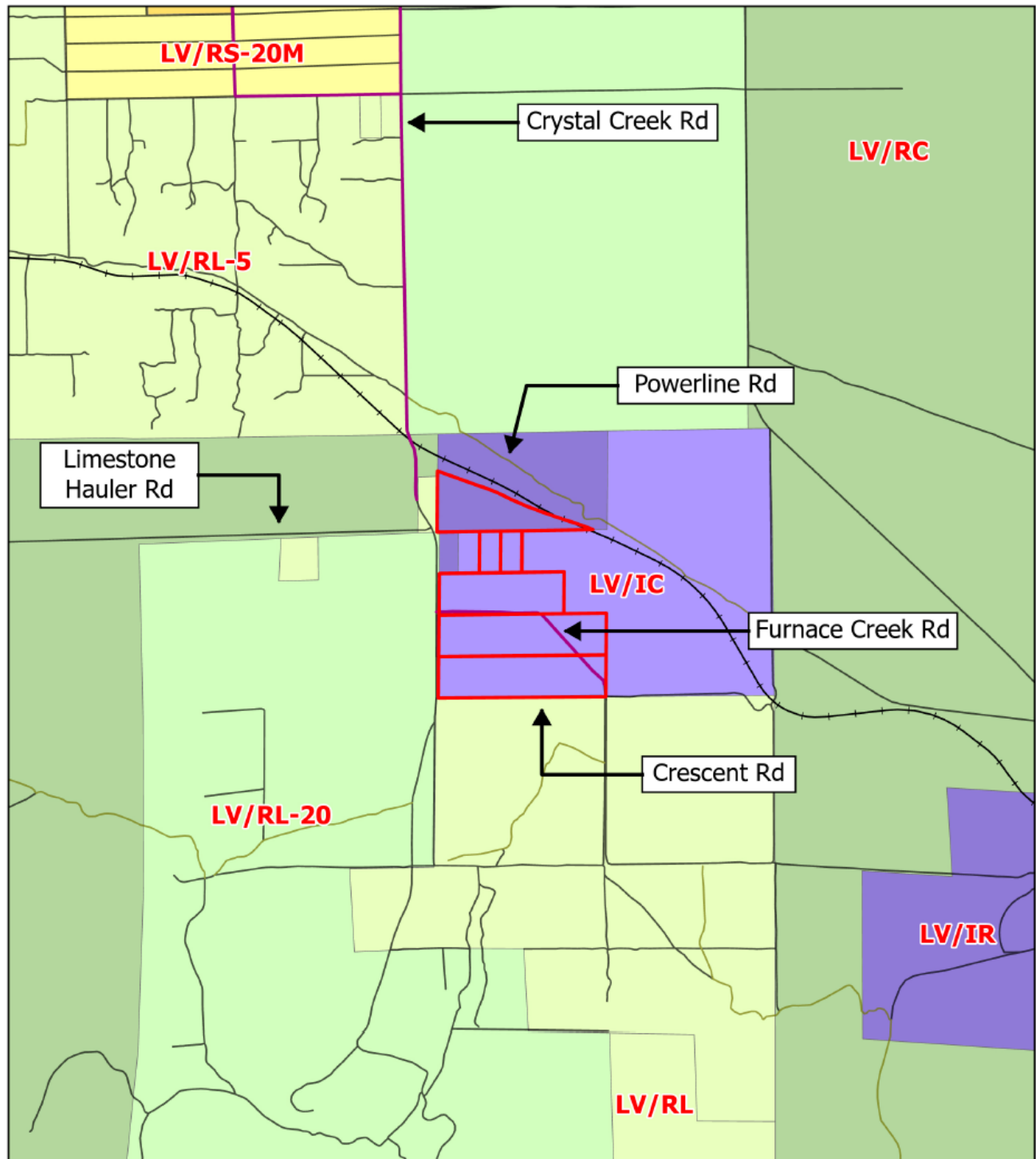
Figure 3
Land Use Categories Map



Scale: 1:24,000



Figure 4
Zoning Map



Scale: 1:24,000

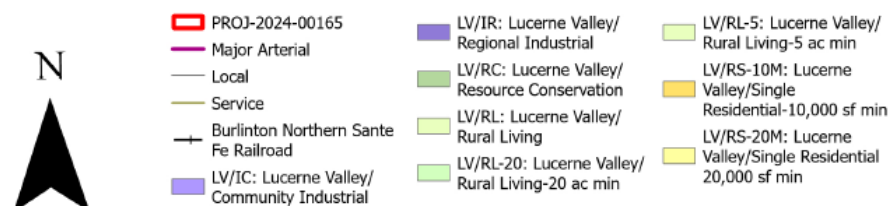
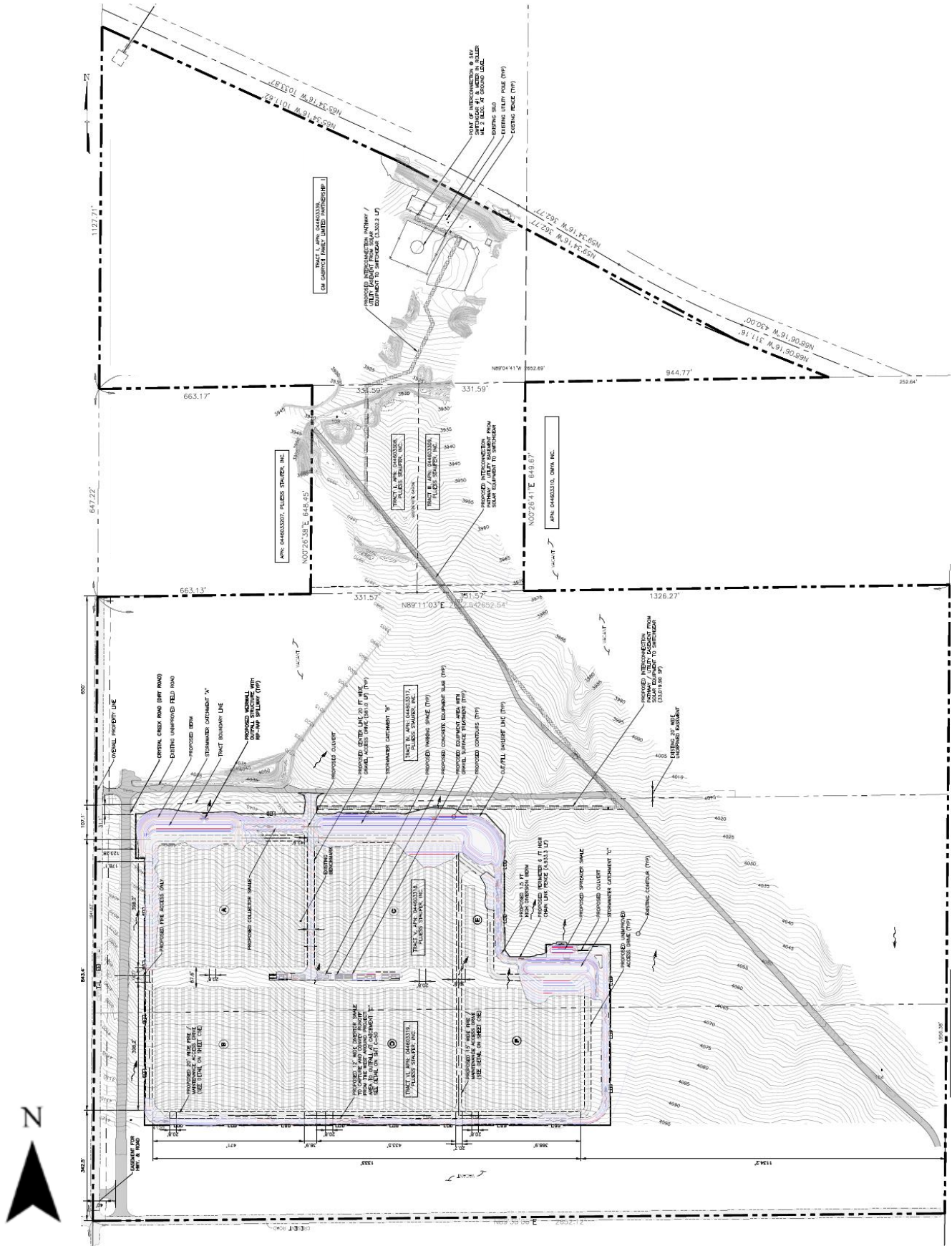


Figure 5
Site Plan



PROJECT DESCRIPTION:

The Applicant is requesting approval of a Conditional Use Permit (CUP) to construct and operate a 5-megawatt (MW) alternating current (AC) ground-mounted solar energy system on 29.39 acres of vacant land (two parcels) with 7.25 acres of solar arrays and 0.6-mile of a new interconnection line (Project) for the purpose of power generation for onsite consumption at the OMYA Plant Facility located 0.2 miles away at 7225 Crystal Creek Road. All electricity generated by the system will be consumed by the mining operation and the facility would produce enough electricity to serve 93 percent of the mine's needs.

The Project would consist of the following components: solar modules, underground electrical conductors, inverters, switchgear, access roads, detention basins and perimeter fencing. The system will interconnect at Assessor Parcel Numbers (APN) 0446-033-39.

The Project is being considered as a community-oriented renewable energy (CORE) facility. The Resource Energy and Conservation Element (RECE) defines CORE as “[r]enewable energy generation planned and approved for consumption by one or more locally sponsored, specific, and proximal end-users.” Chapter 3 of the RECE – entitled “Community-Oriented Renewable Energy” (Page 24) – explains that CORE facilities are “primarily intended to serve the people near them. Utility-scale projects are not. For too long, this fundamental difference has been treated as a side issue while megawatt output per facility has been an unnecessarily confusing fixation nationwide”. In determining if a project is a CORE facility, the primary factor is who is anticipated to be served by the solar facility. For example, RE Policy RE 3.3.2 provides that “CORE facilities shall be designed primarily to meet the needs of the local users[.]” (Emphasis added.)

Table 1 of the RECE – entitled “Renewable Energy Generation Categories” provides “typical” size and acreage guidance for “Neighborhood”, “Community”, and “Utility-Oriented” solar projects as shown below.

Table 1: Renewable Energy Generation Categories

	Community-Oriented				Utility-Oriented
	Accessory: Site-Oriented				
Key Traits	Rooftop	Ground-Mounted Accessory	Neighborhood	Community	
Typical Use	Accessory structure in support of on-site consumption	Accessory structure in support of on-site consumption	Provides electricity primarily for adjacent use	Provides electricity primarily for local off-site use	Supplies electricity to the transmission grid
Preferred Technology Types	Solar PV and water heater energy systems	Solar PV and water heater energy systems	Solar PV energy systems	Solar PV energy systems	Solar PV energy systems
	Geothermal Wind energy systems	Geothermal Wind energy systems	Geothermal	Bioenergy Geothermal	Bioenergy
Permit Type	Building Permit	Building Permit	Minor Use Permit	Conditional Use Permit	Conditional Use Permit
Approval	Staff	Staff	Zoning Administrator	Planning Commission	Planning Commission
Typical Size	Varies depending on size of facility/residential roof	Varies depending on on-site needs	Up to 5 acres in total area	Up to 60 acres in total area	More than 60 acres in total area - Limited Sites*
Typical Power Generation	Varies depending on facility/residence size	Up to approximately 70 kW (standard layout)	Up to approximately 710 kW (standard layout)	Up to approximately 10 MW (standard layout)	More than 10 MW
Notes: * Limited sites for utility-oriented development are specified in the Development Code					

Based on Table 1 of the RECE, CORE facilities are intended *primarily* to provide electricity for local off-site uses and are *typically* up to 60 acres in size, generating approximately 10 MW of power.

In this case, the proposed Project would supply renewable energy to the adjacent OMYA facility, helping the mining operation transition toward cleaner energy sources. The Project Site lies outside the boundaries of the mining operations, and because of this, the Land Use Services Department, Mining Division, has determined that the Project is not subject to the Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Section 2710-2796) and does not qualify as an accessory or site-oriented use.

By occupying 29.39 acres, the solar system is well below the size typically associated with a full CORE facility. Instead, its characteristics align more closely with a Neighborhood-level facility, which better reflects its limited footprint and targeted energy contribution.

Location and Site Description

The Project Site is located immediately south of the OMYA mining facility located at 7225 Crystal Creek Road. It is bound to the west by Crystal Creek Road and a parallel private roadway, to the north by an internal roadway, and to the south by Crescent Road. The Project will occupy 29.39 acres within the larger 143-acres.

The Project Site remains undeveloped and free of structures. The topography is characterized by a gentle slope from southwest to northeast, with elevations ranging between 4,000 and 4,150 feet above mean sea level (amsl).

Surrounding Uses

To the north, the surrounding property is developed as a mining facility, categorized as General Industrial (GI) and zoned Regional Industrial (IR). To the south, the area contains a single-family residence on APN 0446-033-43, which is located within the Rural Living (RL) land use category and zoned Rural Living (RL-5). To the east, the land is vacant and designated Limited Industrial (LI) with Community Industrial (IC) zoning. To the west, the land is also vacant but designated as Rural Living (RL), with a zoning district of Rural Living (RL-5).

Land Use Designations and Zoning

The Project Site has a General Plan Land Use designation of Limited Industrial (LI) and General Industrial (GI). The Industrial land use designations are intended to allow mineral resource extraction and renewable energy facilities consistent with the RECE.

The Project Site is zoned Community Industrial (IC) and Regional Industrial (IR) with a majority of the facility being located on the IC zone. Pursuant to San Bernardino County Development Code Table 82-17, renewable energy generation facilities are a permitted use within the IC zone with an approved CUP.

Solar System Details

Figure 5 depicts the proposed Project as it relates to the solar facility. APNs 0446-033-18 and 0446-033-19 would include the solar modules, switchgear and inverters totaling approximately 7.25 acres.

The interconnection would include APNs 0446-033-39, 0446-033-09, 0446-033-08, 0446-033-17, and 0446-033-18. A duck bank 3 feet wide and 4 feet deep would run for approximately 0.6 miles to connect the solar field with the OMYA plant facilities.

Site Access

Site access will be provided via an existing private roadway that runs along the western boundary of the parcels, parallel to Crystal Creek Road. This roadway will accommodate all construction and maintenance traffic for the solar facility. Crystal Creek Road will be reserved for emergency access only.

In accordance with San Bernardino County Fire Protection District (County Fire) requirements, three emergency access points will be established along Crystal Creek Road: (1) approximately 650 feet south of the administrative building at 7225 Crystal Creek Road, (2) north of the solar facility, and (3) at the intersection of Crystal Creek Road and Crescent Road.

As part of project review, the Applicant submitted a request for waiver or modification of street improvement requirements (Exhibit E). Under standard requirements, the Applicant would be obligated to pave and San Bernardino County would maintain the full length of Crystal Creek Road from the Administrative building to the driveway of the solar facility (approximately 0.6 miles in length). However, because the Project will not be accessing the solar site off Crystal Creek Road, the Land Use Services Department and Department of Public Works was able to support the findings required for waiver approval. The waiver request ensures that the Project can proceed while maintaining safe and functional emergency access in compliance with County Fire standards.

Project Fencing and Security

The Project will include installation of a six-foot-tall chain-link fence surrounding the perimeter of the solar modules to ensure site security and restrict unauthorized access.

PROJECT ANALYSIS

The RECE provides the following five siting policies to be considered in the allowance of renewable energy (RE) facilities within the Development Code Land Use Districts. As explained below, the Project complies with each of the siting policies.

1. Condition of the underlying ground: Fundamentally, RE should be developed on substantially disturbed or degraded lands. Minor disturbances likely to recover to a high-quality natural condition in a short time should not be considered substantially disturbed.

Response: The Project will be constructed primarily on existing grades, with minimal grading required for access roadways. The majority of construction activity will occur at grade within vegetated areas, resulting in only limited disturbance. Vegetation removal will be minimal, and the installation of solar modules will not interfere with the growth or persistence of native vegetation beneath the panels. Exhibit D, Project and Site Plans includes a grading and drainage plan on Sheets C5A – C5E.

2. Impact on the natural environment: Siting that may negatively impact critical habitats and species that are threatened or endangered will be given very careful scrutiny. Generally, RE and all other types of development will be expected to minimize and mitigate negative environmental impacts.

Response: A biological resources assessment (BRA) was prepared for the Project by ELMT Consulting in March 2025. The assessment determined that the Project Site is not located within federally designated Critical Habitat.

During field investigations, two special-status plant species were observed: purple-nerve cymopterus and western Joshua tree. Four individuals of purple-nerve cymopterus were found in the southeast corner of the parcel, outside the Project footprint, and no mitigation is required for this species. Within the area of Project disturbance, a total of 623 western Joshua trees were identified. Mitigation for this species includes the requirement to obtain a Take Permit from the California Department of Fish and Wildlife prior to any grading activities or issuance of grading permits.

The Project Site is also within an area known to support special-status wildlife, including Burrowing Owl and Desert Tortoise. Mitigation measures requiring pre-construction surveys are included to ensure that no adverse impacts occur to these species.

The federal Migratory Bird Treaty Act (MBTA) of 1918 provides protection for nesting birds that are both residents and migrants, whether or not they are considered sensitive by resource agencies. No active nests or nesting behaviors were observed during the field investigation. To ensure that there would be no impacts to nesting birds, mitigation measures for a clearance survey has been incorporated into the Project.

With implementation of these mitigation measures and conditions of approval, impacts to biological resources are expected to be less than significant. For additional detail, please refer to the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan.

3. Relationship to surrounding land uses: RE development should not substantially conflict with surrounding land uses, especially existing communities or residential areas where residents object to the visual character of RE projects.

Response: The Project Site is surrounded primarily by vacant land. To the north lies the

existing mining facility, which includes stockpiling and processing operations. To the south is a single-family residence located along Crescent Road.

A Visual Impact Analysis (VIA) was prepared by Forma Companies in March 2025. The analysis identified three Key Observation Points (KOPs). KOP 3, located approximately 350 feet south of the solar facility along Crescent Road near the residence, was determined to represent the most sensitive viewing location.

Photo simulations from this vantage point indicate that the Project's ground-mounted solar modules, given their low profile and placement within the existing landscape, would not substantially alter the area's visual character. Accordingly, the VIA concludes that the Project would result in less than significant impacts to visual resources.

4. Proximity to transmission and/or distribution infrastructure: Generally, the intent is to discourage siting that requires substantial new infrastructure, especially transmission lines.

Response: No new transmission lines are proposed as part of this project. A interconnection pathway is proposed through the southern portion of the site to the northern portion. An point of interconnection would be located on APN 0446-033-39.

5. Contribution to the benefits of community-oriented RE: There is substantial growth nationally in CORE facilities development. The Element emphasizes CORE development, including the principles of energy reliability, consumer cost reduction, local production for local consumption, and locally appropriate services. Therefore, there are many conditions under which CORE facilities sited in or adjacent to communities may complement the collective needs of the community or neighborhood.

Response: The adjacent parcels are utilized by the OMYA mining facility. The Project would reduce the energy consumption of the plant by providing enough electricity to serve 93 percent of the mine's needs. Therefore, allowing the mining operation to transition towards cleaner energy.

Code Compliance Summary: The Project satisfies all applicable standards of the Development Code for development in the Community Industrial (IC) / Regional Industrial (IR) Zoning District as illustrated in table below.

TABLE 2 – Code Compliance Summary

Project Component	Development Code Resource Conservation Zoning	Project Plans (Proposed)	Consistency Determination
Solar Facility	CUP	CUP	Consistent
Glare	Preclude daytime glare on any abutting residential land use zoning district, residential parcel, or public right-of-way	Project is within a Community Industrial (IC) / Regional Industrial (IR) zones; a single family residence is located to the south of the subject site, over 200 feet away. The solar panels are designed to absorb and not reflect light.	Consistent

Building Setbacks	Front – 25 feet Street Side – 25 feet Interior Side – 0 feet Rear – 10 feet	Front – 120 feet Street Side – 200 feet Interior Side – 0 feet Rear – 1,000 feet	Consistent
Maximum Building Height	50 feet	18 feet	Consistent
Perimeter Roads	20 feet	20 feet	Consistent
Interior Roads	15 feet	15 feet	Consistent
Night Lighting	Projects shall comply with Desert Lighting requirements	All lighting would be downlit, shielded lights, and positioned to not allow light to leave the site. Proposed berms would also diminish lighting effects.	Consistent

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA; Public Resources Code Sections 21000-21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000-15387), San Bernardino County as Lead Agency completed environmental review to determine if the Project may have a significant effect on the environment. The County prepared an initial study and mitigated negative declaration (IS/MND) for the Project (Exhibit F). County staff filed the IS/MND with the County Clerk on July 30, 2025, and circulated the IS/MND for public review and comment from July 30, 2025 through August 28, 2025 (SCH No. 2025071278) (30 days). The IS/MND identified potentially significant impacts to biological resources, cultural resources, hazards and hazardous materials, tribal cultural resources, and wildfire (Impacted Resource Areas). All other standard topics of environmental analysis were found less than significant or no impact. The following are feasible mitigation measures adopted by County and incorporated into the IS/MND to mitigate impacts to a less than significant level for Impacted Resource Areas.

A summary of recommended mitigation measures to reduce the level of impact to less than significant are contained in the IS/MND and incorporated into the Project's Mitigation Monitoring and Reporting Program, including, but not limited to the following:

Biological Resources Mitigation Measures

- MM BIO-1 requires the applicant to obtain an Incidental Take Permit (ITP) if Western Joshua Trees are removed or impacted.
- MM BIO-2 requires pre-construction surveys for Burrowing Owl prior to the start of project construction.
- MM BIO-3 requires a pre-construction survey for Desert Tortoise prior to the start of project construction.
- MM BIO-4 requires pre-construction nesting bird surveys to determine if any native birds are nesting on or near the Project Site. If active nests are observed, a suitable avoidance buffer from the nests shall be determined by the Qualified Biologist based on species, location, and extent and type of planned construction activity.

Cultural Resources Mitigation Measures.

- MM CR-1 requires all work within 60-feet of an unexpected find to cease immediately and an archeologist meeting the Secretary of the Interior standards shall be contacted immediately to evaluate the resource. Additionally the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted.
- MM CR-2 requires a Monitoring and Treatment Plan to be drafted and provided to YSMN if significant pre-contract cultural resources are discovered during construction.
- MM CR-3 requires work in the immediate vicinity to cease and the County Coroner shall be contacted if human remains or funerary objects are discovered.

Hazards & Hazardous Materials and Wildfire

- MM HAZ-1 requires during construction, all staging areas, welding areas, or areas slated for construction using spark-producing equipment will be cleared of dried vegetation or other material that could ignite. Further, the contractor shall provide a safety plan for protocols related to the National Weather Service's issuance of a Red Flag Warning.

Tribal Cultural Resources Mitigation Measures

- MM TCR-1 requires the YSMN tribe to be contacted if any pre-contact cultural resources are discovered.
- MM TCR-2 requires any and all archaeological/cultural documents created as part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the Applicant and Lead Agency for dissemination to the Consulting Tribe. The Lead Agency and/or Applicant shall, in good faith, consult with the Consulting Tribe through the life of the Project.
- MM TCR-3 requires the retention of a tribal monitor approved by Gabrieleño Band of Mission Indians – Kizh Nation.
- MM TCR-4 requires upon discover of any TCR, all construction activities to cease and the Kizh monitor and/or Kizh archaeologist to evaluate. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

RECOMMENDATION: That the Planning Commission:

- 1) **Adopt** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- 2) **Adopt** the Findings for approval of the Conditional Use Permit;
- 3) **Approve** the Conditional Use Permit to construct and operate a 5-megawatt alternating current ground-mounted solar energy system on 29.39 acres and construct 0.6-mile of a new interconnection line for onsite energy consumption at the OMYA Plant Facility, subject to the Conditions of Approval; and,
- 4) **Direct** the Land Use Services Department to file the Notice of Determination in compliance with the California Environmental Quality Act.

ATTACHMENTS:

- | | |
|------------|--|
| Exhibit A: | Findings |
| Exhibit B: | Recommended Conditions of Approval |
| Exhibit C: | Mitigation Monitoring and Reporting Plan |
| Exhibit D: | Project and Site Plans |
| Exhibit E: | Finalized Waiver Request SIW-2025-00005 |
| Exhibit F: | Initial Study / Mitigated Negative Declaration |

EXHIBIT A

Findings

FINDINGS: CONDITIONAL USE PERMIT

A CONDITIONAL USE PERMIT (CUP) TO CONSTRUCT AND OPERATE A 5-MEGAWATT (MW) ALTERNATING CURRENT (AC) GROUND-MOUNTED SOLAR ENERGY SYSTEM ON 7.25 ACRES AND CONSTRUCT 0.6-MILE OF A NEW INTERCONNECTION LINE FOR ONSITE ENERGY CONSUMPTION AT THE OMYA PLANT FACILITY ON 143.19 ACRES, IN THE LIMITED INDUSTRIAL (LI) AND GENERAL INDUSTRIAL (GI) LAND USE CATEGORY, AND LUCERNE VALLEY/REGIONAL INDUSTRIAL (LV/IR) AND LUCERNE VALLEY COMMUNITY INDUSTRIAL (LV/IC) ZONING DISTRICT; LOCATED AT 7225 CRYSTAL CREEK ROAD IN THE LUCERNE VALLEY, 3RD SUPERVISORIAL DISTRICT; APN: 0446-033-08, 09, 17, 18, 19, AND 39; PROJECT NUMBER PROJ-2024-00165.

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for approval of the Conditional Use Permit:

- 1. THE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, LOADING AREAS, OPEN SPACE, PARKING AREAS, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.**

The Project consists of photovoltaic panels on that would occupy 7.25 acres and 0.6-mile of new interconnection line on a total of 143 acres which is undeveloped or utilized for the mining operation. The parcels are of adequate size and shape to accommodate the proposed energy generating facility and interconnection line. Ingress and egress circulation, native landscaping, lot coverage, and all setbacks meet the requirements of the Development Code for the proposed project's property land use and zoning designations.

- 2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS, WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.**

The site design ensures adequate legal and physical access to the site. Access to the solar array would be through an existing private roadway which runs along the western boundary of the parcels, parallel to Crystal Creek Road. This roadway will accommodate all construction and maintenance traffic for the solar facility. Crystal Creek Road will be reserved for emergency access only. The interconnection line consists of a duct bank 3 feet wide by 4 feet deep and approximately 3,302 linear feet to connect the solar field with the Omya plant facilities.

- 3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION OR OTHER DISTURBANCE.**

The Project, as designed and conditioned, is consistent with the land uses and development standards allowed within the Limited Industrial (LI) and General Industrial (GI) land use category, and the Lucerne Valley/Regional Industrial (LV/IC) and Lucerne Valley/Community Industrial (LV/IC) zoning district and as such should not have adverse effects on abutting

properties. An Initial Study/Mitigated Negative Declaration (IS/MND) and associated technical studies were prepared to evaluate potential impacts to adjacent lots and determined there would be less than significant impacts related to noise, traffic, vibration, lighting, glare and other disturbances. The project would therefore not have a substantial adverse impact on the abutting property.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The proposed Conditional Use Permit, together with the provisions for its design and improvement are consistent with the Countywide Policy Plan. The proposed Project as designed is consistent with the goals, policies, standards and maps of the Policy Plan and implements the following goals and policies:

- **Policy LU-2.1 Compatibility with existing uses.**

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods.

Consistency: *The Project is appropriate because the use is allowed subject to a land use entitlement of a Conditional Use Permit (CUP) and compatible with the size and scale of the surrounding land uses. The IS/MND determined that there would be less than significant impacts to adjacent existing and allowed land uses. The Project complies with San Bernardino County Development Code regulations pertaining to Solar Energy Facilities.*

- **Policy LU-2.3 Compatibility with natural environment**

We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: *A technical biological report was prepared to determine potential environmental impacts to the natural environment and biodiversity on and adjacent to the project site. The report identified sensitive species and habitat that could be impacted by the Project. Appropriate mitigation measures were incorporated to minimize impacts and protect sensitive species and habitat, reducing impacts to less than significant. The Project is therefore located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.*

- **Policy LU-2.4 Land Use Map consistency.**

We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.

Consistency: *The Project is consistent with the Land Use Map and does not propose a change in the Land Use Category. As designed, the proposed use is generally compatible and consistent with surrounding land uses and community's identity.*

- **Policy RE-2.1: Renewable Energy Systems**

Solar energy generation, solar water heating, wind energy and bioenergy systems that are consistent with the orientation, siting and environmental compatibility policies of the General Plan. Additionally, Policy RE 2.1.1, states that projects shall “utilize renewable energy development standards in the Development Code to minimize impacts on surrounding properties.”

Consistency: *The Project will provide clean, emission-free renewable energy for the existing mining plant. The project has been designed, conditioned, and mitigated to minimize impacts on surrounding properties.*

- **Policy RE-4.5: Decommissioning Plans**

Require RE generation facility developers to provide and implement a decommissioning plan that provides for reclamation of the site to a condition at least as good as that which existed before the lands were disturbed or another appropriate end use that is stable (i.e. with interim vegetative cover), prevents nuisance, and is readily adaptable for alternative land uses.

Consistency: *As part of the IS/MND, the decommissioning of the site was evaluated. At the end of the Project's operational term, anticipated to be 30 years, the applicant would remove the solar arrays, panels, fencing and restore the site to its pre-project condition. Further, the Project has been conditioned to prepare a closure, revegetation, and rehabilitation plan and submit it to the Planning Division for review and approval prior to building permit issuance. Under the decommissioning plan, all aboveground structures and facilities shall be removed to a depth of three feet below grade. Concrete piping, and other materials existing below three feet in depth may be left in place. Areas that were graded must be restored to original contours unless there is a community benefit. Native plant species shall be maintained and revegetated as needed.*

- **Policy RE 4.7: Site Selection and Design**

RE project site selection and site design shall be guided by the following priorities relative to habitat conservation and mitigation:

1. Avoid sensitive habitat, including wildlife corridors, during site selection and project design;
2. Where necessary and feasible, conduct mitigation on-site.
3. When on-site habitat mitigation is not possible or adequate, establish mitigation off-site in an area designed for habitat conservation.

Consistency: *A technical biological report was prepared to determine potential environmental impacts to the natural environment and biodiversity on and adjacent to the Project site. The report identified sensitive species and habitat that could be impacted by the project. Appropriate mitigation measures were incorporated to minimize impacts and protect sensitive species and habitat, reducing impacts to less than significant. The San Bernardino County General Plan has not identified the Project site as occurring within a*

Wildlife Corridor or Linkage and would therefore not impact wildlife corridors. The Project is consistent with the priorities related to habitat conservation and mitigation.

- **Policy RE 5.1.2: Conformance to Development Code**

Siting of community-oriented and utility-oriented RE generation facilities will conform to applicable standards set forth in the Development Code.

Consistency: *The Project was reviewed for consistency with and conforms to applicable standards set forth in the Development Code. Additionally, the Project will be reviewed for consistency with the Development Code during the plan check process as a Condition of Approval.*

5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

The site design ensures adequate legal and physical access to the site. Access to the solar array would be through an existing private roadway which runs along the western boundary of the parcels, parallel to Crystal Creek Road. This roadway will accommodate all construction and maintenance traffic for the solar facility. Crystal Creek Road will be reserved for emergency access only. Due to the proposed use of the property as a solar facility, service levels are expected to be minimal and would not require on-site water or waste water disposal.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

The conditions of approval include measures that require the applicant/developer to comply with the performance measures outlined in the Development Code and will be reviewed for conformance prior to permit issuance. Therefore, the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare.

7. THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.

The Project is a solar energy system which would provide energy to the existing mining facility on the site.

FINDINGS: COMMERCIAL SOLAR ENERGY FACILITY

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 84.29.035, and supporting facts for approval of the Project:

8. Finding (c)(1): The proposed commercial solar energy facility(ies) is either (A) sufficiently separated from existing communities and existing/developing rural residential areas so as to avoid adverse effects, or (B) of a sufficiently small size, provided with adequate setbacks, designed to be lower profile than otherwise

permitted, and sufficiently screened from public view so as to not adversely affect the desirability and future development of communities, neighborhoods, and rural residential use.

Consistency: *The project site is rural in character and is adjacent to an existing mineral mining and production operation that contains associated rail and tracking facilities onsite. Views of the Project site from existing residences in Lucerne Valley and along SR-18 are primarily blocked by existing topography, vegetation and the existing mining and mineral production operations. The project perimeter would be secured with 6-foot-tall permanent security fencing. When trenching the underground interconnection pathway, the immediate surrounding area would be secured with temporary 6-foot-tall security fencing. All project fencing would be set back at minimum 15 feet from the property line or public right-of-way. Given the low-profile ground-mounted solar facilities and proposed fencing, the project would not adversely affect the desirability and future development of communities, neighborhoods, and rural residential uses adjacent to the site.*

9. Finding (c)(2): Proposed fencing, walls, landscaping, and other perimeter features of the proposed commercial solar energy generation facility(ies) will minimize the visual impact of the Project so as to blend with and be subordinate to the environment and character of the area where the facility is to be located.

Consistency: *The project perimeter would be secured with 6-foot-tall permanent security fencing. When trenching the underground interconnection pathway, the immediate surrounding area would be secured with temporary 6-foot-tall security fencing. All project fencing would be set back at minimum 15 feet from the property line or public right-of-way. Views of the Project site from existing residences in Lucerne Valley and along SR-18 are primarily blocked by existing topography, vegetation and the existing mining and mineral production operations. Given the low-profile ground-mounted solar facilities, the visual impact of the project is sufficiently minimized to blend with and be subordinate to the environment and character of the area where the facility is to be located.*

10. Finding (c)(3): The siting and design of the proposed commercial solar energy generation facility(ies) will be either: (A) unobtrusive and not detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways or (B) located in such proximity to already disturbed lands, such as electrical substations, surface mining operations, landfills, wastewater treatment facilities, etc., that it will not further detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways.

Consistency: *The Project site contains an existing mining and mineral production operation. Additionally, views of the Project site from existing residences in Lucerne Valley and along SR-18 are primarily blocked by existing topography, vegetation and the existing mining and mineral production operations. The IS/MND determined that there would be less than significant impacts to the project site and adjacent properties with the incorporation of mitigation measures and through compliance with local, state, and federal regulations. Given the low-profile ground-mounted solar facilities and due to its proximity to an existing mining and mineral production facility, the project will not further detract from*

the visual qualities, natural features and open space as viewed from communities, rural residential uses, and major roadways.

- 11. Finding (c)(4): The siting and design of Project site access and maintenance roads have been incorporated in the visual analysis for the Project and shall minimize visibility from public view points while providing needed access to the development site.**

***Consistency:** A visual impact analysis was prepared along with the IS/MND which evaluated the visual impact of all components of the project including access and maintenance roads. The analysis determined that view of the project site from existing residences in Lucerne Valley and along SR-18 are primarily blocked by existing topography, vegetation and the existing mining and mineral production operations. Given the low profile, ground-mounted solar facilities, the Project sufficiently minimizes visibility from public view points while providing needed access to the development site.*

- 12. Finding (c)(5): The proposed commercial solar energy generation facility(ies) will not adversely affect the feasibility of financing infrastructure development in areas planned for infrastructure development or will be located within an area not planned for future infrastructure development (e.g., areas outside of water agency jurisdiction).**

***Consistency:** The project will not require additional infrastructure (private or public) to be installed or extended to the site. The facility will connect to an existing 115 kilovolt (kV) substation, partly owned by OMYA and partly owned by Southern California Edison (SCE), located within the OYMA mining operation via an underground line extension and medium voltage (MV) switchgear between the SCE interconnection and the solar field. The project does not require the provision of water or sewer.*

- 13. Finding (c)(6): The proposed commercial solar energy generation facility(ies) will not adversely affect to a significant degree the availability of groundwater supplies for existing communities and existing and developing rural residential areas.**

***Consistency:** The project would use on-site well water during construction to minimize construction impacts. The project would use approximately 7.5 – 20 acre feet of water per year for module washings. During operations, the stormwater retention basin will allow storm flows to infiltrate into the groundwater basin, thus providing a source of recharge. The facility will not adversely affect the availability of groundwater supplies for existing communities and existing and developing rural residential areas.*

- 14. Finding (c)(7): The proposed commercial energy generation facility(ies) will minimize site grading, excavating, and filling activities by being located on land where the existing grade does not exceed an average of five (5) percent across the developed portion of the Project site, and by utilizing construction methods that minimize ground disturbance.**

***Consistency:** The project site is generally flat with existing slopes between 2 and 5 percent. Project development includes approximately 7.25 acres of total ground disturbance, including trenching for the interconnection, road grading within the solar field, stormwater basin development and minor grading for some of the ground mount system.*

The panels would be installed using a small-scale pile driving operation, where equipment drives each panel post into the ground. While this would require some minor temporary ground disturbance for the equipment to travel on grade, there is little to no grading occurring to provide access roads. Grading is minimal and the project would use construction methods that minimize ground disturbance.

- 15. Finding (c)(8):** The proposed commercial solar energy generation facility(ies) will be located in proximity to existing electrical infrastructure, such as transmission lines, utility corridors, and roads, so that: (A) minimal ground disturbance and above ground infrastructure will be required to connect to the existing transmission grid, considering the location of the Project site and the location and capacity of the transmission grid, (B) new electrical generation tie lines will be co-located on existing power poles whenever possible, and (C) existing rights-of-way and designated utility corridors will be utilized to the extent practicable.

Consistency: *The proposed project would provide energy to an adjacent mining facility. The interconnection would include APNs 0446-033-39, 0446-033-09, 0446-033-08, 0446-033-17, and 0446-033-18. A duck bank 3 feet wide and 4 feet deep would run for approximately 0.6 miles to connect the solar field with the OMYA plant facilities. New transmission lines would be installed as part of the project.*

- 16. Finding (c)(9):** The proposed commercial solar energy generation facility(ies) will be sited so as to avoid or minimize impacts to the habitat of special status species, including threatened, endangered, or rare species, Critical Habitat Areas as designated by the U.S. Fish and Wildlife Service, important habitat/wildlife linkages or areas of connectivity designated by County, state or federal agencies, and areas of Habitat Conservation Plans or Natural Community Conservation Plans that discourage or preclude development.

Consistency: *A biological resources assessment (BRA) was prepared for the project by ELMT Consulting in March 2025. The assessment determined that the Project Site is not located within federally designated Critical Habitat.*

During field investigations, two special-status plant species were observed: purple-nerve cymopterus and western Joshua tree. Four individuals of purple-nerve cymopterus were found in the southeast corner of the parcel, outside the Project footprint, and no mitigation is required for this species. Within the area of Project disturbance, a total of 623 western Joshua trees were identified. Mitigation for this species includes the requirement to obtain a Take Permit from the California Department of Fish and Wildlife prior to any grading activities or issuance of grading permits.

The Project Site is also within an area known to support special-status wildlife, including Burrowing Owl and Desert Tortoise. Mitigation measures requiring pre-construction surveys are included to ensure that no adverse impacts occur to these species.

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

investigation. To ensure that there would be no impacts to nesting birds, mitigation measures for a clearance survey has been incorporated into the project.

With implementation of these mitigation measures and conditions of approval, impacts to biological resources are expected to be less than significant. For additional detail, please refer to the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan.

- 17. Finding (c)(10): Adequate provision has been made to maintain and promote native vegetation and avoid the proliferation of invasive weeds during and following construction.**

Consistency: The Project includes annual maintenance and operational measures to minimize the potential growth of invasive weeds during and following construction.

- 18. Finding (c)(11): The proposed commercial solar energy generation facility(ies) will be located so as to avoid or mitigate impacts to significant cultural and historic resources, as well as sacred landscapes.**

Consistency: A Cultural Resources Assessment was prepared for the project by BCR Consulting in July 2021. The Cultural Resources Assessment did not identify any resources that would qualify as a historical resource under CEQA Section 15064.5. Further, during consultation with the Tribes, Mitigation Measures have been implemented into the project to ensure the project would not result in a significant impact to cultural or historic resources.

- 19. Finding (c)(12): The proposed commercial solar energy generation facility(ies) will be designed in a manner that does not impede flood flows, avoids substantial modification of natural water courses, and will not result in erosion or substantially affect area water quality.**

Consistency: Implementation of the project will not result in substantially increased run off or flow and is not anticipated to result in increased erosion. Required construction and erosion control plans are required to be submitted to the County for review and approval prior to construction activities.

- 20. Finding (c)(13): The proposed commercial solar energy generation facility(ies) will not be located within a floodway designated by the Federal Emergency Management Agency (FEMA), has been evaluated for flood hazard impacts pursuant to Chapter 82.14 of the Development Code, and will not result in increased flood hazards to upstream or downstream properties.**

Consistency: The Project is located within Flood Zone D according to FEMA Panel Number 06071C6575H dated 8/28/2008. Flood Hazards are defined as low to moderate risk in this Flood Zone. A Drainage/Hydrology Study was prepared and accepted by the Land Development Division. A Final Study must be prepared and approved prior to issuance of a Grading Permit and the requirements contained in that document may modify the final recommendations accepted by the Land Development Division.

- 21. Finding (c)(14): All on-site solar panels, switches, inverters, transformers, and substations shall be located at least one foot above the base flood elevation as shown on the Flood Insurance Rate Maps.**

***Consistency:** Based on the National Flood Hazard Map, the entire Project site is within Zone D, which indicates flooding hazards for the site are considered to be low to moderate risk. Mitigation measures to be implemented by the Developer will minimize impacts.*

- 22. Finding (c)(15): For development sites proposed on or adjacent to undeveloped alluvial fans, the commercial solar energy generation facility has been designed to avoid potential channel migration zones as demonstrated by a geomorphic assessment of the risk of existing channels migrating into the proposed development footprint, resulting in erosion impacts.**

***Consistency:** The proposed development is designed to avoid these drainage courses and a jurisdictional analysis of these courses has been undertaken.*

- 23. Finding (c)(16): For proposed facilities located on prime agricultural soils or land designated by the California Farmland Mapping and Monitoring Program as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, where use of the land for agricultural purposes is feasible, the proposed commercial solar energy generation facility will not substantially affect the agricultural viability of surrounding lands.**

***Consistency:** The proposed Project site does not contain agricultural land or land designated by the State for farmland and, therefore, would not have an adverse effect on the agricultural viability of surrounding lands.*

- 24. Finding (c)(17): If the proposed site is subject to a Williamson Act contract, the proposed commercial solar energy generation facility(ies) is consistent with the principals of compatibility set forth in California Government Code Section 51238.1.**

***Consistency:** The Project site is not subject to any Williamson Act contracts.*

- 25. Finding (c)(18): The proposed commercial solar energy generation facility(ies) will not preclude access to significant mineral resources.**

***Consistency:** The Project site is located in a Mineral Resource Zone (MRZ) 2a which is designated as significant aggregate deposits. The solar energy generation is considered an interim land use and is expected to be removed after its contractual lifetime therefore, the project will not preclude access to significant mineral resources.*

- 26. Finding (c)(19): The proposed commercial solar energy generation facility(ies) will avoid modification of scenic natural formations.**

Consistency: *The Project would avoid any modification of scenic natural formations, as no designated scenic natural formations, as identified by the County, are located at the Project site.*

- 27. Finding (c)(20):** The proposed commercial solar energy generation facility(ies) will be designed, constructed, and operated so as to minimize dust generation, including provision of sufficient watering of excavated or graded soil during construction to prevent excessive dust. Watering will occur at a minimum of three (3) times daily on disturbed soil areas with active operations, unless dust is otherwise controlled by rainfall or use of a dust palliative, or other approved dust control measure.

Consistency: *The Project will apply dust control measures in compliance with permit conditions and Mojave Desert Air Quality Management District (MDAQMD) guidance. A Dust Control Plan is required to establish the specific measures to be implemented to control dust.*

- 28. Finding (c)(21):** All clearing, grading, earth moving, and excavation activities will cease during period of winds greater than 20 miles per hour (averaged over one hour), or when dust plumes of 20 percent or greater opacity impact public roads, occupied structures, or neighboring property, and in conformance with Air Quality Management District (AQMD) regulations.

Consistency: *The Project will apply dust control measures in compliance with permit conditions and MDAQMD regulations.*

- 29. Finding (c)(22):** For sites where the boundary of a new commercial solar energy generation facility will be located within one-quarter mile of a primary residential structure, an adequate wind barrier will be provided to reduce potentially blowing dust in the direction of the residence during construction and ongoing operation of the commercial solar energy generation facility.

Consistency: *The project has one existing single family residence located at least 200 feet from the solar facility to the residence's property line. The project also includes the installation of fencing and berms to serve as a wind and visual barrier.*

- 30. Finding (c)(23):** Any unpaved roads and access ways will be treated and maintained with a dust palliative or graveled or treated by another approved dust control method to prevent excessive dust, and paving requirements will be applied pursuant to Chapter 83.09 of the Development Code.

Consistency: *The applicant will prepare a Dust Control Plan for review and approval by the County and MDAQMD. Included in the plan will be treatments and measures designed to the specific conditions of the Project site so as to provide effective dust control.*

- 31. Finding (c)(24):** On-site vehicle speed will be limited to 15 miles per hour.

Consistency: *The applicant will post and enforce speed limit of 15 miles per hour for on-site vehicles.*

- 32. Finding (c)(25):** For proposed commercial solar energy generation facilities within two (2) miles of the Joshua Tree National Park boundaries, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature along the main access roads to the park (Park Boulevard and Utah Trail), nor will it substantially impair views from hiking/nature trails, campgrounds, and backcountry camping areas within the National Park.

***Consistency:** The Project site is not located within two miles of Joshua Tree National Park. Joshua Tree National Park is located approximately 43 miles to the southeast.*

- 33. Finding (c)(26):** For proposed facilities within two (2) miles of the Mojave National Preserve boundaries, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature of, nor substantially impair views from, hiking and backcountry camping areas within the National Preserve.

***Consistency:** The Project site is not located within two miles of the Mojave National Preserve. The Mojave National Preserve is estimated to be approximately 78 miles to the northeast.*

- 34. Finding (c)(27):** For proposed facilities within two (2) miles of Death Valley National Park boundaries, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature of, nor substantially impair views from, hiking and backcountry camping areas within the National Park.

***Consistency:** The Project site is not located within two miles of Death Valley National Park. Death Valley National Park is estimated to be 136 miles to the north.*

- 35. Finding (c)(28):** For proposed facilities within two (2) miles of the boundaries of a County, state or federal agency designated wilderness area, the location, design, and operation of the proposed commercial solar energy facility will not be a predominant visual feature of, nor substantially impair views from, the designated wilderness area.

***Consistency:** The Project is not located near the boundaries of a designated County, State, or Federal agency designated wilderness area.*

- 36. Finding (c)(29):** For proposed facilities within two (2) miles of the boundaries of any active military base, the location, design, and operation of the proposed commercial solar energy facility will not substantially impair the mission of the facility.

***Consistency:** The nearest active military base is the Marine Corps Ground Task Force Training Command and Marine Corps Air Ground Combat Center located approximately 51 miles to the east. The Marine Corps has commented on the proposed project as the area is used as a training area for air borne flights. The applicant has worked with the Marine Corps to address glit and glare concerns that have been addressed by the Marine Corps.*

- 37. Finding (c)(30):** When located within a city's sphere of influence, in addition to other County requirements, the proposed commercial solar energy facility(ies) will also be consistent with relevant city zoning requirements that would be applied to similar facilities within the city.

***Consistency:** The Project site is not located within the Sphere of Influence of a city. The City of Big Bear Lake is located 8 miles to the south of the project site.*

- 38. Finding (c)(31):** On terms and in an amount acceptable to the Director, adequate surety is provided for reclamation of commercial solar energy generation facility(ies) sites should energy production cease for a continuous period of 180 days and/or if the site is abandoned.

***Consistency:** Decommissioning of the site will occur in compliance with County Development Code Section 84.29.070, which requires removal of site facilities when operations cease.*

FINDINGS: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- 39. THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT, SUBJECT TO IMPLEMENTATION OF THE PROPOSED CONDITIONS OF APPROVAL AND MITIGATION MEASURES.**

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

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

EXHIBIT B

Recommended Conditions of Approval



Conditions of Approval

Record:	PROJ-2024-00165	System Date:	10/10/2025
Record Type:	Project Application	Primary APN:	0446033080000
Record Status:	In Review	Application Name:	POWERFLEX- CONDITIONAL USE PERMIT (COMMERCIAL)
Effective Date:		Expiration Date:	
Description:	POWERFLEX- CONDITIONAL USE PERMIT (COMMERCIAL)		

TO CONSTRUCT AN INSTALLATION OF A SOLAR ENERGY SYSTEM AT THE OMYA PLANT FACILITY, THE PROPOSED FACILITY WILL BE A 5 MW AC. LOCATED AT 7225 CRYSTAL CREEK ROAD, LUCERNE VALLEY, CA., ON 143.19 ACRES, IN THE LIMITED INDUSTRIAL (LI) AND GENERAL INDUSTRIAL (GI) LAND USE CATEGORY, AND LUCERNE VALLEY/REGIONAL INDUSTRIAL (LV/IR) AND LUCERNE VALLEY COMMUNITY INDUSTRIAL (LV/IC) ZONING DISTRICT; 3RD SUPERVISORIAL DISTRICT; APN: 0446-033-08, 09, 17, 18, 19, AND 39.

This document does not signify project approval.

If the project has been approved, then an effective date and an expiration date for these conditions can be found below. This content reflects County records as at the System Date and time below.

The following conditions of approval have been imposed for the project identified below. The applicant/developer shall complete all conditions of approval stipulated in the approval letter.

Conditions of Approval are organized by project phase, then by status, and finally by department imposing the condition.

On-going conditions must be complied with at all times. For assistance interpreting the content of this document, please contact the Land Use Services Department Planning Division.

Contact information is provided at the end of this document for follow-up on individual conditions.

ON-GOING

Land Use Services - Planning

1 **Project Approval Description (CUP/MUP)** - Status: Outstanding

This Conditional Use Permit (CUP) is conditionally approved to PowerFlex Solar LLC (PowerFlex), in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.

2 **Project Location** - Status: Outstanding

The Project site is located at 7225 Crystal Creek Road in Lucerne Valley, CA.

3 **Revisions** - Status: Outstanding

Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.

4 **Indemnification** - Status: Outstanding

In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval. Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5 **Additional Permits** - Status: Outstanding

The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:

6 **Expiration** - Status: Outstanding

This project permit approval shall expire and become void if it is not "exercised" within thirty-six (36) months of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

7 **Continuous Effect/Revocation** - Status: Outstanding

All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.

8 **Extension of Time** - Status: Outstanding

Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)

9 **Project Account** - Status: Outstanding

The Project account number is PROJ-2024-00165. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.

10 **Development Impact Fees** - Status: Outstanding

Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances

11 Continuous Maintenance - Status: Outstanding

The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to: a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety. b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance. c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying. d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided. e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability. f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls. g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals. h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view. i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan. j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules. k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations. l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

12 Lighting - Status: Outstanding

Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.

13 Construction Hours - Status: Outstanding

Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

14 Construction Noise - Status: Outstanding

The following measures shall be adhered to during the construction phase of the project: - All construction equipment shall be muffled in accordance with manufacturer's specifications. - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits. - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

15 **Cultural Resources** - Status: Outstanding

During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.

Public Health– Environmental Health Services16 **Refuse Storage and Disposal** - Status: Outstanding

All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq.

Public Works - Traffic17 **Back Out Into Public Roadways** - Status: Outstanding

Project vehicles shall not back up into the project site nor shall they back out into the public roadway.

INFORMATIONAL**County Fire - Community Safety**18 **F01 Jurisdiction** - Status: Outstanding

The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

19 **F04 Fire Permit Expiration** - Status: Outstanding

Construction permits shall automatically expire and become invalid unless the work authorized such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the permit may be made in writing PRIOR TO the expiration date justifying the reason that the permit should be extended.

20 **F08 Fire Safety Overlay** - Status: Outstanding

The County General Plan designates this property as being within the Fire Safety Review Area. All construction shall adhere to all applicable standards and requirements of the Fire Safety Review Area as adopted in the San Bernardino County Development Code.

- 21 **F15 Access – 30% slope** - Status: Outstanding
Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.
- 22 **F20 Access – 150+ feet** - Status: Outstanding
Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
- 23 **F60 Solar Plans** - Status: Outstanding
Solar/PV Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
- 24 **F61 Solar Surface** - Status: Outstanding
Fire apparatus access roads for photovoltaic facilities without buildings can be designed with native soil compacted to 85% and hold the weight of Fire Apparatus at a minimum of 80K pounds.
- 25 **F62 Solar Access** - Status: Outstanding
The development shall have a minimum of __three____ points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Photovoltaic solar facilities without buildings on the site shall have access provided by approved roads, alleys and private drives. Perimeter access roads shall have a minimum twenty (20) foot unobstructed width and vertically clearance of fourteen (14) feet six (6) inches. Interior access roads shall have a minimum fifteen (15) foot unobstructed width and vertical clearance of fourteen (14) feet six (6) inches. Access shall be provided within 300 feet of all solar panels.
- 26 **F70 Additional Requirements** - Status: Outstanding
In addition to the Fire requirements stated herein, other onsite and off-site improvements may be required which cannot be determined at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
- 27 **F71 Proposal Changes** - Status: Outstanding
Any changes to this proposal shall require new Fire Department condition letter.

Land Use Services - Land Development

- 28 **Additional Drainage Requirements** - Status: Outstanding
In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
- 29 **Erosion Control Installation** - Status: Outstanding
Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
- 30 **Joshua Trees** - Status: Outstanding
Any land disturbance shall be kept at least 40 feet away from any Joshua tree in order for the design to be acceptable. If the proposed land disturbance is within 40 feet of a Joshua tree, then the applicant will need to submit a survey by a licensed arborist to verify that the proposed design will not detrimentally affect the tree. For all applications, plot plans must show the location of all Joshua trees on a parcel. <http://www.sbcounty.gov/Uploads/LUS/BandS/Handouts/IB-0016.pdf>

- 31 **Natural Drainage** - Status: Outstanding
The natural drainage courses traversing the site shall not be occupied or obstructed.

- 32 **Tributary Drainage** - Status: Outstanding
Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

PRIOR TO LAND DISTURBANCE

Land Use Services - Planning

- 33 **Mitigation Measures** - Status: Outstanding
Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to grading permit issuance.

Land Use Services - Building and Safety

- 34 **Geotechnical Report** - Status: Outstanding
A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance. (Reference Number: GTR-2025-00009).

Land Use Services - Land Development

- 35 **FEMA Flood Zone** - Status: Outstanding
FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C6575H dated 08/28/2008. Flood hazards are undetermined in this area, but they are still possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
- 36 **State Construction Stormwater General Permit** - Status: Outstanding
Notice of Intent (NOI) and WDID # are required on all land disturbance of one (1) acre or more prior to issuance of a grading/construction permit. For questions regarding the State Construction Stormwater General Permit, please contact: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html
- 37 **Drainage Easements** - Status: Outstanding
Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. The hydrologic/hydraulic calculations supporting the size of the easement(s) shall be submitted for review/approval by the Land Development Division prior to recording the easement. Proof of recordation shall be provided to the Land Development Division.
- 38 **Drainage Improvements** - Status: Outstanding
A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$810 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

39 Grading Plans - Status: Outstanding

Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage improvements shall be shown on the grading plans according to the approved final drainage study reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

40 On-site Drainage Easement - Status: Outstanding

On-site flows shall be directed within a drainage easement.

41 Streambed Alteration Agreement - Status: Outstanding

California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) § 1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at: <https://www.wildlife.ca.gov/Conservation/LSA>.

Public Health– Environmental Health Services

42 Vector Control Requirement - Status: Outstanding

The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

Public Works - Surveyor

43 Corner Records Required Before Grading - Status: Outstanding

Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances: a. Monuments set to mark property lines or corners; b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel; c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

44 Monument Disturbed by Grading - Status: Outstanding

If any activity on this project will disturb ANY land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying PRIOR to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

Public Works - Traffic

45 Requirement Prior to Land Disturbance - Status: Outstanding

Road Construction Permit. A road construction permit from San Bernardino County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 is required for the maintenance of Crystal Creek Road during the construction of the project. Crystal Creek Road is a County Maintained Road and includes paved and unpaved portions. The project is required to maintain the unpaved portion of Crystal Creek Road along the construction truck route per the Construction Management Plan provided April 11, 2025. Maintenance is required to ensure continuous access for the public and is subject to inspections.

PRIOR TO BUILDING PERMIT ISSUANCE

Land Use Services - Planning

46 **Issuance/Building Permit Condition** - Status: Outstanding

Following the operational life of the project, the project owner shall perform site closure activities to meet federal, state, and local requirements for the rehabilitation and revegetation of the project site after decommissioning. The project owner shall prepare a Closure, Revegetation, and Rehabilitation Plan and submit it to the Planning Division for review and approval prior to building permit issuance. Under this plan, all aboveground structures and facilities shall be removed to a depth of three feet below grade, and removed offsite for recycling or disposal. Concrete, piping, and other materials existing below three feet in depth may be left in place. Areas that had been graded shall be restored to original contours unless it can be shown that there is a community benefit for the grading to remain as altered. Succulent plant species native to the area shall be salvaged prior to construction, transplanted into windrows, and maintained for later transplanting following decommissioning. Shrubs and other plant species shall be revegetated by the collection of seeds and re-seeding following decommissioning (San Bernardino County Code Section 84.29.070(a), Closure Plan).

47 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to building permit issuance

County Fire - Community Safety

48 **F02 Fire Fee** - Status: Outstanding

The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

49 **F19 Surface** - Status: Outstanding

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds. 1.If no buildings are proposed on the site and road grades do not exceed eight percent, roads may be constructed with approved native materials or gravel compacted to 85%.

50 **F21 Turnaround** - Status: Outstanding

An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District cul-de-sac length shall not exceed three hundred fifty (350) feet.

Land Use Services - Building and Safety

51 **Construction Plans** - Status: Outstanding

Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

52 **Temporary Use Permit** - Status: Outstanding

A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

Land Use Services - Land Development**53 Construction Permits** - Status: Outstanding

Prior to installation of road and drainage improvements, a construction permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

54 Project Specific Conditions - Status: Outstanding

A Street Improvement Waiver (SIW) for the project has been reviewed and approved via EZOP under Record ID: SIW-2025-00005. The following COAs will still apply.

55 Road Dedication/Improvements - Status: Outstanding

Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California: Parcel 044603318 Ladera Road/ Easterly Property Line (Quarter Section Line – 88 feet) • Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet. Parcel 044603319 Crescent Road/Southernly Property Line (Quarter Section Line – 88 feet) • Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet. • Road Dedication. A 35-foot grant of easement is required at the intersection of Crescent Road and Crystal Creek Road Property Line. NOTE: The owner must have the road dedication completed prior to permit final. Ladera Road/Easterly Property Line (Quarter Section Line – 88 feet) • Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet. • Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Crescent Road. NOTE: The owner must have the road dedication completed prior to permit final.

56 Road Standards and Design - Status: Outstanding

All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Mountain Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

57 Soils Testing - Status: Outstanding

Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

58 Street Gradients - Status: Outstanding

Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

59 Transitional Improvements - Status: Outstanding

Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

60 Utilities - Status: Outstanding

Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

Public Health– Environmental Health Services

61 **Existing OWTS** - Status: Outstanding

Existing onsite wastewater treatment system can be used if applicant provides an EHS approved certification that indicates the system functions properly, meets code, has the capacity required for the proposed project, and meets LAMP requirements.

62 **Existing Wells** - Status: Outstanding

If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

PRIOR TO OCCUPANCY

Land Use Services - Planning

63 **Fees Paid** - Status: Outstanding

Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2024-00165.

64 **Installation of Improvements** - Status: Outstanding

All required on-site improvements shall be installed per approved plans.

County Fire - Community Safety

65 **F06 Inspection by Fire Department** - Status: Outstanding

Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

County Fire - Hazardous Materials

66 **Permit Required** - Status: Outstanding

Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/> or apply for exemption from permitting requirements. Contact the Office of the Fire Marshal, Hazardous Materials Section at (909) 386-8401 or visit <https://sbccfire.org/hazmatcupa/> for more information.

Land Use Services - Building and Safety

67 **Condition Compliance Release Form Sign-off** - Status: Outstanding

Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

Land Use Services - Land Development**68 Drainage Improvements - Status: Outstanding**

All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

69 LDD Requirements - Status: Outstanding

All LDD requirements shall be completed by the applicant prior to occupancy.

70 Private Roads/Improvements - Status: Outstanding

Prior to occupancy, all required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.

71 Road Improvements - Status: Outstanding

All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.

72 Structural Section Testing for non-CMRS roads connecting to CMRS road - Status: Outstanding

Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works for _____ only. Structural section for the private roads shall be submitted to Land Development.

PRIOR TO FINAL INSPECTION**County Fire - Community Safety****73 F11 Combustible Vegetation - Status: Outstanding**

Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance #3586

74 F51 Commercial Addressing - Status: Outstanding

Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated address identification shall be displayed on a monument, sign or other approved means with numbers that are a minimum of six (6) inches in height and three-quarter ($\frac{3}{4}$) inch stroke.

75 F55 Key Box - Status: Outstanding

An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox ®).

Public Works - Traffic**76 Requirement Prior to Final Inspection** - Status: Outstanding

Road Construction Permit. The road construction permit for road maintenance during construction shall be completed and approved by San Bernardino County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section.

If you would like additional information regarding any of the conditions in this document, please contact the department responsible for applying the condition and be prepared to provide the Record number above for reference. Department contact information has been provided below.

Department/Agency	Office/Division	Phone Number
Land Use Services Dept.	San Bernardino Govt. Center	(909) 387-8311
(All Divisions)	High Desert Govt. Center	(760) 995-8140
Web Site	https://lus.sbcounty.gov/	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	https://www.sbcfire.org/	
County Fire	Hazardous Materials	(909) 386-8401
	Flood Control	(909) 387-7995
Dept. of Public Works	Solid Waste Management	(909) 386-8701
	Surveyor	(909) 387-8149
	Traffic	(909) 387-8186
Web Site	https://dpw.sbcounty.gov/	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	https://ehs.sbcounty.gov	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	http://www.sbclafo.org/	
	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
Special Districts	Roads, Streetlights,	(909) 386-8800
	Television Districts, and Other	
External Agencies (Caltrans, U.S. Army, etc.)		See condition text for contact information...

EXHIBIT C

Mitigated Monitoring and Reporting Plan

**Mitigation Monitoring and Reporting Program
Initial Study/Mitigated Negative Declaration
Powerflex PROJ-2024-00165**

Prepared by:



San Bernardino County, Land Use Services Department

385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415-0182

Contact: Amy Rossig

August 2025

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SECTION

1.0 Introduction 3

2.0 Mitigation Monitoring and Reporting Program Table 5

TABLES

Table 1: Mitigation Monitoring and Reporting Program 5

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1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by San Bernardino County (County) to ensure compliance with adopted mitigated measures identified in the MND for the proposed Powerflex solar when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for biological resources, cultural resources, hazards and hazardous materials, tribal cultural resources, and wildfire.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, the party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

San Bernardino County
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415

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2.0 MITIGATION MONITORING AND REPORTING PROGRAM TABLE

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Biological Resources				
MM BIO-1: Western Joshua Tree Take Permit. For any western Joshua Trees that would be removed or impacted, the Project applicant shall either obtain an Incidental Take Permit (ITP) from California Department of Fish and Wildlife (CDFW) either under CDFW under §2081 of the California Endangered Species Act (CESA) or through the Western Joshua Tree Conservation Act. Proof of the permit is required prior to the County issuance of grading permits.	Prior to issuance of grading permits.	Project Applicant, Qualified Biologist	San Bernardino County	
MM BIO-2: Pre-Construction Burrowing Owl Clearance Survey. A pre-construction clearance survey shall be conducted prior to any ground disturbance or vegetation removal activities to ensure that burrowing owls remain absent, and impacts do not occur to occupied burrows on or within 500 feet of the Project Site. In accordance with the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012), two (2) pre-construction clearance surveys should be conducted 14 – 30 days and 24 hours prior to any ground disturbance or vegetation removal activities.	Prior to ground disturbance activities	Project Applicant, Qualified Biologist	San Bernardino County	
MM BIO-3: Pre-Construction Desert Tortoise Clearance Survey. A pre-construction clearance survey be conducted thirty (30) days prior to ground disturbing activities in undeveloped areas to confirm the absence of desert tortoise within the boundaries of the	Prior to ground disturbance activities	Project Applicant, Qualified Biologist	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
survey area. Survey transects should be spaced at 10-meter (33-foot) intervals throughout the undeveloped portions of the Project area to provide 100 percent visual coverage and increase the likelihood of locating desert tortoise and/or sign. All burrows, if present, will be thoroughly inspected for the presence of desert tortoise or evidence of recent use using non-intrusive methods (i.e., mirror, digital camera). Burrow characteristics including class, shape, orientation, size, and evidence of deterioration will be recorded on field data sheets. Although not anticipated, if desert tortoise are found onsite during the preconstruction clearance survey, coordination will need to occur with the USFWS and CDFW to determine if avoidance and minimization measures can be implemented to avoid any direct or indirect impacts to desert tortoise, or if "Take" permits will need to be obtained prepared and approved by the USFWS and CDFW.				
MM BIO-4: Pre-Construction Nesting Bird Clearance Survey. All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA) and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by completing the following:	Prior to ground disturbance activities	Project Applicant, Qualified Biologist	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Construction activities involving vegetation removal shall be conducted between September 1 and January 31. If construction occurs inside the peak nesting season (between February 1 and August 31), a pre-construction survey by a qualified biologist shall be conducted within 72 hours prior to construction activities to identify any active nesting locations. If the Biologist does not find any active nests, the construction work shall be allowed to proceed. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to active avian nests shall occur. If the Biologist finds an active nest within the pre-construction survey area and determines that the nest may be impacted, the Biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the Biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of nonlisted species and 500 feet from the nests of raptors and listed species. Any active nests observed during the survey shall be mapped on a aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The Biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to				

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
ensure that no inadvertent impacts on these nests occur. Results of the preconstruction survey and any subsequent monitoring shall be provided to the Property Owner/Developer and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds.				
Cultural Resources				
MM CR-1: In the event that cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.	During ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	
MM CR-2: If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of	During ground-disturbing activities	Project Applicant, Qualifies Archaeologist	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the Project and implement the Plan accordingly.				
MM CR-3: If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the Project.	During ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	
Hazards & Hazardous Materials and Wildfire				
MM HAZ-1: During construction, all staging areas, welding areas, or areas slated for construction using spark-producing equipment will be cleared of dried vegetation or other material that could ignite. Spark arresting equipment shall be in good working order. The County shall require all vehicles and crews working at the Project site to have access to functional fire extinguishers at all times. In addition, construction crews are required to have a spotter during welding activities to look out for potentially dangerous situations, including accidental sparks. The contractor also shall provide a safety plan for the implementation of additional protocols when the National Weather Service issues a Red Flag Warning. Such protocols should address smoking and fire rules,	During construction	Project Applicant, Construction Contractor	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
storage and parking areas, use of gasoline-powered tools, use of spark arresters on construction equipment, road closures, use of a fire guard, fire suppression tools, fire suppression equipment, and training requirements.				
Tribal Cultural Resources				
MM TCR-1: The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CUL-1, of any pre-contact cultural resources discovered during Project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the Project, should YSMN elect to place a monitor on-site.	During ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	
MM TCR-2: Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the Project.	During ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	
MM TCR-3: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities	Prior to ground disturbance	Project Applicant	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground disturbing activity” for the subject project at all project locations (i.e., both onsite and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground disturbing activity. C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground- disturbing activities, soil types, cultural related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native	activities			

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.				
MM TCR-4: Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.	During ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
MM TCR-5: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects: A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.	During ground-disturbing activities	Project Applicant, Construction Contractor	San Bernardino County	

EXHIBIT D

Project and Site Plans

GENERAL CONSTRUCTION NOTES

- NOTE:

ALL CONSTRUCTION SHALL CONFROM TO THE COUNTY OF SAN BERNADINO DESIGN & CONSTRUCTION STANDARDS.
- IN THESE DOCUMENTS THE DEVELOPER IS POWERFLEX.

ALL SPECIFICATIONS AND DOCUMENTS REFERRED TO IN THESE PLANS SHALL BE OF THE CURRENT REVISION.

ALL WORK PERFORMED SHALL COMPLY WITH THE REGULATIONS AND ORDINANCES OF THE VARIOUS GOVERNMENTAL AGENCIES HAVING JURISDICTION OVER THE WORK.

CONTRACTOR SHALL SUBMIT SHOP DRAWINGS ON ALL PRE-CAST AND MANUFACTURED ITEMS TO THE OWNER'S ENGINEER FOR APPROVAL. FAILURE TO OBTAIN APPROVAL BEFORE FABRICATION AND/OR INSTALLATION MAY RESULT IN REMOVAL AND REPLACEMENT AT CONTRACTOR'S EXPENSE.

WORK PERFORMED UNDER THIS CONTRACT SHALL INTERFACE SMOOTHLY WITH OTHER WORK BEING PERFORMED BY OTHER CONTRACTORS AND UTILITY COMPANIES. IT WILL BE NECESSARY FOR THE CONTRACTOR TO COORDINATE AND SCHEDULE HIS ACTIVITIES, WHERE NECESSARY, WITH CONTRACTORS AND UTILITY COMPANIES (INCLUDING, BUT NOT LIMITED TO LIGHTING, POWER, TELEPHONE, CABLE, GAS, ETC...).

CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE NPDES PERMIT FROM CALIFORNIA STATE WATER RESOURCES BOARD. CONTRACTOR SHALL COORDINATE ALL ENVIRONMENTAL ISSUES WITH THE ENVIRONMENTAL CONSULTANT.

THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE TO EXISTING FACILITIES, ABOVE OR BELOW GROUND, THAT MAY OCCUR AS A RESULT OF THE WORK PERFORMED BY THE CONTRACTOR CALLED FOR IN THIS CONTRACT.

ALL UNDERGROUND UTILITIES, INCLUDING DUCTBANKS NOT UNDER THE DRIVEWAY/TRAVELWAYS, MUST BE IN PLACE AND TESTED OR INSPECTED PRIOR TO BASE AND PAVEMENT CONSTRUCTION.

SEVEN (7) DAYS NOTICE IS REQUIRED TO THE PERTINENT GOVERNMENT AGENCIES AND THE ENGINEER PRIOR TO SITE INSPECTIONS AND/OR WITNESSING ANY SITE/CIVIL TESTING.

POWERFLEX WILL SCHEDULE PRE-CONSTRUCTION MEETINGS WITH OTHER JURISDICTIONAL AGENCIES AS NECESSARY.

CONSTRUCTION SHALL ADHERE TO APPLICABLE AGENCY CRITERIA, PERMIT CONDITIONS, AS WELL AS SPECIFICATIONS PROVIDED BY OWNER.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH POWERFLEX CONCERNING LIMITS OF CONSTRUCTION, TRANSITIONS, ETC. WHICH MAY NOT BE SHOWN ON THESE PLANS.

CONTRACTOR SHALL VERIFY LOCATIONS AND DEPTHS OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO BEGINNING CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE OWNER OR ENGINEER IMMEDIATELY FOR RESOLUTION.

SAFETY NOTES

- DURING THE CONSTRUCTION AND MAINTENANCE OF THIS PROJECT, ALL OSHA AND CA STATE SAFETY REGULATIONS ARE TO BE ENFORCED. THE CONTRACTOR OR HIS REPRESENTATIVE SHALL BE RESPONSIBLE FOR THE CONTROL AND SAFETY OF THE TRAVELING PUBLIC AND THE SAFETY OF HIS PERSONNEL.

LABOR SAFETY REGULATIONS SHALL CONFORM TO THE PROVISIONS SET FORTH BY OSHA IN THE FEDERAL REGISTER OF THE DEPARTMENT OF TRANSPORTATION AND CONSTRUCTION WORK PER STANDARD 1910.12.

CONTRACTOR SHALL PROVIDE AND MAINTAIN ITS OWN SAFETY EQUIPMENT IN ACCORDANCE WITH ITS HEALTH & SAFETY PROGRAM AND ALL OTHER APPLICABLE LEGAL AND HEALTH AND SAFETY REQUIREMENTS. THE CONTRACTOR IS ALSO RESPONSIBLE FOR PROVIDING ITS EMPLOYEES AND SUB CONTRACTORS WITH ADEQUATE INFORMATION AND TRAINING TO ENSURE THAT ALL EMPLOYEES AND SUB CONTRACTORS AND SUB CONTRACTOR'S EMPLOYEES COMPLY WITH ALL APPLICABLE REQUIREMENTS. CONTRACTOR SHALL REMAIN IN COMPLIANCE WITH ALL OCCUPATION SAFETY AND HEALTH REGULATIONS AS WELL AS THE ENVIRONMENTAL PROTECTION LAWS. THE FOLLOWING IS NOT TO BE PERCEIVED AS THE ENTIRE SAFETY PROGRAM BUT JUST BASIC REQUIREMENTS.

ALL EXCAVATIONS BY THE CONTRACTOR SHALL CONFORM TO THE REQUIREMENTS OF THE DEPARTMENT OF LABOR'S OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION RULES AND REGULATIONS. PARTICULAR ATTENTION MUST BE PAID TO THE CONSTRUCTION STANDARDS FOR EXCAVATIONS, 29 CFR PART 1926, SUBPART P.

ALL TRAFFIC CONTROL MARKINGS AND DEVICES SHALL CONFORM TO THE PROVISIONS SET FORTH IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES PREPARED BY THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION.

IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO COMPLY AND ENFORCE ALL APPLICABLE SAFETY REGULATIONS. THE ABOVE INFORMATION HAS BEEN PROVIDED FOR THE CONTRACTOR'S INFORMATION ONLY AND DOES NOT IMPLY THAT THE OWNER OR ENGINEER WILL INSPECT AND/OR ENFORCE SAFETY REGULATIONS.

THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION IN AREAS OF BURIED UTILITIES AND SHALL LOCATE ALL EXISTING BURIED UTILITIES BY HAND-DIG METHODS. THE CONTRACTOR SHALL OBTAIN PERTINENT APPROVALS AND PERMITS FROM THE LOCAL JURISDICTION PRIOR TO ALL EXCAVATIONS.

CONSTRUCTION SEQUENCING

CONSTRUCTION SEQUENCING WILL BEGIN WITH SITE MOBILIZATION, INCLUDING ESTABLISHMENT OF SITE SAFETY AND SECURITY MEASURES, SURVEY AND STAKING OF THE SITE PERIMETER TO ESTABLISH THE LIMITS OF DISTURBANCE. ALL STORMWATER POLLUTION PREVENTION PLAN (SWPPP) MEASURES WILL THEN BE PUT IN PLACE AROUND THE PERIMETER AND IN OTHER AREAS AS INDICATED IN THE SWPPP PRIOR TO ANY SITE DISTURBANCES TO MANAGE STORMWATER THROUGHOUT CONSTRUCTION. SITE ACCESS ROADS AND TEMPORARY CONSTRUCTION ROADS WILL THEN BE CONSTRUCTED FOLLOWED BY ANY REQUIRED TREE CLEARING, REMOVAL OF VEGETATION AND REMOVAL OF ANY DEBRIS OR OTHER MATERIALS FROM SITE THAT CAN NOT BE USED ON THE PROJECT.

CIVIL EARTHWORKS WILL BEGIN BY GRADING THE PROPOSED ROADS & EQUIPMENT AREAS TO THE FINAL DESIGN TOPOGRAPHY THROUGHOUT THE ARRAY. THE INSTALLATION OF THE ARRAY RACKING SYSTEM WILL THEN BEGIN WITH THE INSTALLATION OF THE VERTICAL PILES, WITH TRENCHING FOR BURIED CABLING ALSO BEING DONE IN PARALLEL. SUPPORTING STRUCTURES FOR THE SOLAR PANELS WILL BE INSTALLED ON THE PILES ONCE A SIGNIFICANT PORTION OF PILES ARE INSTALLED. CIVIL CREWS WILL CONTINUE BY PREPARING EQUIPMENT SLABS AND FOUNDATIONS FOR MAJOR EQUIPMENT SUCH AS INVERTERS, TRANSFORMERS AND OTHER PAD MOUNTED EQUIPMENT.

WITH A SIGNIFICANT PORTION OF THE PANEL SUPPORT STRUCTURE IN PLACE, CREWS WILL THEN BEGIN INSTALLING THE SOLAR PANELS ON THE STRUCTURES AS WELL AS THE INSTALLATION OF ELECTRICAL CABLING WITHIN THE ARRAY AND INSTALLATION OF COMBINER BOXES AND EQUIPMENT INSTALLED WITHIN THE ARRAY ITSELF. CONSTRUCTION AT THE POINT OF INTERCONNECTION (POI) WILL BEGIN NEAR THE END OF TRENCHING TO ALIGN WITH THE MEDIUM VOLTAGE RUN FROM THE ARRAY TO THE POI. ONCE THE POI IS ESTABLISHED, EQUIPMENT AT THE POI WILL BE INSTALLED AND COORDINATION WITH THE UTILITY TO HAVE UTILITY OWNED EQUIPMENT INSTALLED WILL OCCUR. WHEN THE EQUIPMENT IS COMPLETELY INSTALLED AND ALL ELECTRICAL CABLING IS COMPLETE, ALL FINAL TERMINATIONS WITHIN EQUIPMENT CABINETS WILL BE COMPLETED AND ALL ELECTRICAL CHECKS AND TESTING WILL BE CONDUCTED. NOTE THAT, THE POI INSTALLATION TIME LINE MAY BE ADJUSTED SUBJECT TO COORDINATION WITH THE UTILITY.

THE SYSTEM WILL BE INSPECTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) TO ENSURE THE SYSTEM IS INSTALLED PER THE DESIGN AND ALL RELEVANT CODES. THE UTILITY WILL THEN CONDUCT TESTING PRIOR TO ALLOWING THE SYSTEM TO BE ENERGIZED FOR TESTING UNDER LOAD. WITH THE APPROVAL OF THE AHJ'S AND THE UTILITY, THE SYSTEM WILL THEN REMAIN ENERGIZED FOR PERFORMANCE TESTING WHILE ANY SITE RESTORATION ACTIVITIES ARE COMPLETED. ONCE THE SYSTEM HAS BEEN FULLY TESTED AND ALL DESIGN REQUIREMENTS HAVE BEEN MET, THE SITE WILL UNDERGO FINAL INSPECTIONS BY ALL AHJ'S. AFTER ALL FINAL INSPECTIONS ARE CARRIED OUT AND PERMITS ARE CLOSED, THE SWPPP MEASURES WILL BE REMOVED AND ANY REMAINING CONSTRUCTION ASSETS WILL BE DEMOBILIZED, CONCLUDING ALL CONSTRUCTION ACTIVITIES.

CONDITIONAL USE APPROVAL NOTES:

ROAD DEDICATION/IMPROVEMENTS. THE DEVELOPER SHALL SUBMIT FOR REVIEW AND OBTAIN APPROVAL FROM THE LAND USE SERVICES DEPARTMENT THE FOLLOWING DEDICATIONS AND PLANS FOR THE LISTED REQUIRED IMPROVEMENTS, DESIGNED BY A REGISTERED CIVIL ENGINEER (RCE) LICENSED IN THE STATE OF CALIFORNIA

ROAD STANDARDS AND DESIGN. ALL REQUIRED STREET IMPROVEMENTS SHALL COMPLY WITH LATEST SAN BERNARDINO COUNTY ROAD PLANNING AND DESIGN STANDARDS AND THE SAN BERNARDINO COUNTY STANDARD PLANS. ROAD SECTIONS SHALL BE DESIGNED TO DESERT ROAD STANDARDS OF SAN BERNARDINO COUNTY AND TO THE POLICIES AND REQUIREMENTS OF THE COUNTY DEPARTMENT OF PUBLIC WORKS AND IN ACCORDANCE WITH THE GENERAL PLAN, CIRCULATION ELEMENT.

CONSTRUCTION PERMITS. PRIOR TO INSTALLATION OF ROAD AND DRAINAGE IMPROVEMENTS, A CONSTRUCTION PERMIT IS REQUIRED FROM THE COUNTY DEPARTMENT OF PUBLIC WORKS, PERMITS/OPERATIONS SUPPORT DIVISION, TRANSPORTATION PERMITS SECTION (909) 387-1863 AS WELL AS OTHER AGENCIES PRIOR TO WORK WITHIN THEIR JURISDICTION. SUBMITTAL SHALL INCLUDE A MATERIALS REPORT AND PAVEMENT SECTION DESIGN IN SUPPORT OF THE SECTION SHOWN ON THE PLANS. APPLICANT SHALL CONDUCT CLASSIFICATION COUNTS AND COMPUTE A TRAFFIC INDEX (TI) VALUE IN SUPPORT OF THE PAVEMENT SECTION DESIGN.

SOILS TESTING. ANY GRADING WITHIN THE ROAD RIGHT-OF-WAY PRIOR TO THE SIGNING OF THE IMPROVEMENT PLANS SHALL BE ACCOMPLISHED UNDER THE DIRECTION OF A SOILS TESTING ENGINEER. COMPACTION TESTS OF EMBANKMENT CONSTRUCTION, TRENCH BACK FILL, AND ALL SUB-GRADES SHALL BE PERFORMED AT NO COST TO THE COUNTY AND A WRITTEN REPORT SHALL BE SUBMITTED TO THE PERMITS/OPERATIONS SUPPORT DIVISION, TRANSPORTATION PERMITS SECTION OF THE COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO ANY PLACEMENT OF BASE MATERIALS AND/OR PAVING.

TRANSITIONAL IMPROVEMENTS. RIGHT-OF-WAY AND IMPROVEMENTS (INCLUDING OFF-SITE) TO TRANSITION TRAFFIC AND DRAINAGE FLOWS FROM PROPOSED TO EXISTING SECTIONS SHALL BE REQUIRED AS NECESSARY. STREET GRADIENTS. ROAD PROFILE GRADES SHALL NOT BE LESS THAN 0.5% UNLESS THE ENGINEER AT THE TIME OF SUBMITTAL OF THE IMPROVEMENT PLANS PROVIDES JUSTIFICATION TO THE SATISFACTION OF THE COUNTY DEPARTMENT OF PUBLIC WORKS CONFIRMING THE ADEQUACY OF THE GRADE.

UTILITIES. FINAL PLANS AND PROFILES SHALL INDICATE THE LOCATION OF ANY EXISTING UTILITY FACILITY OR UTILITY POLE WHICH WOULD AFFECT CONSTRUCTION, AND ANY SUCH UTILITY SHALL BE RELOCATED AS NECESSARY WITHOUT COST TO THE COUNTY.

DRAINAGE IMPROVEMENTS. ALL REQUIRED DRAINAGE IMPROVEMENTS SHALL BE COMPLETED BY THE APPLICANT. THE PRIVATE REGISTERED CIVIL ENGINEER (RCE) SHALL INSPECT IMPROVEMENTS OUTSIDE THE COUNTY RIGHT-OF-WAY AND CERTIFY THAT THESE IMPROVEMENTS HAVE BEEN COMPLETED ACCORDING TO THE APPROVED PLANS. CERTIFICATION LETTER SHALL BE SUBMITTED TO LAND DEVELOPMENT.

CONDITIONAL USE APPROVAL NOTES: (CONTINUED)

LDD REQUIREMENTS. ALL LDD REQUIREMENTS SHALL BE COMPLETED BY THE APPLICANT PRIOR TO OCCUPANCY.

ROAD IMPROVEMENTS. ALL REQUIRED ON-SITE AND OFF-SITE IMPROVEMENTS SHALL BE COMPLETED BY THE APPLICANT AND INSPECTED/APPROVED BY THE COUNTY DEPARTMENT OF PUBLIC WORKS.

PRIVATE ROADS/IMPROVEMENTS. PRIOR TO OCCUPANCY, ALL REQUIRED ON-SITE AND OFF-SITE IMPROVEMENTS SHALL BE COMPLETED BY THE APPLICANT. CONSTRUCTION OF PRIVATE ROADS AND PRIVATE ROAD RELATED DRAINAGE IMPROVEMENTS SHALL BE INSPECTED AND CERTIFIED BY THE ENGINEER. CERTIFICATION SHALL BE SUBMITTED TO LAND DEVELOPMENT BY THE ENGINEER IDENTIFYING ALL SUPPORTING ENGINEERING CRITERIA.

STRUCTURAL SECTION TESTING. A THOROUGH EVALUATION OF THE STRUCTURAL ROAD SECTION, TO ALSO INCLUDE PARKWAY IMPROVEMENTS, FROM A QUALIFIED MATERIALS ENGINEER SHALL BE SUBMITTED TO THE COUNTY DEPARTMENT OF PUBLIC WORKS.

PROJECT SPECIFIC NOTES

- THE CONTRACTOR IS TO COORDINATE HIS WORK AND SITE ACCESS WITH THE OTHER ENTITIES THAT MAY BE WORKING ON SITE. ANY CONFLICTS ON COORDINATION ISSUES SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND/OR ENGINEER FOR MUTUAL RESOLUTION.

THE PROPOSED PROJECT WILL NOT ADVERSELY AFFECT SIGNIFICANT HISTORICAL OR ARCHEOLOGICAL RESOURCES UNDER THE PROVISIONS OF SECTION 106 AND 36 CFR PART 800 OR OTHER APPLICABLE STATE AND FEDERAL STATUTES, IF EVIDENCE OF THE EXISTENCE OF HISTORIC OR ARCHEOLOGICAL RESOURCES IS DISCOVERED OR OBSERVED AT DEVELOPMENT SITES OR DURING DEVELOPMENT ACTIVITIES AFTER FINAL APPROVAL, ALL WORK SHALL CEASE IN THE AREA OF EFFECT AS DETERMINED BY THE DIRECTOR. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND OWNER IMMEDIATELY, AND THE DEPARTMENT OF HISTORICAL RESOURCES WITHIN TWO WORKING DAYS. EXAMPLES OF EVIDENCE OF HISTORIC RESOURCES INCLUDE WHOLE OR FRAGMENTARY STONE TOOLS, SHELL TOOLS, ABORIGINAL OR HISTORIC POTTERY, HISTORIC GLASS, HISTORIC BOTTLES, BONE TOOLS, HISTORIC BUILDING FOUNDATIONS, SHELL MOUNDS, SHELL MIDDENS, OR SAND MOUNDS. THE APPROPRIATE NY STATE AGENCY SHALL ASSESS THE SIGNIFICANCE OF THE FINDS AND MITIGATE ANY ADVERSE EFFECTS AS SOON AS POSSIBLE, BUT NO LATER THAN THIRTY DAYS OF NOTIFICATION.

THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND SHALL NOT SCALE FROM DRAWINGS. THE DIMENSIONS OF SPECIFIED AND FURNISHED PRODUCTS AND MATERIALS TAKE PRECEDENCE OVER DIMENSIONS AND NOTES SHOWN ON THE DRAWINGS.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING OR PROPOSED UTILITIES, STRUCTURES, AND OTHER IMPROVEMENTS CAUSED BY HIS/HER ACTIVITIES.

THE CONTRACTOR IS RESPONSIBLE FOR BRACING, SHORING, OR PROVIDING OTHER MEANS NECESSARY TO PROTECT AND SUPPORT EXISTING AND PROPOSED UTILITIES AND STRUCTURES EXPOSED OR UNEXPOSED DURING CONSTRUCTION.

REFERENCES TO CALTRANS SPECIFICATIONS SHALL REFER TO THE CURRENT EDITION OF THE CAL TRANS ROADWAY AND TRAFFIC DESIGN STANDARDS.

CALTRANS INDICES SHALL REFER TO THE CURRENT EDITION OF THE CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY ADMINISTRATION DESIGN STANDARDS.

TESTING SCHEDULE

ITEM	TEST
PIPE TRENCH BACK FILL (SEE NOTE 1 BELOW) OVER PIPELINES AND AROUND STRUCTURES FROM R.O.W. LINE TO R.O.W. LINE AND IN STRUCTURAL AREAS	OPTIMUM MOISTURE/MAXIMUM DENSITY GRADATION (1 TEST PER 50 CY) DETERMINED BY AASHTO T180-57 (ASTM 95% OF MAXIMUM DENSITY AS D1557-70)
AGGREGATE SURFACE COURSE	4" THICK AGGREGATE MATERIALS SHOULD CONFORM TO THE SPECIFICATIONS OF CLASS II AGGREGATE BASE IN ACCORDANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), OR OTHER APPROVED LOCAL GOVERNING SPECIFICATIONS
BASE COURSE	MINIMUM OF 12 INCHES OF SCARIFIED, MOISTURE CONDITIONED, AND COMPACTED NATIVE SOILS TO 95% OF THE MAXIMUM DRY DENSITY USING ASTM D1557.
SUB-GRADE	COMPACTED TO A MINIMUM CBR OF 22.
CONCRETE (SEE NOTE 3 BELOW) (PER AASHTO & ASTM SPECS)	SLUMP TEST MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS COMPRESSIVE STRENGTH CYLINDERS AIR CONTENT

- ALL TESTING SHALL BE PERFORMED BY AN INDEPENDENT 3RD PARTY AND SUBSEQUENT REPORTS FURNISHED TO POWERFLEX. WITHIN FOURTEEN (14) DAYS OF COMPLETION.

PIPE TRENCH BACKFILL SHALL BE TESTED EVERY 50 FEET FOR EACH 12 INCH LIFT. TESTS SHALL BE PERFORMED ON EACH LIFT, EXCEPT THAT TESTS SHALL NOT BE FURTHER APART THAN ONE (1) FOOT VERTICALLY. FIELD DENSITIES SHALL BE TAKEN OVER ALL ROAD CROSSINGS. FIELD DENSITIES FOR SANITARY LINES SHALL BE STAGGERED TO INCLUDE RESULTS OVER SERVICE LATERALS. THERE SHALL BE A MINIMUM OF ONE (1) TEST SERIES FOR EACH 6 INCHES OF LIFT OVER PIPELINE BETWEEN MANHOLES. TESTS AROUND STRUCTURES SHALL BE SPIRALED IN 6 INCH LIFTS.

FOR FLEXIBLE PIPE (CORRUGATED STEEL OR ALUMINUM), 95% OF MAXIMUM DENSITY (AASHTO-T99) PER CALTRANS SPECIFICATIONS AS MODIFIED.

APPLIES TO SITE CONCRETE SUCH AS CURBS, GUTTERS, FLUMES, DRIVEWAYS AND SIDEWALKS.

ENGINEER OF RECORD SHALL RECEIVE MATERIAL TESTING REPORTS NO LATER THAN ONE (1) WEEK FROM THE TEST DATE.

EMBANKMENT, FILL, AND BACKFILL MATERIAL SHALL BE PLACED AND COMPACTED IN LIFTS NOT TO EXCEED TWELVE (12) INCHES VERTICALLY. ONE TEST PER 2,500 SQUARE FEET. EACH COMPACTED LIFT SHALL PASS THE AFOREMENTIONED TESTING CRITERIA BEFORE PROCEEDING TO THE NEXT VERTICAL LIFT.

IF SUCCESSIVE VERTICAL LIFTS ARE PLACED, THE DENSITY TESTS SHALL BE STAGGERED SO AS TO NOT BE REPEATED IN THE SAME LOCATION.

TRAFFIC CONDITIONS OF APPROVAL:

ACCESS: PROJECT VEHICLES SHALL NOT BACK UP INTO THE PROJECT SITE NOR SHALL THEY BACK OUT INTO THE PUBLIC ROADWAY.

SITE FIRE ACCESS: FIRE ACCESS DRIVEWAY SHALL BE CLOSED OFF TO REGULAR ACCESS BY LOCKED GATE OR SIMILAR IN ACCORDANCE WITH COUNTY FIRE (OR APPLICABLE JURISDICTION) REQUIREMENTS.

ROAD CONSTRUCTION PERMIT: A ROAD CONSTRUCTION PERMIT FROM SAN BERNARDINO COUNTY DEPARTMENT OF PUBLIC WORKS, PERMITS/OPERATIONS SUPPORT DIVISION, TRANSPORTATION PERMITS SECTION (909) 387-1863 IS REQUIRED FOR THE MAINTENANCE OF CRYSTAL CREEK ROAD DURING THE CONSTRUCTION OF THE PROJECT. CRYSTAL CREEK ROAD IS A COUNTY MAINTAINED ROAD AND INCLUDES PAVED AND UNPAVED PORTIONS. THE PROJECT IS REQUIRED TO MAINTAIN THE UNPAVED PORTION OF CRYSTAL CREEK ROAD ALONG THE CONSTRUCTION TRUCK ROUTE PER THE CONSTRUCTION MANAGEMENT PLAN PROVIDED APRIL 11, 2025. MAINTENANCE IS REQUIRED TO ENSURE CONTINUOUS ACCESS FOR THE PUBLIC AND IS SUBJECT TO INSPECTIONS.

CRYSTAL CREEK ROAD DRIVEWAY: THE DRIVEWAY SHALL BE FIRE ACCESS ONLY WITH AN *FIRE ACCESS ONLY*SIGN. THE SIGN SHALL BE PLACED WITHIN THE PROPERTY LINE AT THE DRIVEWAY AND THE OWNER IS RESPONSIBLE FOR MAINTAINING THE SIGN.

ROAD CONSTRUCTION PERMIT: THE ROAD CONSTRUCTION PERMIT FOR ROAD MAINTENANCE DURING CONSTRUCTION SHALL BE COMPLETED AND APPROVED BY SAN BERNARDINO COUNTY DEPARTMENT OF PUBLIC WORKS, PERMITS/OPERATIONS SUPPORT DIVISION, TRANSPORTATION PERMITS SECTION.

SURVEY NOTES

(AS PROVIDED BY SURVEYOR)

FIELD SURVEY DATE: 05/17/2024

SURVEY BY PBLA SURVEYING, INC.

FLOOD_ZONE INFORMATION:

THE SUBJECT PROPERTY FALLS WITHIN FLOOD_ZONE 'D' AS PER THE NATIONAL FLOOD INSURANCE RATE MAP FOR THE COUNTY OF SAN BERNADINO, STATE OF CALIFORNIA, COMMUNITY PANEL NO's PANELS 06071C6575H, 8/28/2008 THIS DETERMINATION IS BASED ON SCALED MAP LOCATION AND GRAPHIC PLOTTING.

PM [ENG] CHK
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REVISION DESCRIPTION
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DATE
05/22/24
07/24/24
03/12/25
08/28/25

FOR COMMENT
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PER COMMENTS
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PER REV STORM CALCULATIONS
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PER COMMENTS
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08/28/25

SEAL

REGISTERED PROFESSIONAL ENGINEER
04148
JULY 1988
CALIFORNIA
CIVIL
Tectonic Engineering Consultants
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Irvine, CA 92612
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DEVELOPER:

powerflex

EDF Renewables
615 THIRD AVENUE
NEW YORK, NEW YORK 10022
WWW.POWERFLEX.COM

PAGE SIZE
36" x 24"

PROJECT

SOLAR GROUND MOUNT SYSTEM AT
OMYA
7225 CRYSTAL CREEK ROAD
LUCERNE VALLEY, CA 92356

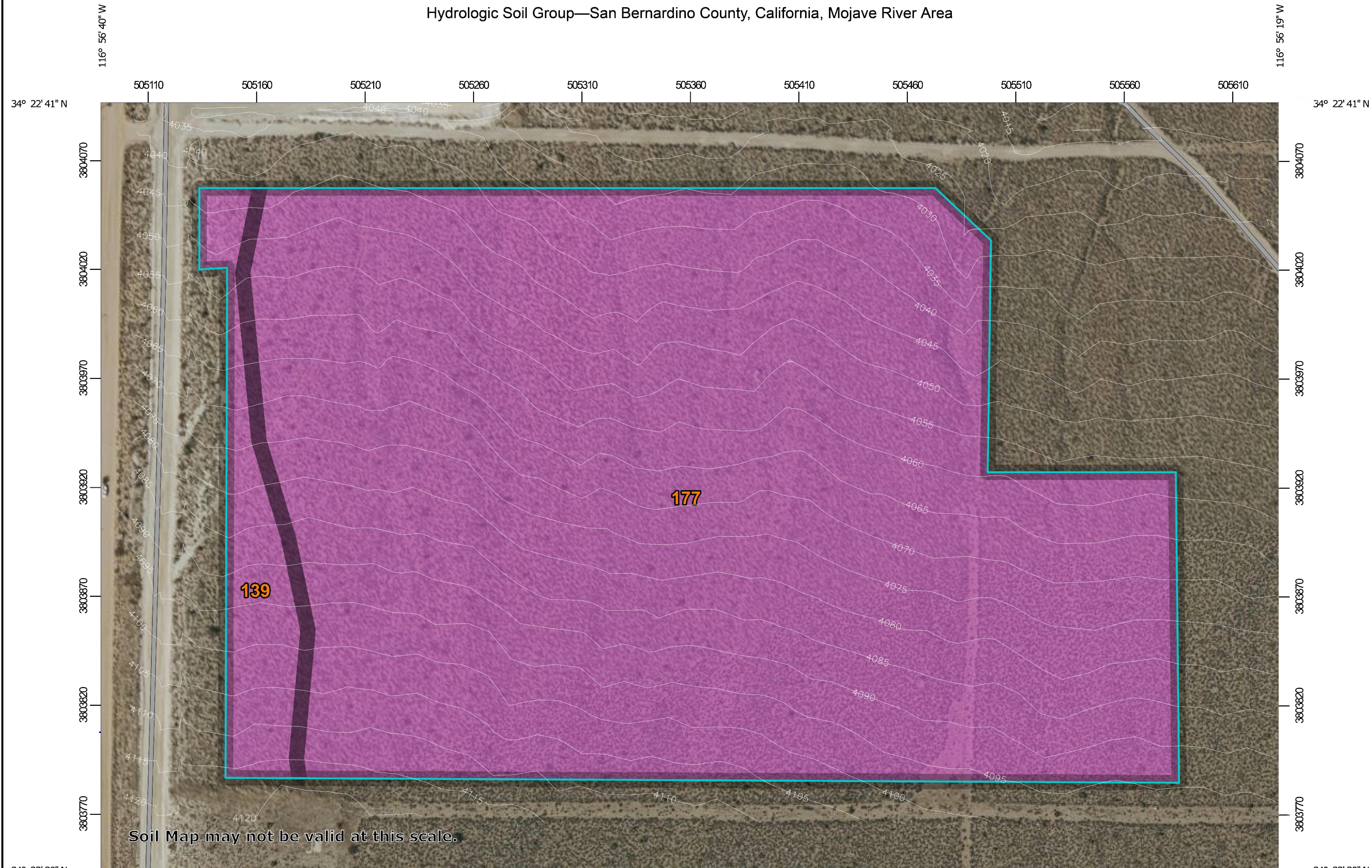
SYSTEM
DC SYSTEM SIZE: 6.66 MW
AC SYSTEM SIZE: 6.66 MW
MODULE TYPE: 600W MONO PERC
MODULE QUANTITY: 9,592
ORIENTATION: 30° TILT, 180° AZIMUTH

WORK ORDER # 11550.07

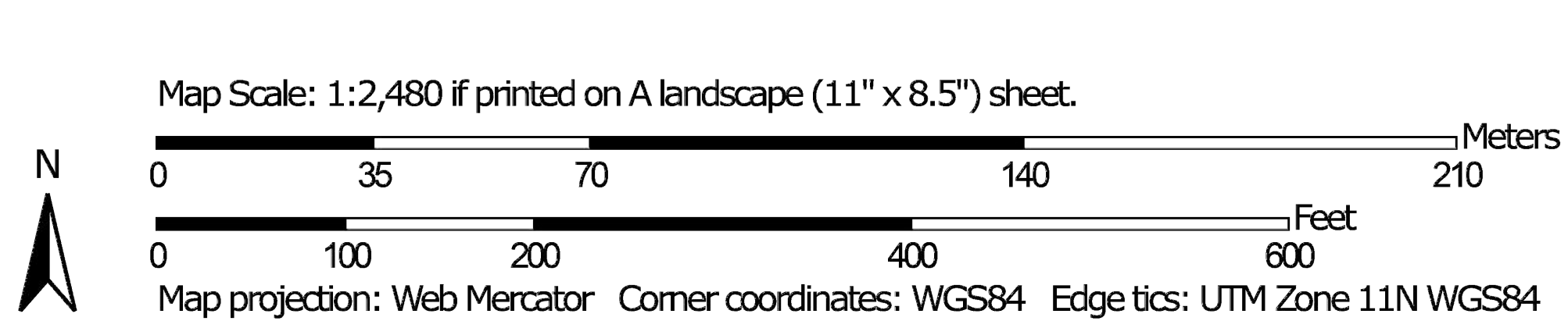
DRAWING TITLE
GENERAL
CONSTRUCTION
NOTES

SHEET NO.
GN-1

Hydrologic Soil Group—San Bernardino County, California, Mojave River Area



Soil Map may not be valid at this scale.



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

7/19/2024
Page 1 of 4

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
139	KIMBERLYNA GRAVELLY SANDY LOAM, COOL, 2 TO 5 PERCENT SLOPES	A	1.6	6.0%
177	YERMO-KIMBERLYNA, COOL, ASSOCIATION, SLOPING*	A	25.2	94.0%
Totals for Area of Interest			26.8	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive

OMYA
7225 CRYSTAL CREEK ROAD
LUCERNE VALLEY, CA 92356

WORK ORDER # 11550.07

DRAWING TITLE
PROJECT AREA
TOPOGRAPHY & SOILS

SHEET NO. C-1

C-1

1



tectonic Engineering Consultants	Project Contact Info	Phone: (949) 502-8555 (800) 829-6531 www.tectonicengineering.com
	2415 Campus Drive Suite 265 Irvine, CA 92612	



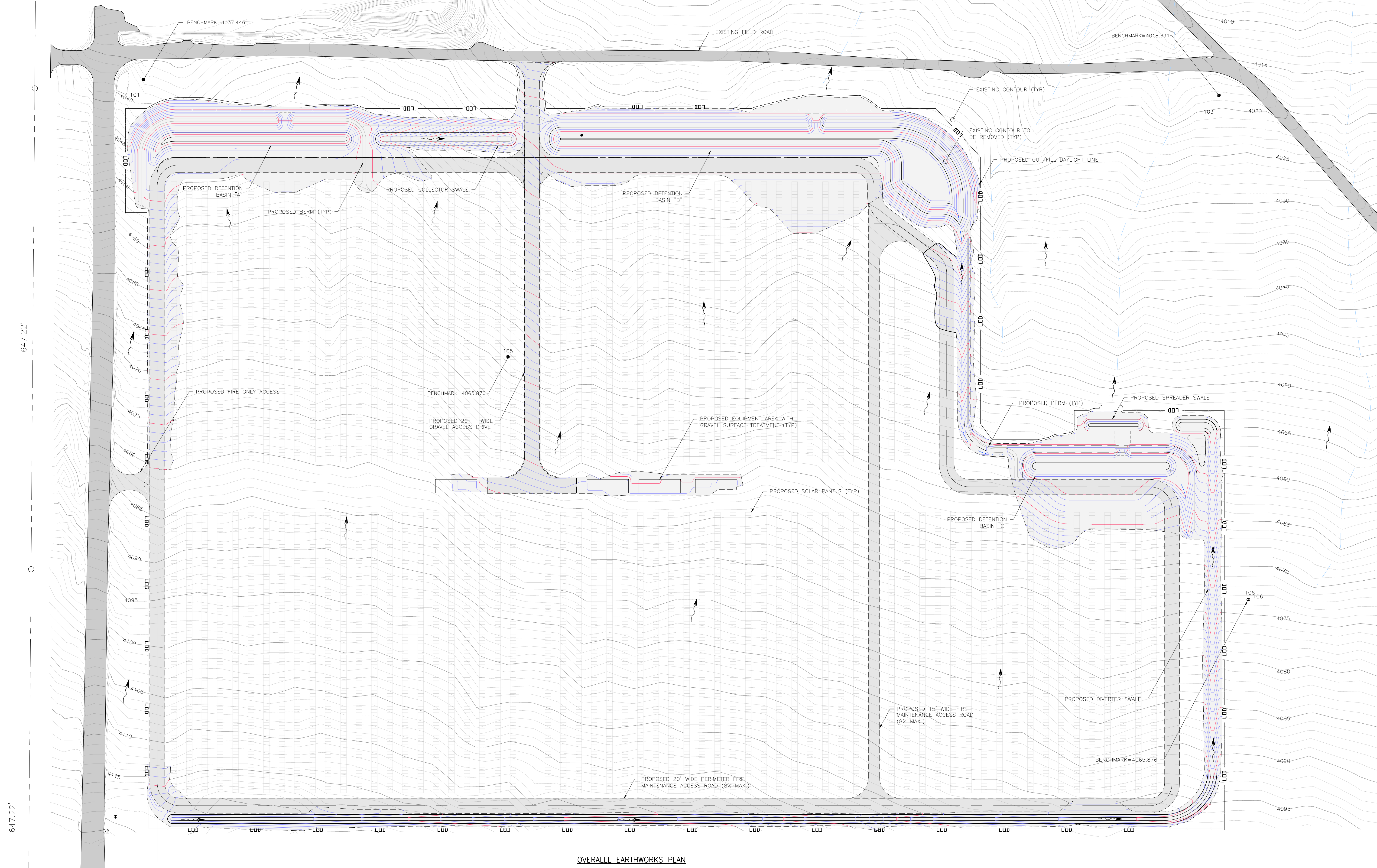
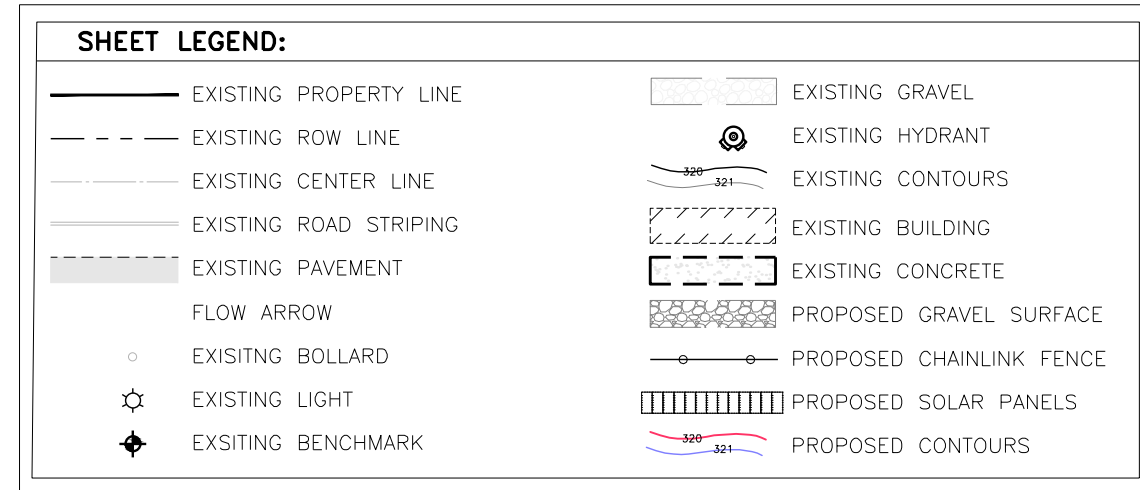
EDF Renewable
805 THIRD AVENUE
NEW YORK, NEW YORK 10022
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25

36" x 24"

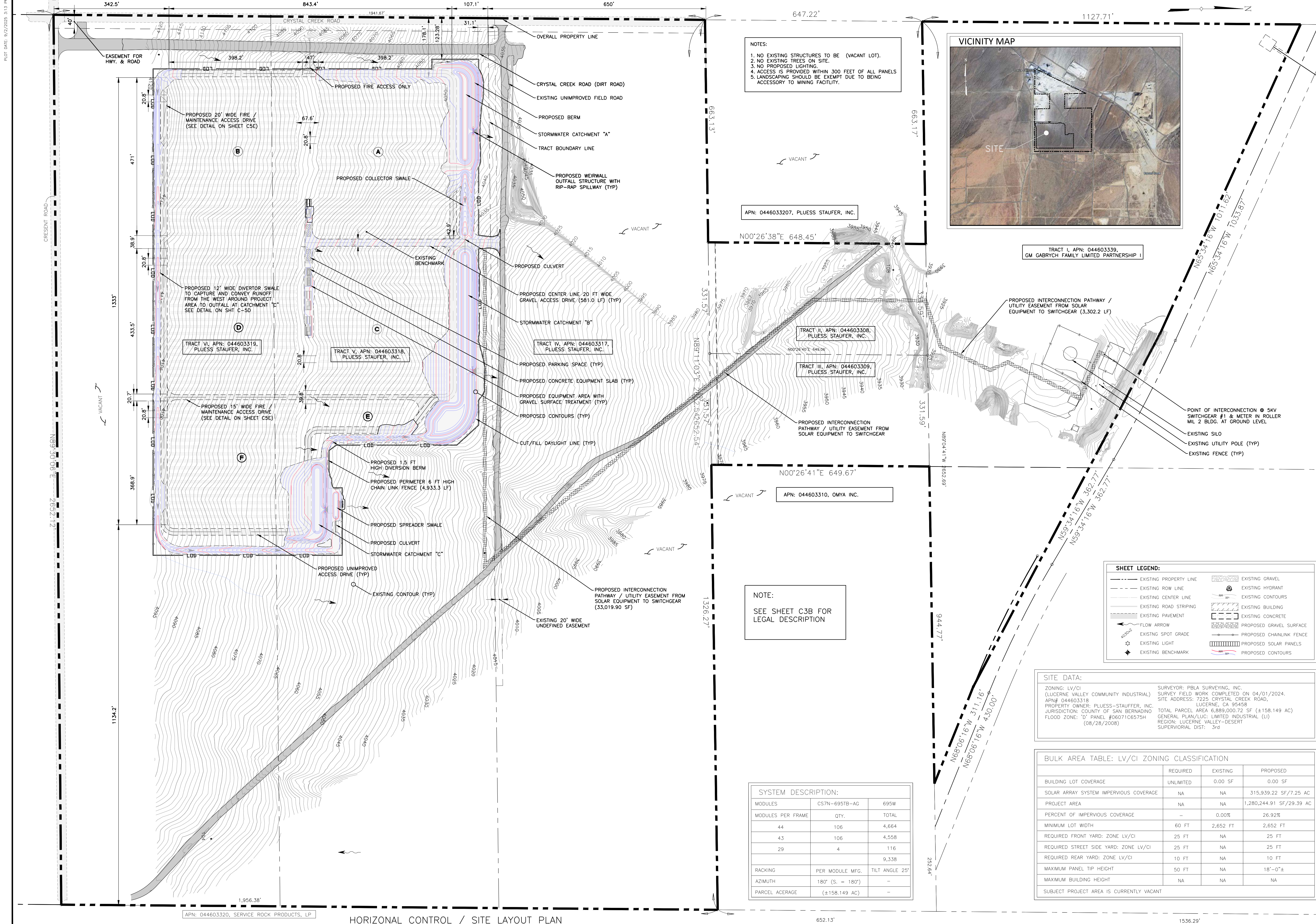


1



SCALE: 1" = 120' (11X17)
1" = 60' (22X34)

PROJECT	SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356	PAGE SIZE 36" x 24"	DEVELOPER:  805 THIRD AVENUE NEW YORK, NEW YORK 10022 WWW.POWERFLEX.COM	SEAL  08/28/25	ENGINEER	Tectonic PRACTICAL SHADING, EXCEPTIONAL SERVICE. Tectonic Engineering Consultants Phone: (840) 502-4004 2415 Campus Drive Irvine, CA 92612 www.tectonic-engineering.com
					REVISION DESCRIPTION	DATE
					PER COMMENTS	08/27/24
					PER COMMENTS	07/23/24
					PER REV. STORM CALCULATIONS	03/17/25
PER COMMENTS	08/29/25					
SHEET NO.	C-2					



REVISION DESCRIPTION

DATE	FOR COMMENT	PER COMMENTS	PER REV STORM CALCULATIONS	PER COMMENTS
05/22/24	JMP	GE	JMP	GE
07/24/24	JMP	GE	JMP	GE
03/12/25	JMP	GE	JMP	GE
08/28/25	JMP	GE	JMP	GE

SEAL

REGISTERED PROFESSIONAL ENGINEER
CIVIL
04463
STATE OF CALIFORNIA

08/28/25

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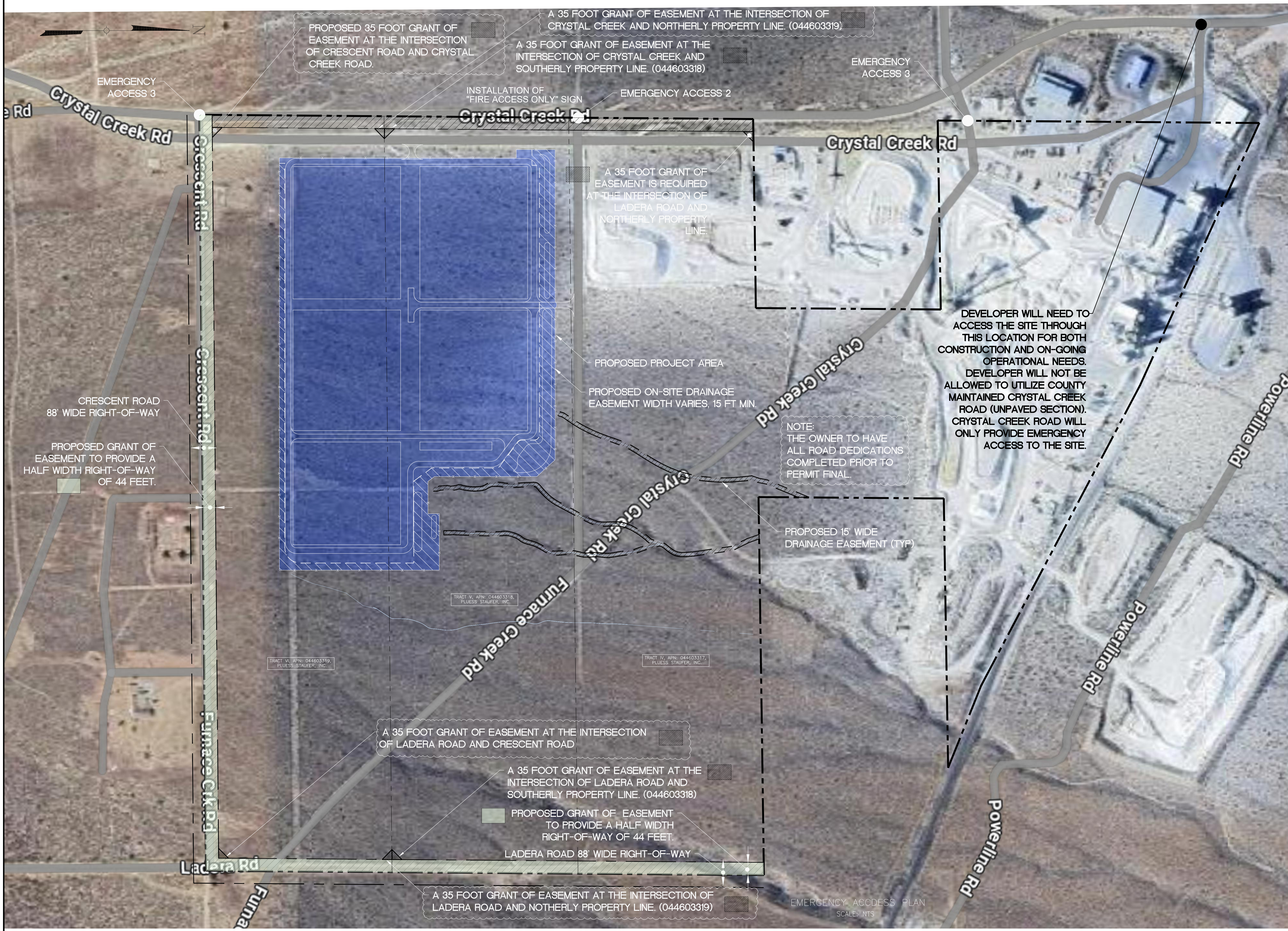
PROJECT

SOLAR GROUND MOUNT SYSTEM AT
OMYA
7225 CRYSTAL CREEK ROAD
LUCERNE VALLEY, CA 92356

WORK ORDER # 11550.07

DRAWING TITLE
HORIZONTAL CONTROL / SITE LAYOUT PLAN

SHEET NO.
C3A



PROJECT

SOLAR GROUND MOUNT SYSTEM AT
OMYA
7225 CRYSTAL CREEK ROAD
LUCERNE VALLEY, CA 92356

WORK ORDER # 115550.07

DRAWING TITLE
PROPOSED EASEMENT
AND EMERGENCY
ACCESS PLAN

SHEET NO.

DEVELOPER:

powerflex
EPC International
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NEW YORK, NEW YORK 10022
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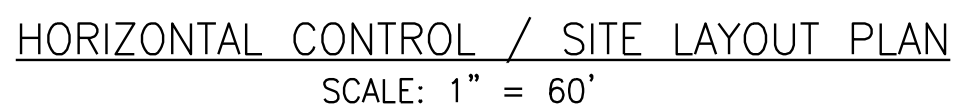
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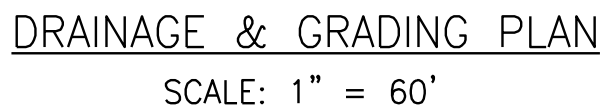
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STATE OF CALIFORNIA

10/08/25

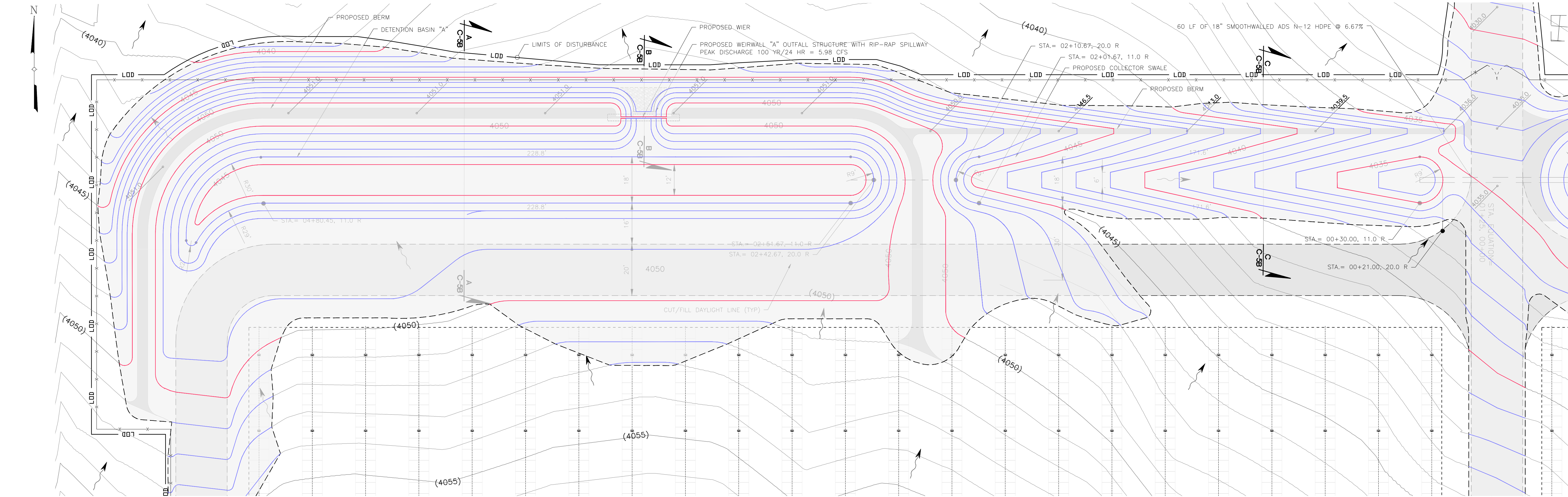


PROJECT					
SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356					
DRAWING TITLE: HORIZONTAL CONTROL/SITE LAYOUT PLAN					
WORK ORDER # 11550.07					
SHEET NO. C4					
DEVELOPER:		 605 THIRD AVENUE NEW YORK, NEW YORK 10022 WWW.POWERFLEX.COM			
PAGE SIZE	36" x 24"				
ENGINEER	 Tectonic Engineering Consultants 2415 Campus Drive Irvine, CA 92612 Phone: (949) 592-8555 www.tectoniceengineering.com				
REVISION DESCRIPTION	DATE	PM	ENG	JMP	GB
FOR COMMENT	05/22/24	—	—	JMP	GB
PER REV STORM CALCULATIONS	07/24/24	—	—	JMP	GB
PER COMMENTS	03/12/25	—	—	JMP	GB
PER COMMENTS	08/28/25	—	—	JMP	GB
					

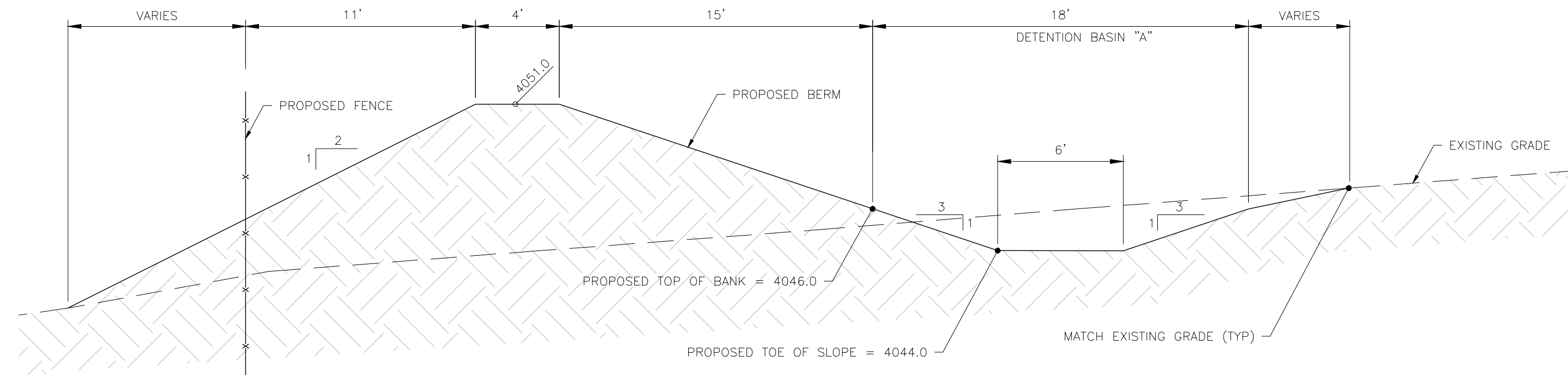


- ALL GRADING SHALL CONFORM TO THE LATEST CALIFORNIA BUILDING CODE (CBC) CHAPTERS 17, 18, APPENDIX- J AND ALL APPLICABLE SECTIONS.
- 2) A GRADING PERMIT SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF ANY WORK ON THE SITE.
- 3) ISSUANCE OF A GRADING PERMIT DOES NOT ELIMINATE THE NEED FOR PERMITS FROM OTHER REGULATORY AGENCIES WITH REGULATORY RESPONSIBILITIES FOR CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE WORK AUTHORIZED IN THIS PLAN.
- 4) ALL WORK UNDER THIS PERMIT SHALL BE LIMITED TO WORK WITHIN THE PROPERTY LINES. A SEPARATE CONSTRUCTION, EXCAVATION OR ENCROACHMENT PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS MAY BE REQUIRED FOR ANY WORK WITHIN THE COUNTY RIGHT-OF-WAY.
- 5) APPROVAL OF THESE PLANS DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL A VALID GRADING PERMIT HAS BEEN ISSUED.
- 6) THIS PLAN IS FOR GRADING PURPOSES ONLY AND IS NOT TO BE USED FOR THE PURPOSE OF CONSTRUCTING ONSITE OR OFFSITE IMPROVEMENTS. ISSUANCE OF A PERMIT BASED ON THIS PLAN DOES NOT CONSTITUTE APPROVAL OF DRIVEWAY LOCATIONS OR SIZES, PARKING LOT STRUCTURAL SECTIONS OR LAYOUT, ADA-RELATED REQUIREMENTS, BUILDING LOCATIONS OR FOUNDATIONS, WALLS, CURBING, OFFSITE DRAINAGE FACILITIES OR OTHER ITEMS NOT RELATED DIRECTLY TO THE BASIC GRADING OPERATION. ONSITE IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE TO THE APPROVED BUILDING PERMIT PLANS. OFFSITE IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE TO PLANS APPROVED FOR THIS PURPOSE BY THE PUBLIC WORKS DEPARTMENT.
- 7) MAXIMUM CUT AND FILL SLOPE = 2:1 (HORIZONTAL TO VERTICAL) AND MAXIMUM VERTICAL HEIGHT = 30 FEET, UNLESS AN APPROVED GEOTECHNICAL REPORT CAN JUSTIFY A STEEPER AND TALLER SLOPE.
- 8) NO FILL SHALL BE PLACED ON EXISTING GROUND UNTIL THE GROUND HAS BEEN CLEARED OF WEEDS, DEBRIS, TOPSOIL AND OTHER DELETERIOUS MATERIAL.
- 9) FILL SLOPES SHALL NOT HAVE LESS THAN 90% RELATIVE COMPACTION, OR AS RECOMMENDED ON THE APPROVED GEOTECHNICAL REPORT.
- 10) IT IS THE GRADING CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ADEQUATE COMPACTION HAS BEEN ATTAINED ON THE ENTIRE GRADING SITE, INCLUDING FILL AREAS OUTSIDE THE BUILDING PADS AND ON ALL FILL SLOPES.
- 11) UNLESS OTHERWISE RECOMMENDED IN AN APPROVED GEOTECHNICAL REPORT, OVER-EXCAVATION SHALL BE AT LEAST 24 INCHES MINIMUM BELOW THE BOTTOM OF FOOTINGS OR TO COMPETENT NATIVE SOIL OR BEDROCK MATERIALS, WHICHEVER IS DEEPER, AS APPROVED BY THE PROJECT'S GEOTECHNICAL ENGINEER OR GEOLOGIST.
- 12) EARTHWORK VOLUMES:
CUT 3,456 (CY), FILL 1,352 (CY), TOTAL DISTURBED AREA 213,367 (SF)
- 13) EARTHWORK QUANTITIES ARE SHOWN FOR GRADING PERMIT PURPOSES ONLY. THE COUNTY OF SAN BERNARDINO COUNTY IS NOT RESPONSIBLE FOR THEIR ACCURACY.
- 14) A COPY OF THE GRADING PERMIT AND APPROVED GRADING PLANS MUST BE IN THE POSSESSION OF A RESPONSIBLE PERSON AND AVAILABLE AT THE SITE AT ALL TIMES.
- 15) ANY ONSITE RETAINING WALLS SHOWN ON THE GRADING PLANS THAT ARE OVER 4' IN HEIGHT, MEASURED FROM TOP OF WALL TO BOTTOM OF FOOTING, ARE FOR REFERENCE ONLY. RETAINING WALLS OVER 4' IN HEIGHT ARE NOT CHECKED, PERMITTED, OR INSPECTED PER THE GRADING PERMIT. A SEPARATE RETAINING WALL PERMIT IS REQUIRED FOR ALL RETAINING WALLS OVER 4' IN HEIGHT.
- 16) ANY WALLS, FENCES, STRUCTURES AND/OR APPURTENANCES ADJACENT TO THIS PROJECT ARE TO BE PROTECTED IN PLACE. IF GRADING OPERATIONS DAMAGE OR ADVERSELY AFFECT SAID ITEMS IN ANY WAY, THE CONTRACTOR AND/OR DEVELOPER IS RESPONSIBLE FOR WORKING OUT AN ACCEPTABLE SOLUTION TO THE SATISFACTION OF THE AFFECTED PROPERTY OWNER(S).
- 17) FOR SITES WITH PROTECTED SPECIES OR TREES, THE PROPOSED GRADING MAY BE SUBJECT TO A SEPARATE PERMIT.
- 18) ADEQUATE FIRE ACCESS AROUND BUILDINGS (INCLUDING GARAGES) SHOULD BE PROVIDED AS APPROVED BY COUNTY FIRE.
- 19) EXISTING DRAINAGE COURSES SHALL NOT BE OBSTRUCTED, ALTERED, OR DIVERTED WITHOUT PRIOR APPROVAL FROM THE COUNTY OF SAN BERNARDINO, LAND DEVELOPMENT DIVISION. A STREAMBED ALTERATION AGREEMENT MAY ALSO BE REQUIRED FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE.
- 20) DRAINAGE EASEMENTS SHALL NOT BE OBSTRUCTED, ALTERED OR DIVERTED WITHOUT PRIOR APPROVAL OF THE COUNTY OF SAN BERNARDINO, LAND DEVELOPMENT DIVISION.
- 21) SETBACKS AND BUILDING LOCATIONS SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND MUST BE REVIEWED AND APPROVED UNDER A SEPARATE BUILDING PERMIT.
- 22) UTILITY AND SEPTIC IMPROVEMENTS SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND MUST BE REVIEWED AND APPROVED UNDER A SEPARATE BUILDING PERMIT.
- 23) ON PROJECTS DISTURBING ONE ACRE OR MORE, THE FOLLOWING NOTE MUST BE ADDED: A NOTICE OF INTENT (NOI) HAS BEEN, OR WILL BE, FILED WITH THE STATE WATER RESOURCES CONTROL BOARD (SWRCB) AND A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN OR WILL BE PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF CALIFORNIA GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (PERMIT NO. CAS000002) FOR ALL OPERATIONS ASSOCIATED WITH THESE PLANS. THE PERMITTEE SHALL KEEP A COPY OF THE SWPPP ON SITE AND AVAILABLE FOR REVIEW BY THE COUNTY.
- 24) IN CONJUNCTION WITH THE CALIFORNIA GENERAL PERMIT FOR PROPOSED DISTURBANCE OVER ONE ACRE, AN ACTIVE WASTEWATER DISCHARGE ID # (WQID) MUST BE INCLUDED ON THE FINAL GRADING PLAN.
- 25) A FINAL GRADING CERTIFICATION WILL BE COLLECTED BY THE BUILDING INSPECTOR AT THE FINAL BUILDING INSPECTION OR PRIOR TO A GRADING FINAL STATUS ON THE PERMIT. THE FINAL GRADING CERTIFICATION IS TO BE COMPLETED BY THE ENGINEER OF RECORD.
- 26) THE SOILS ENGINEER SHALL PROVIDE A FINAL SOIL GRADING REPORT INCLUDING LOCATIONS AND ELEVATIONS OF FIELD DENSITY TESTS, SUMMARIES OF FIELD AND LABORATORY TESTS AND OTHER SURVEILLING DATA AND COMMENTS ON ANY CHANGES MADE DURING GRADING AND THEIR EFFECT ON THE RECOMMENDATIONS MADE IN THE SOIL ENGINEERING INVESTIGATION REPORT. IT SHALL ALSO PROVIDE INFORMATION AS TO LOCATION AND

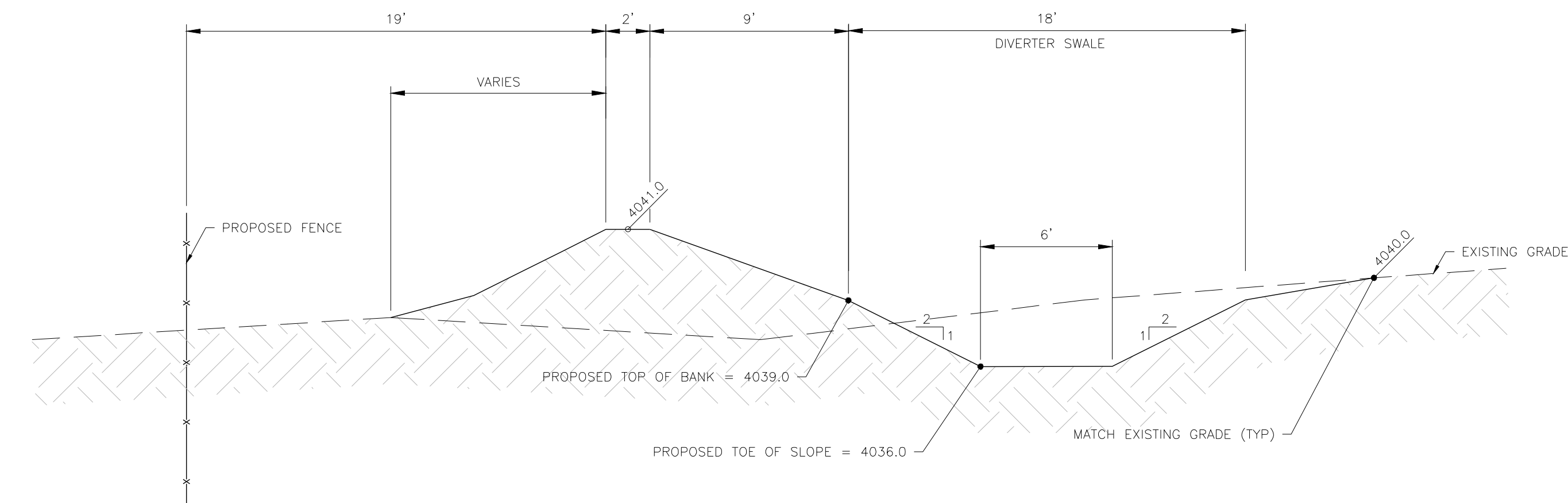
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WORK ORDER #	11550.07					
DRAWING TITLE	DRAINAGE & GRADING PLAN					
SHEET NO.	C5A					



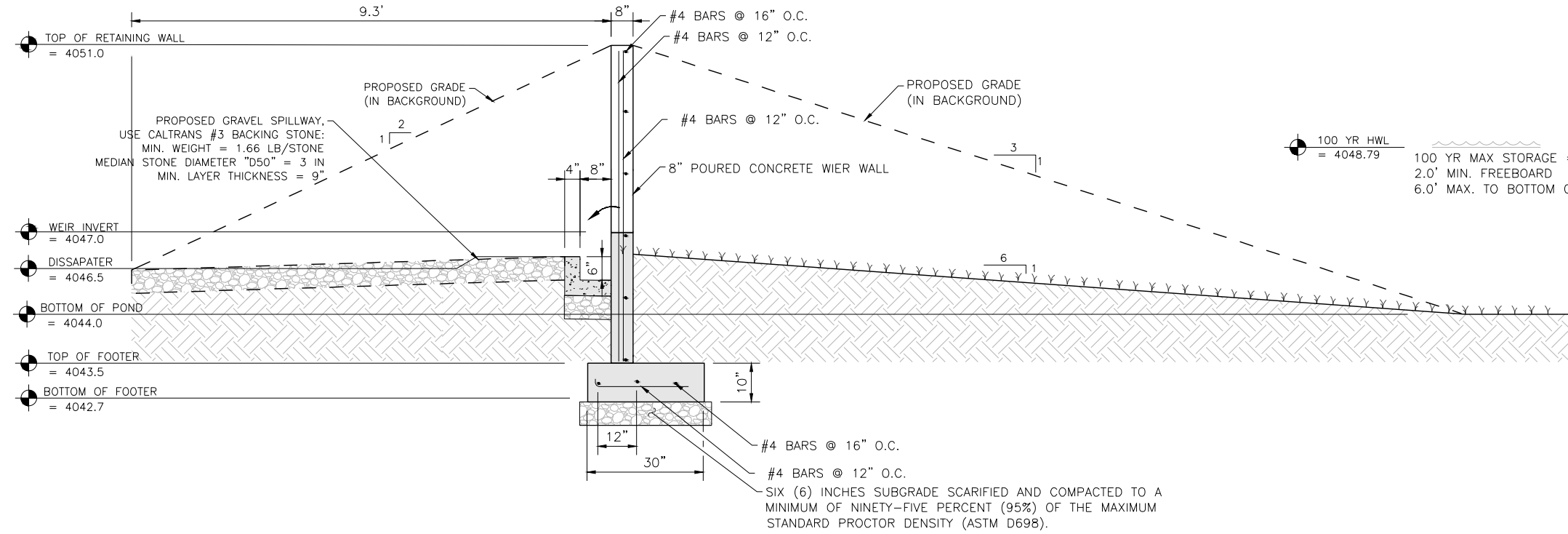
ENLARGED DRAINAGE & GRADING PLAN
SCALE: 1" = 20'



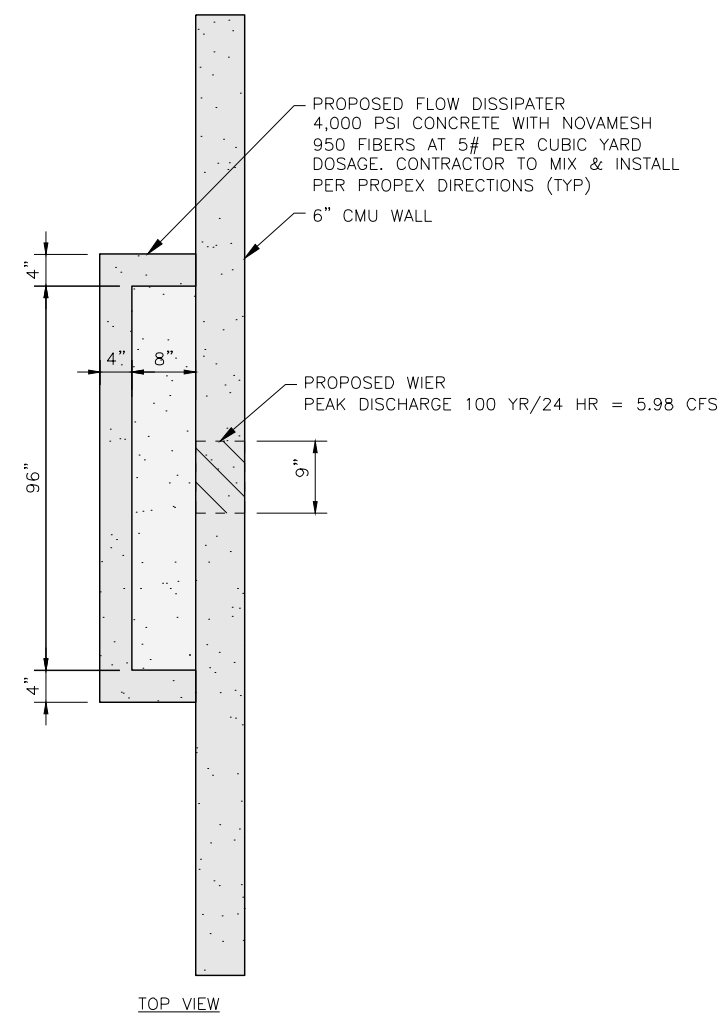
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DETENTION BASIN "A"
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SECTION CUT "C-C"
COLLECTOR SWALE
SCALE: 1" = 5'



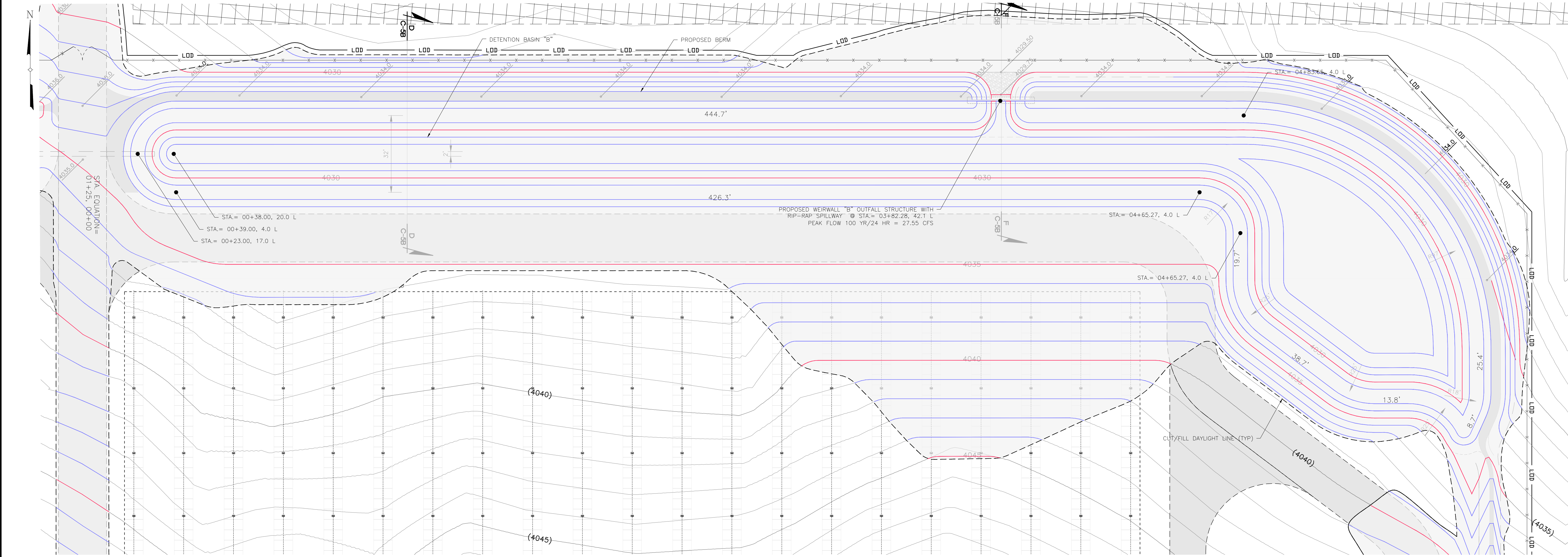
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SCALE: NTS



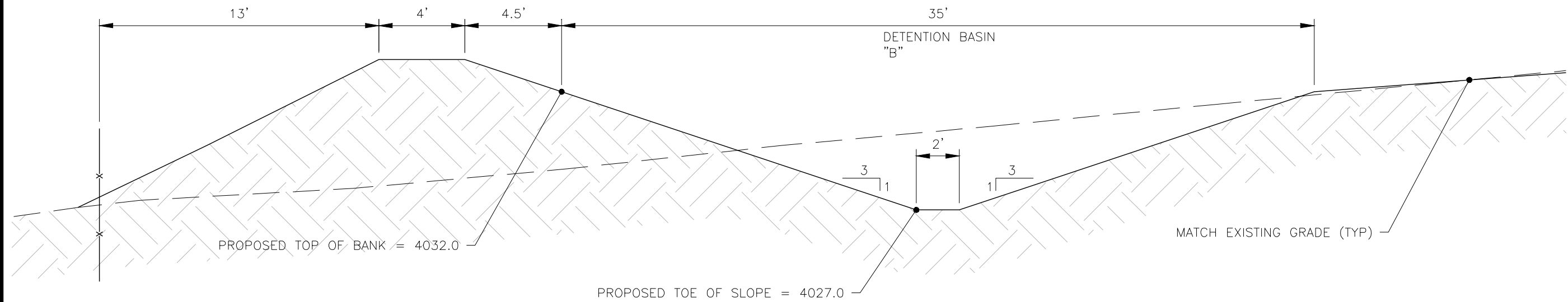
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SHEET LEGEND:	
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---	EXISTING ROW LINE
---	EXISTING CENTER LINE
---	EXISTING PAVEMENT
---	FLOW ARROW
+	EXISTING BENCHMARK
---	EXISTING GRAVEL
---	EXISTING HYDRANT
---	EXISTING CONTOURS
---	EXISTING BUILDING
---	EXISTING CONCRETE
---	PROPOSED GRAVEL SURFACE
---	PROPOSED CHAINLINK FENCE
---	PROPOSED SOLAR PANELS
---	PROPOSED CONTOURS

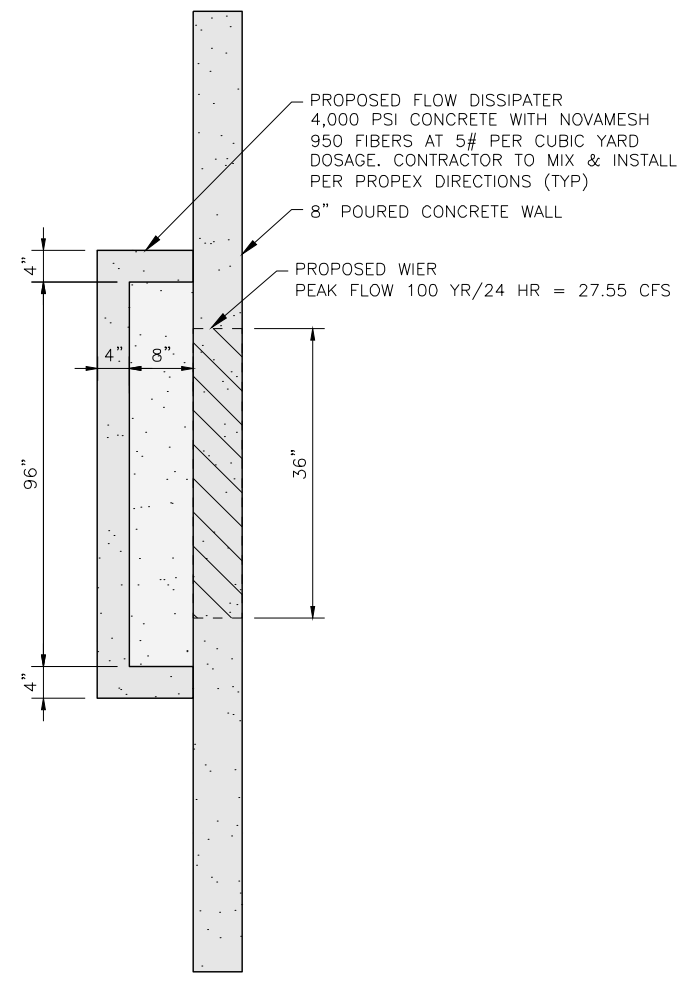
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	2	07/24/24	PER COMMENTS	JMP	GE
	3	03/12/25	PER REV STORM CALCULATIONS	JMP	GE
PROJECT	REVISION	DATE	DESCRIPTION	BY	CHK
	4	03/12/25	PER REV STORM CALCULATIONS	JMP	GE
	5	08/28/25	PER COMMENTS	JMP	GE
	6				
PROJECT	DATE	08/28/25			
	PROJECT	SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356			
PROJECT	WORK ORDER #	11550.07			
	DRAWING TITLE	DRAINAGE & GRADING PLAN			
PROJECT	SHEET NO.	C5B			
	DEVELOPER	powerflex EPC Renewable			
PROJECT	PAGE SIZE	36" x 24"			
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PROJECT	DEVELOPER	powerflex EPC Renewable			
	DEVELOPER	powerflex EPC Renewable			



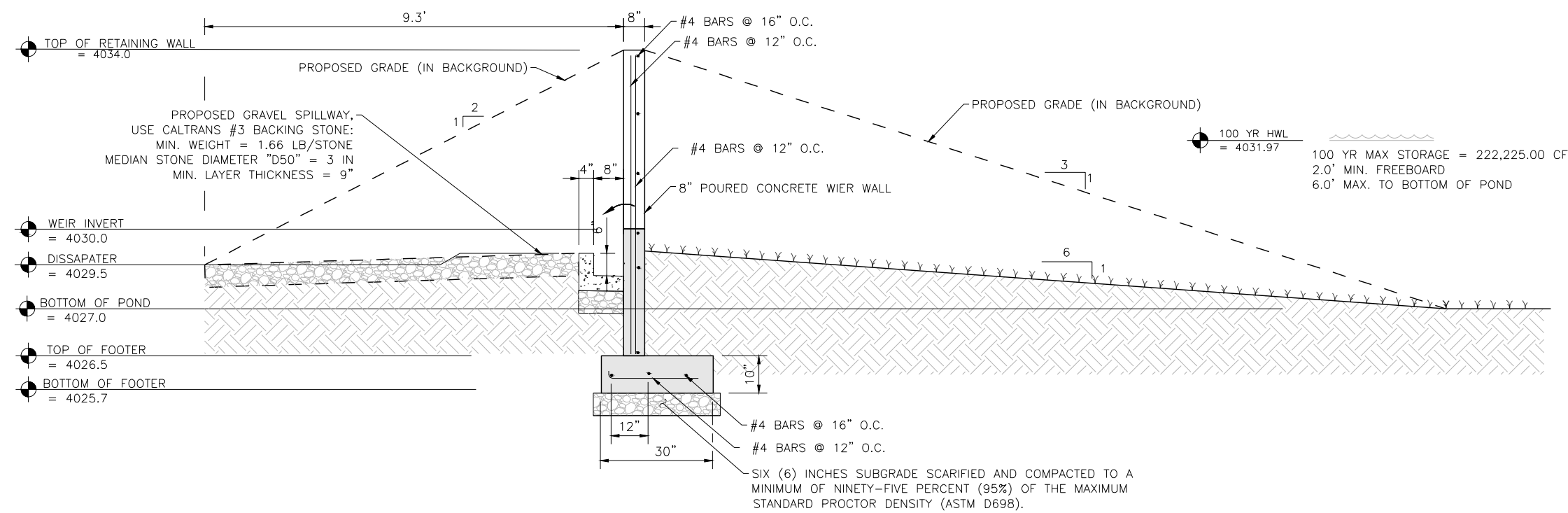
ENLARGED DRAINAGE & GRADING PLAN
SCALE: 1" = 20'



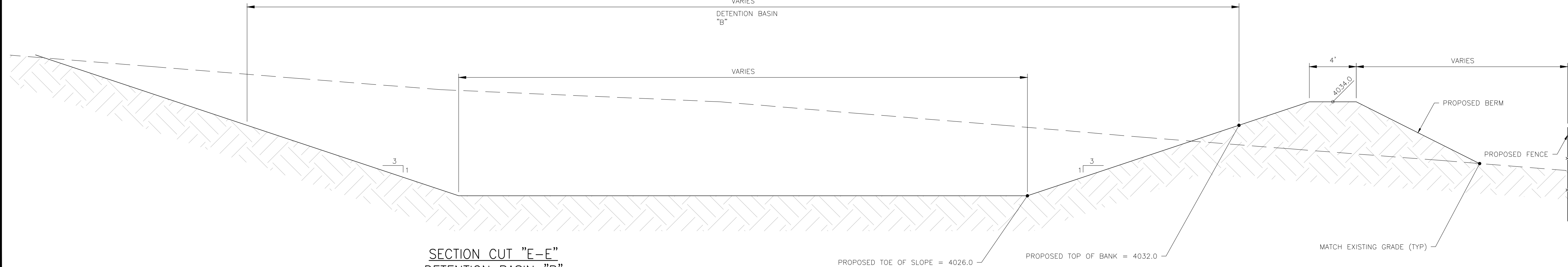
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DETENTION BASIN "B"
SCALE: 1" = 5'



DISSIPATER DETAIL

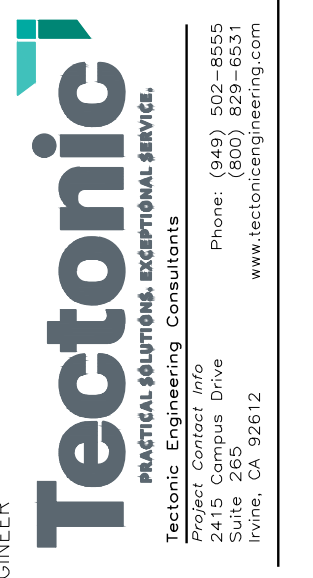
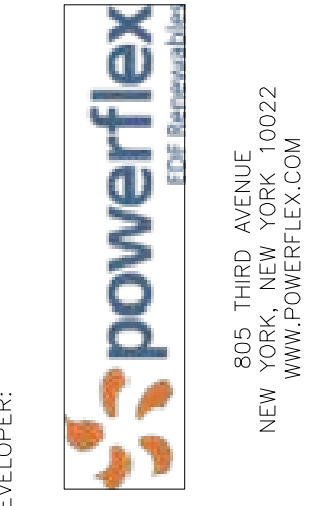


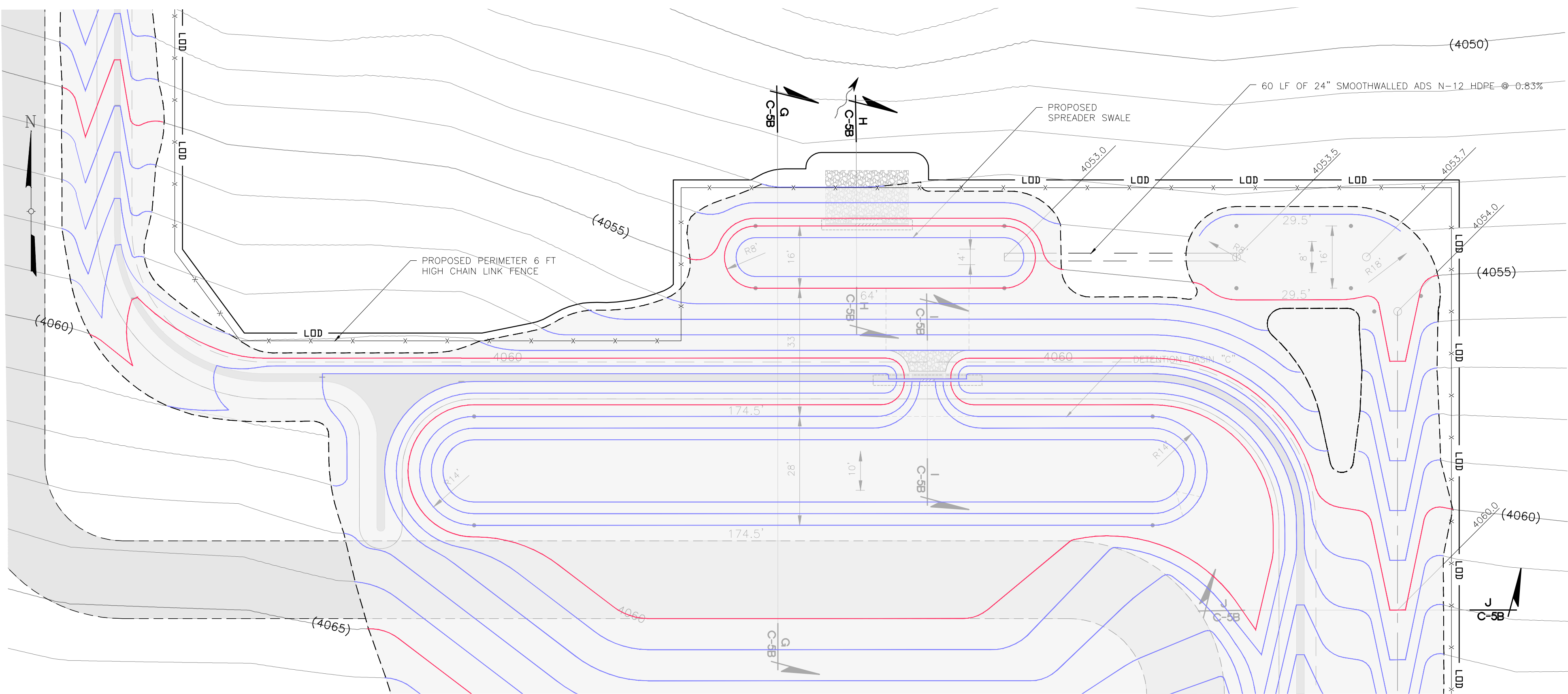
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WIER WALL CROSS SECTION
SCALE: NTS



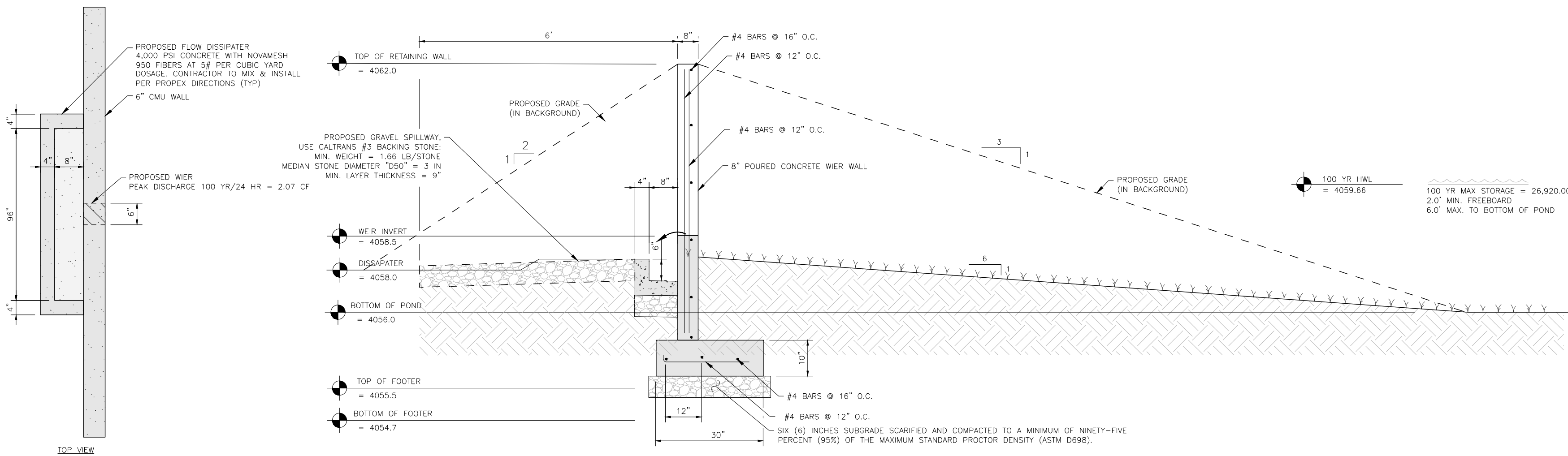
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DETENTION BASIN "B"
SCALE: 1" = 5'

SHEET LEGEND:	
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---	EXISTING GRAVEL
---	EXISTING HYDRANT
---	EXISTING CONTOURS
---	EXISTING BUILDING
---	EXISTING SOLAR PANELS
---	PROPOSED GRAVEL SURFACE
---	PROPOSED CHAINLINK FENCE
---	PROPOSED CONTOURS

REVISION	DATE	REVISION DESCRIPTION	PM	ENG	CHK
	05/22/24	FOR COMMENT	JMP	GE	
	07/24/24	PER COMMENTS	JMP	GE	
	03/12/25	PER REV STORM CALCULATIONS	JMP	GE	
REVISION	DATE	REVISION DESCRIPTION	PM	ENG	CHK
	03/12/25	PER REV STORM CALCULATIONS	JMP	GE	
	08/28/25	PER COMMENTS	JMP	GE	
					
					
					
PROJECT: SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356					
WORK ORDER # 11550.07					
DRAWING TITLE: DRAINAGE & GRADING PLAN					
SHEET NO. C5C					

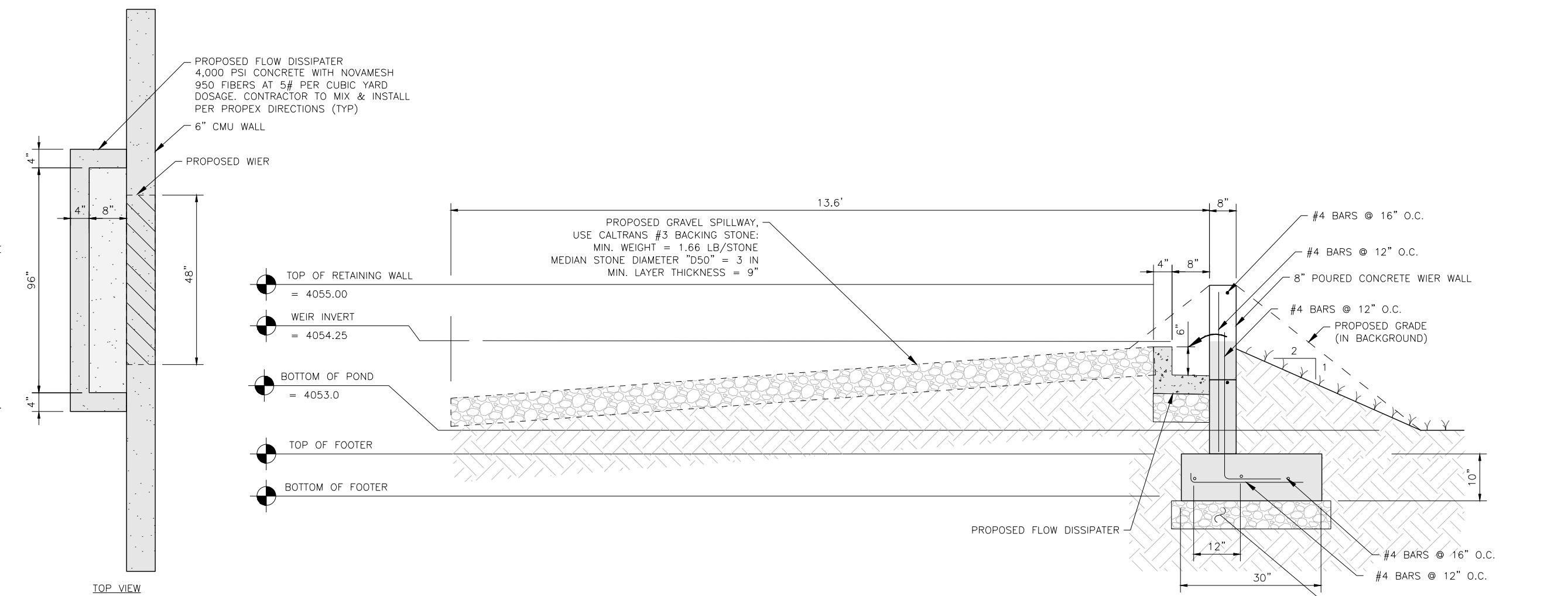


ENLARGED DRAINAGE & GRADING PLAN
SCALE: 1" = 20'



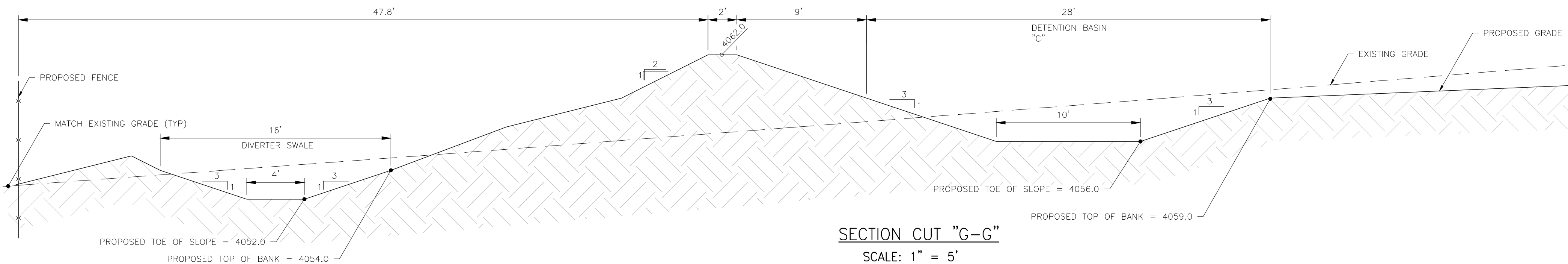
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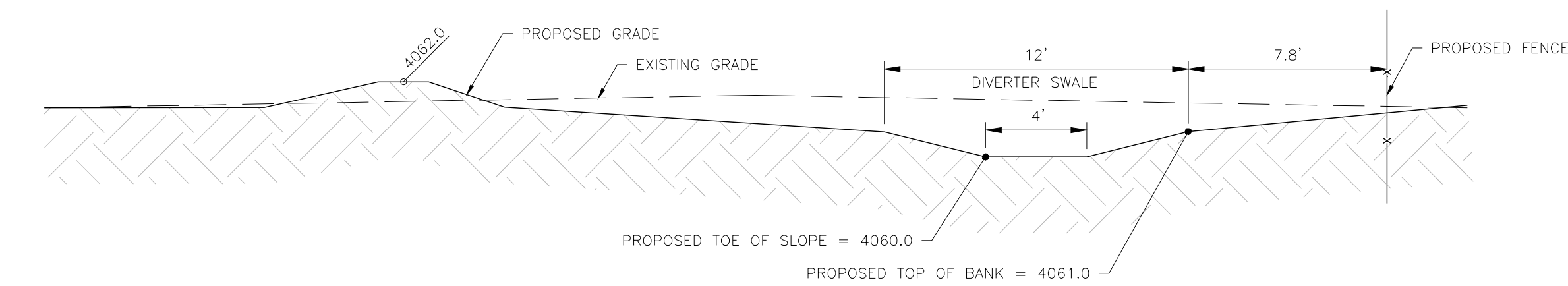


DISSIPATER DETAIL

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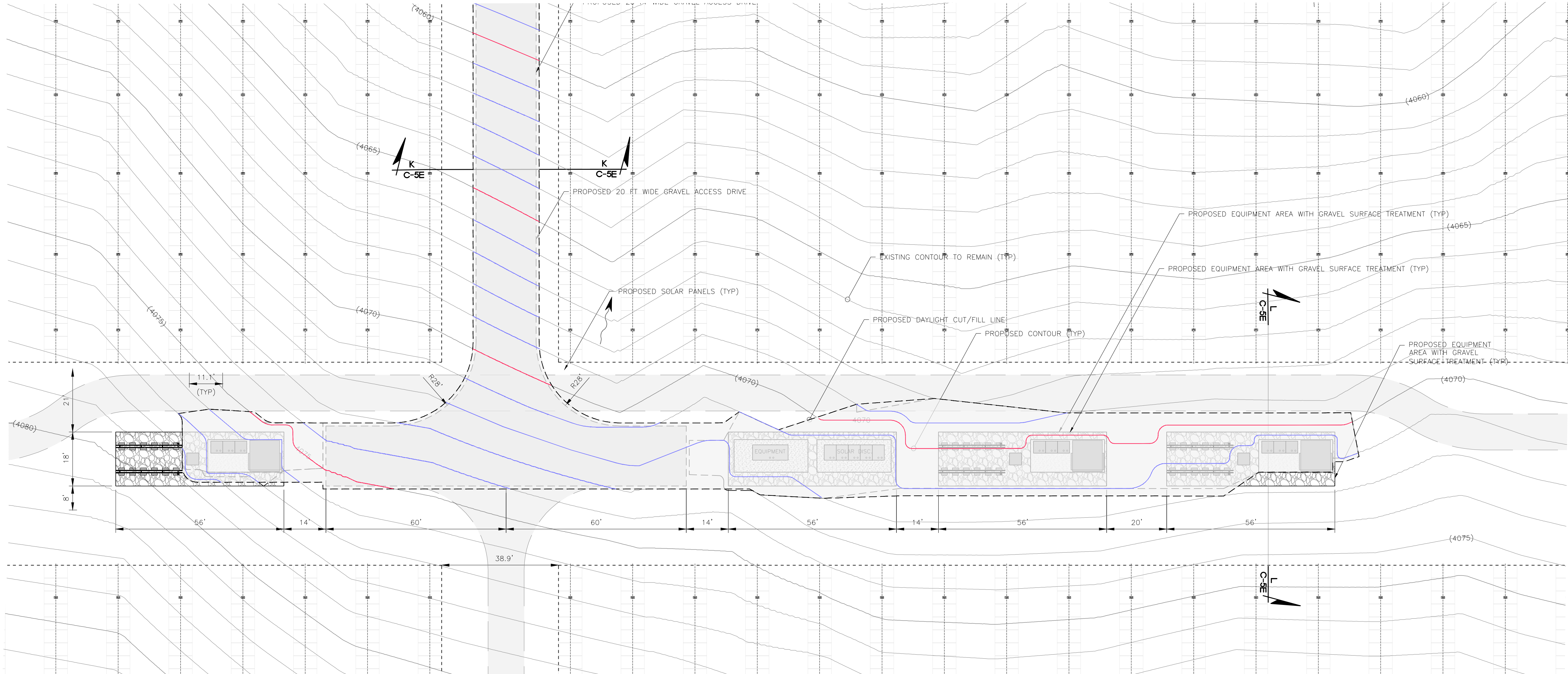
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SCALE: 1" = 5'



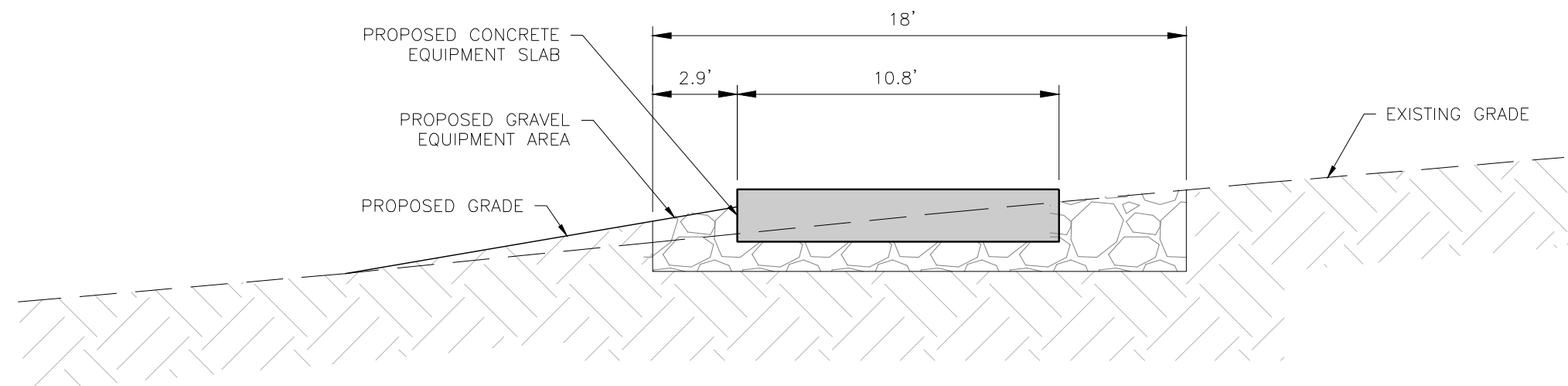
SECTION CUT "J-J"
SCALE: 1" = 5'

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---	EXISTING ROW LINE
---	EXISTING CENTER LINE
---	EXISTING PAVEMENT
---	FLOW ARROW
+	EXISTING BENCHMARK
---	EXISTING GRAVEL
+	EXISTING HYDRANT
---	EXISTING CONTOURS
---	EXISTING BUILDING
---	EXISTING CONCRETE
---	PROPOSED GRAVEL SURFACE
---	PROPOSED CHAINLINK FENCE
---	PROPOSED SOLAR PANELS
---	PROPOSED CONTOURS

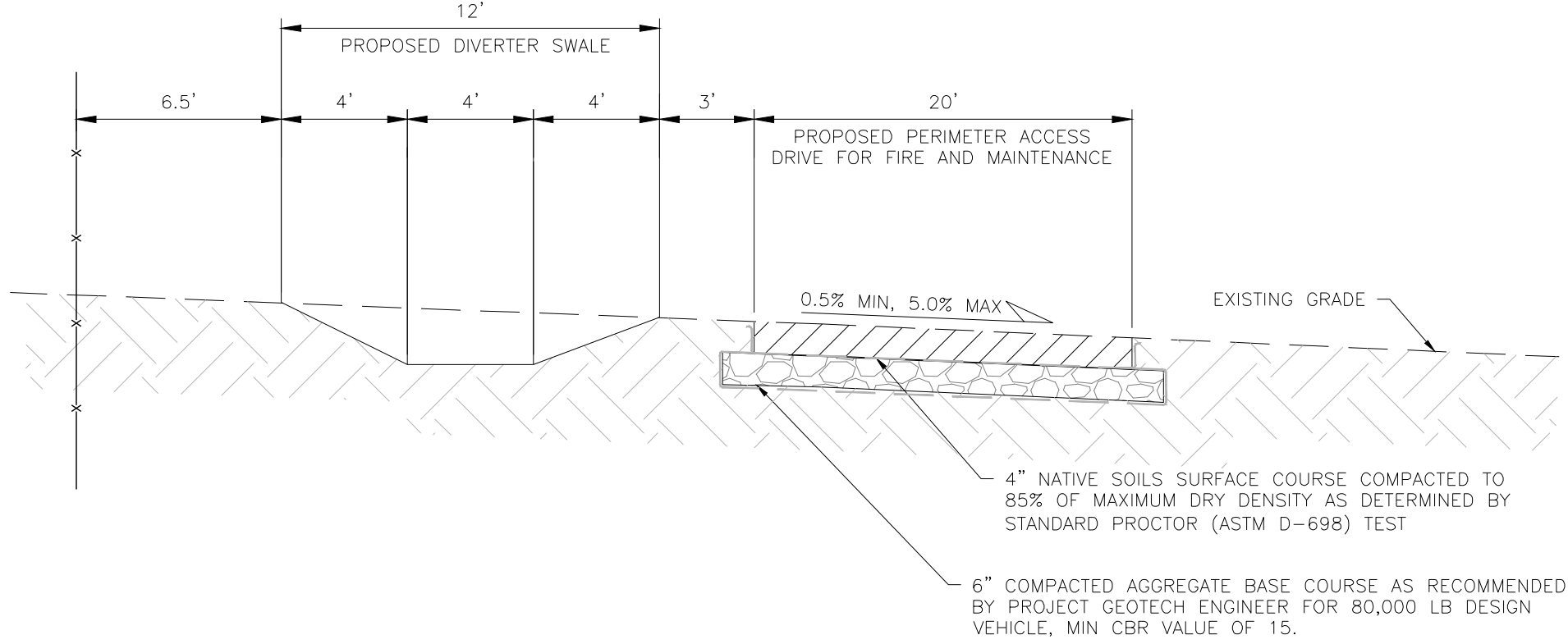
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SEAL	08/28/25	PER COMMENTS	JMP	GE	
ENGINEER					
DEVELOPER					
PAGE SIZE					
PROJECT					
SYSTEM					
DRAWING TITLE					
SHEET NO.					



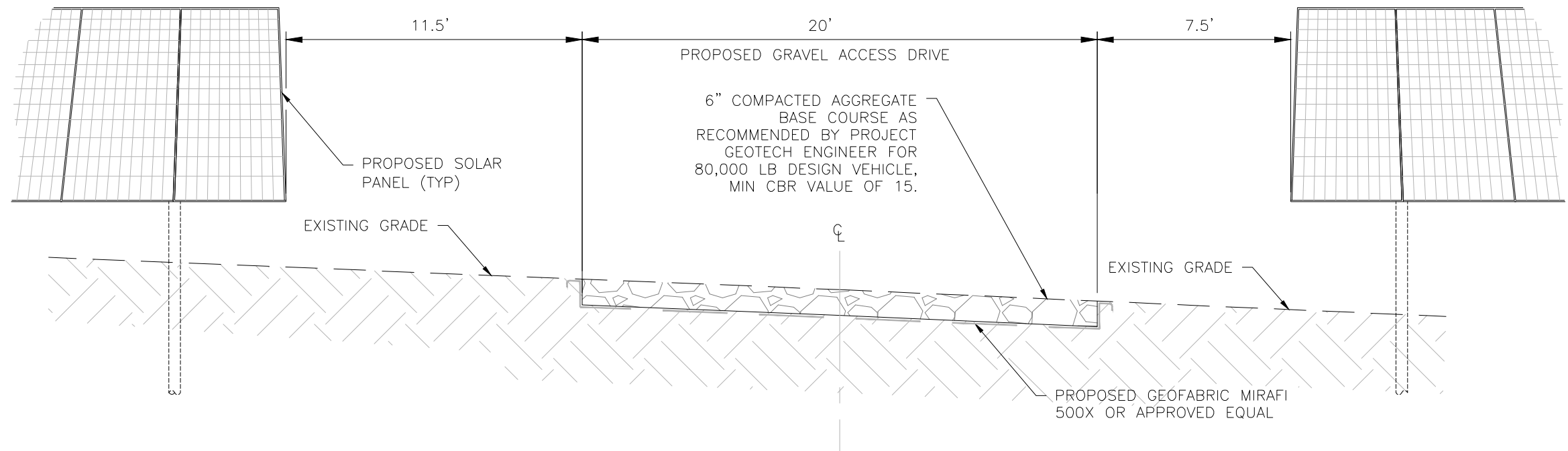
ENLARGED DRAINAGE & GRADING PLAN
SCALE: 1" = 20'



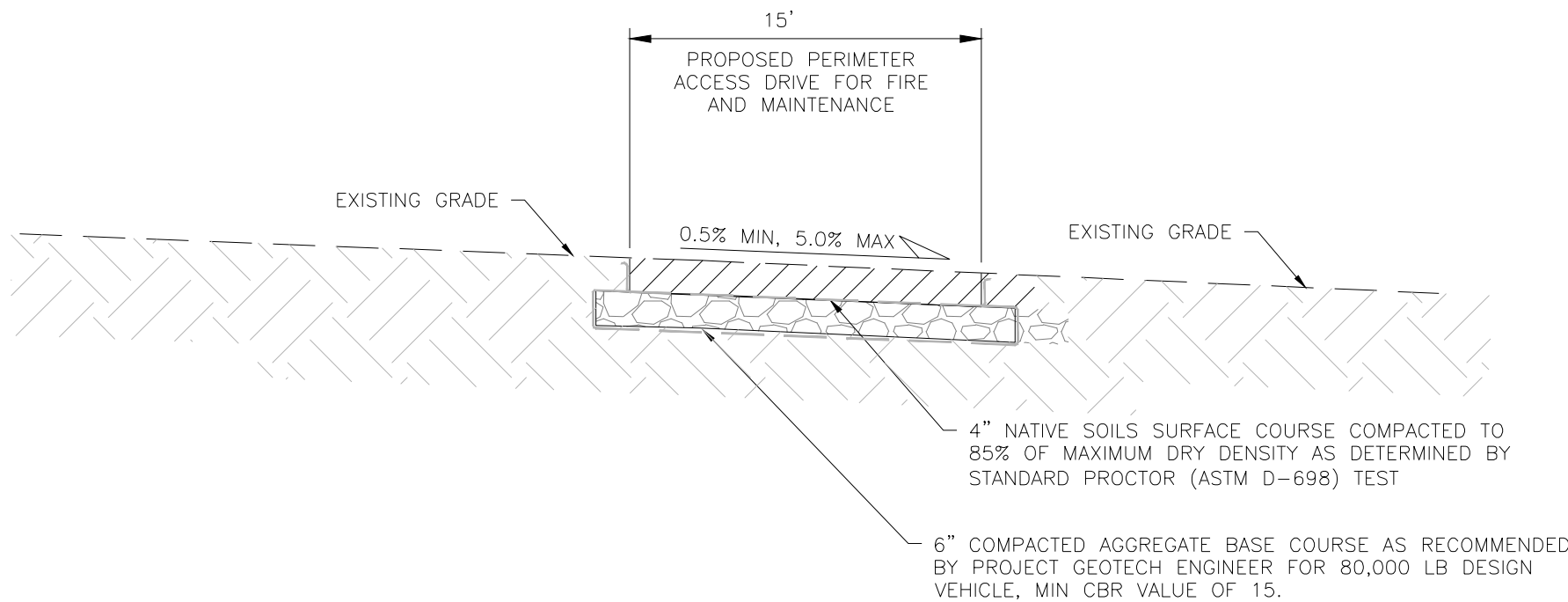
SECTION CUT "L-L"
GRAVEL EQUIPMENT AREA CROSS SECTION
SCALE: 1" = 5'



TYPICAL FIRE / MAINTENANCE DRIVE CROSS SECTION
SCALE: NTS



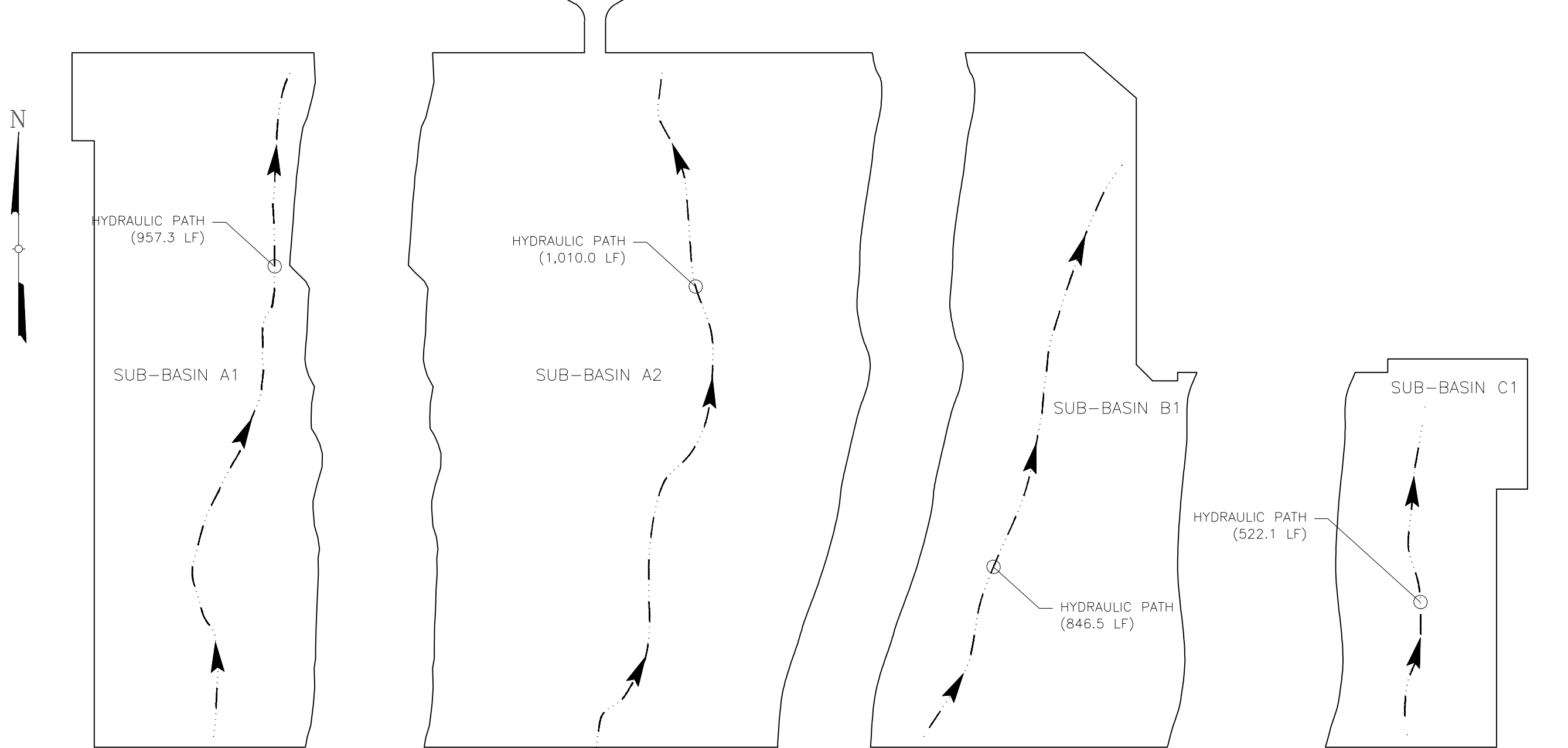
SECTION CUT "K-K"
TYPICAL GRAVEL ACCESS DRIVE CROSS SECTION
SCALE: 1" = 5'



TYPICAL FIRE / MAINTENANCE DRIVE CROSS SECTION
SCALE: NTS

SHEET LEGEND:			
---	EXISTING PROPERTY LINE		EXISTING GRAVEL
---	EXISTING ROW LINE		EXISTING HYDRANT
---	EXISTING CENTER LINE		EXISTING BUILDING
	EXISTING PAVEMENT		EXISTING CONCRETE
	FLOW ARROW		PROPOSED GRAVEL SURFACE
	EXISTING BENCHMARK		PROPOSED CHAINLINK FENCE
			PROPOSED SOLAR PANELS
			PROPOSED CONTOURS

REVISION	DATE	REVISION DESCRIPTION	PM / ENG CHG
	05/22/24	FOR COMMENT	JMP GE
	07/24/24	PER COMMENTS	JMP GE
	03/12/25	PER REV STORM CALCULATIONS	JMP GE
	08/28/25	PER COMMENTS	JMP GE
Tectonic Tectonic Engineering Consultants PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE. Phone: (949) 502-8800 2415 Campus Drive Irvine, CA 92612 www.tectonicing.com			
powerflex EPC Renewable 855 THIRD AVENUE NEW YORK, NEW YORK 10022 WWW.POWERFLEX.COM			
PROJECT: SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356			
WORK ORDER # 11550.07			
DRAWING TITLE: DRAINAGE & GRADING PLAN			
SHEET NO. C5E			



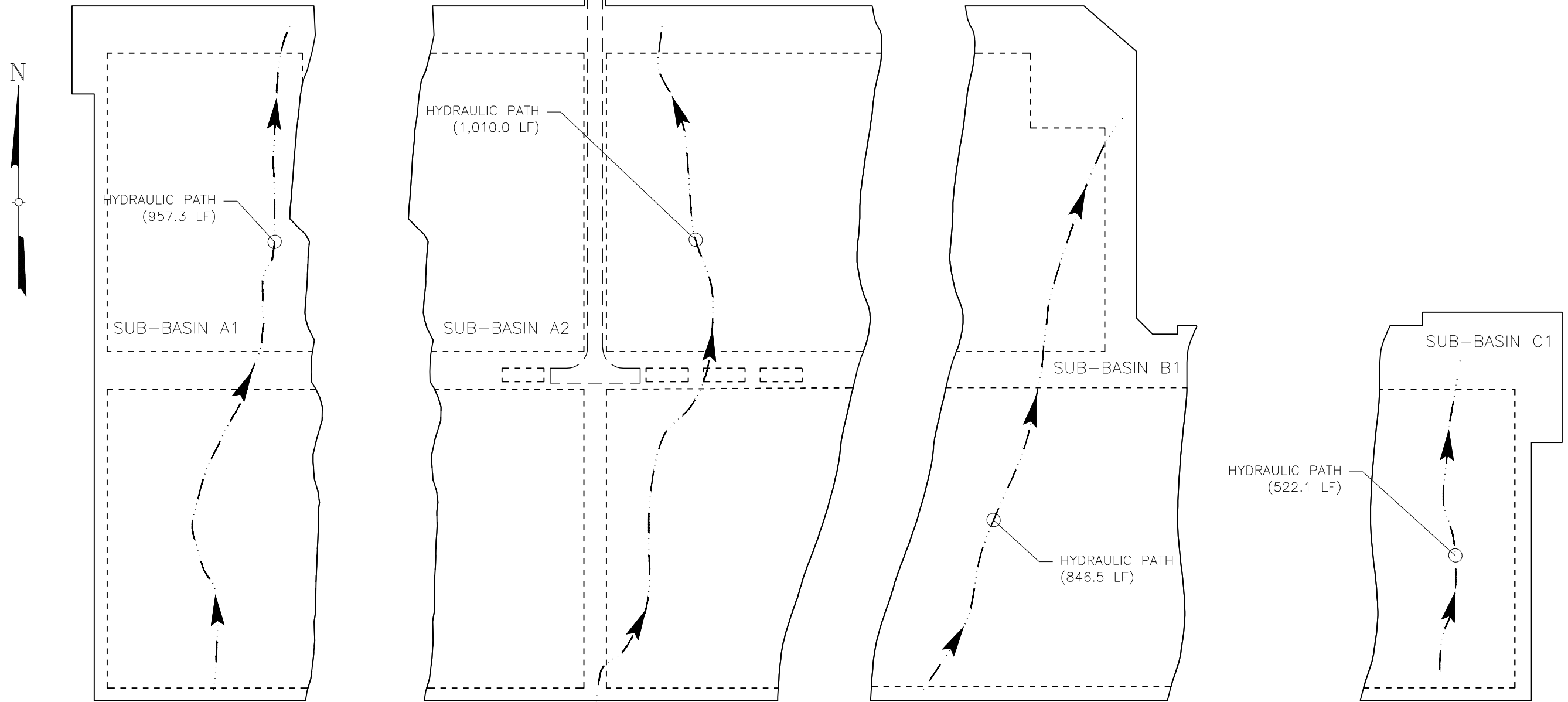
SUB-BASIN A1 EXISTING CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	269,104.77
TOTAL:			269,104.77
SUB-BASIN A-1 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 957.3 AVG. GRADIENT = 7.93% SHEET FLOW (DESERT BRUSH) = 100 LF (10.90%) SHALLOW CHANNEL = 857.3 LF (7.58%) TIME OF CONCENTRATION (MINUTES) : 9.87			

SUB-BASIN A2 EXISTING CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	515,051.40
TOTAL:			515,051.40
SUB-BASIN A-2 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 1,010.0 LF AVG. GRADIENT = 8.39% SHEET FLOW (DESERT BRUSH) = 100 LF (07.50%) SHALLOW CHANNEL = 910.0 LF (8.48%) TIME OF CONCENTRATION (MINUTES) : 10.96			

SUB-BASIN B1 EXISTING CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	275,294.27
TOTAL:			275,294.27
SUB-BASIN B-1 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 846.5 LF AVG. GRADIENT = 8.82% SHEET FLOW (DESERT BRUSH) = 100 LF (08.55%) SHALLOW CHANNEL = 746.5 LF (8.86%) TIME OF CONCENTRATION (MINUTES) : 9.92			

SUB-BASIN C1 EXISTING CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	114,088.66
TOTAL:			114,088.66
SUB-BASIN C-1 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 522.1 LF AVG. GRADIENT = 7.78% SHEET FLOW (DESERT BRUSH) = 100 LF (08.90%) SHALLOW CHANNEL = 422.1 LF (7.51%) TIME OF CONCENTRATION (MINUTES) : 8.81			

PRE-DEVELOPMENT BASIN MAP
(NTS)



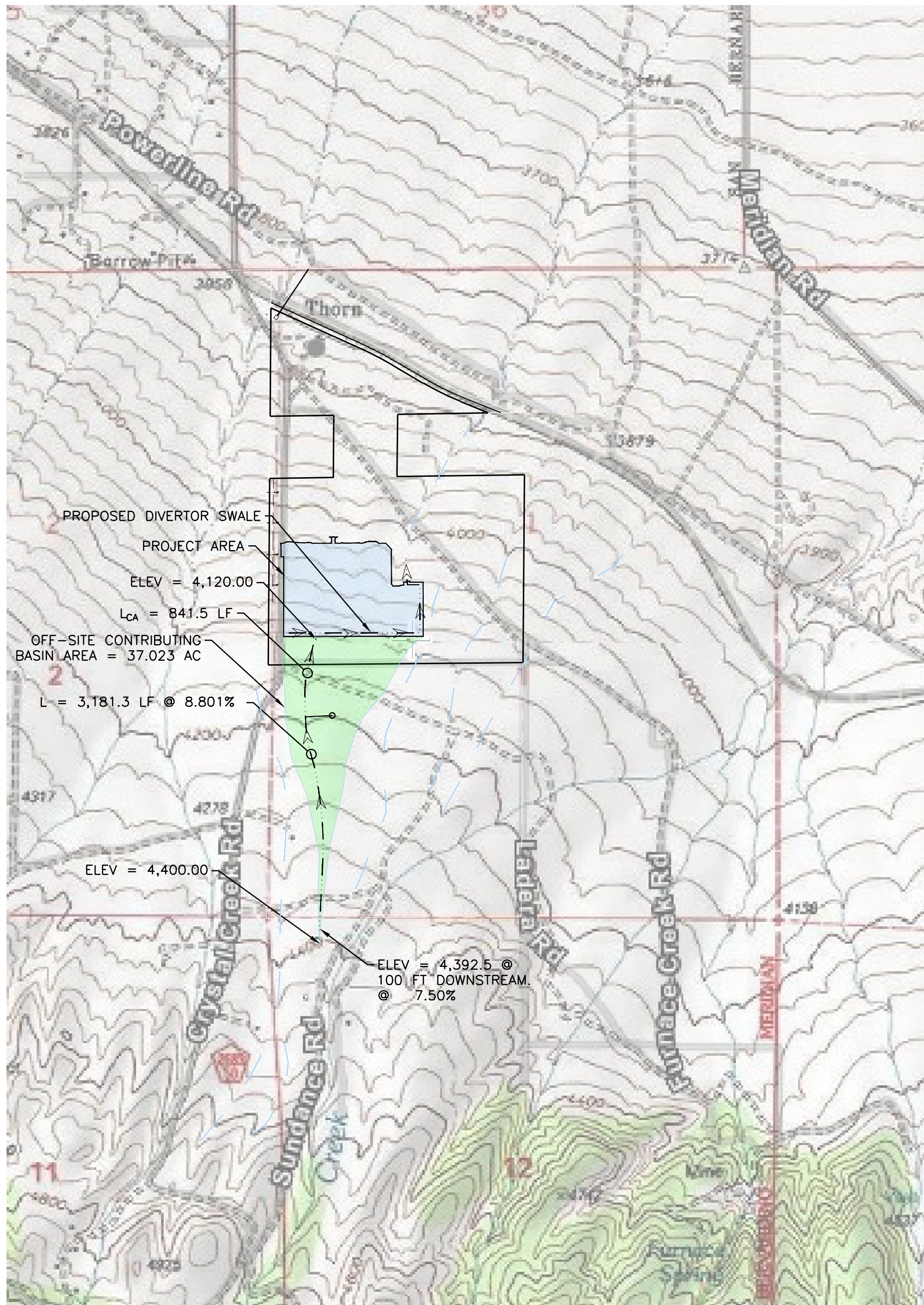
SUB-BASIN A1 PROPOSED CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	198,134.16
177	A	CONCRETE	—
177	A	GRAVEL DRIVE	—
177	A	SOLAR PANEL	70,970.61
177	A	GRAVEL EQUIP.	—
177	A	STAGING AREA	—
TOTAL:			269,104.77
SUB-BASIN A-1 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 915.8 AVG. GRADIENT = 7.94% SHEET FLOW (DESERT BRUSH) = 100 LF (10.90%) SHALLOW CHANNEL = 815.8 LF (7.58%) TIME OF CONCENTRATION (MINUTES) : 9.17			

SUB-BASIN A2 PROPOSED CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	359,697.70
177	A	CONCRETE	1,384.10
177	A	GRAVEL DRIVE	14,217.58
177	A	SOLAR PANEL	137,104.13
177	A	GRAVEL EQUIP.	2,647.89
177	A	STAGING AREA	—
TOTAL:			515,051.40
SUB-BASIN A-2 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 972.7 AVG. GRADIENT = 8.48% SHEET FLOW (DESERT BRUSH) = 100 LF (07.50%) SHALLOW CHANNEL = 872.7 LF (8.59%) TIME OF CONCENTRATION (MINUTES) : 10.80			

SUB-BASIN B1 PROPOSED CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	208,083.85
177	A	CONCRETE	—
177	A	GRAVEL DRIVE	—
177	A	SOLAR PANEL	67,210.42
177	A	GRAVEL EQUIP.	—
177	A	STAGING AREA	—
TOTAL:			275,294.27
SUB-BASIN B-1 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 815.0 AVG. GRADIENT = 8.83% SHEET FLOW (DESERT BRUSH) = 100 LF (08.55%) SHALLOW CHANNEL = 715.0 LF (8.87%) TIME OF CONCENTRATION (MINUTES) : 9.81			

SUB-BASIN C1 PROPOSED CONDITIONS			
SOILS	HSG	COVER TYPE	AREA (SF)
177	A	DESERT BRUSH	89,036.28
177	A	CONCRETE	—
177	A	GRAVEL DRIVE	—
177	A	SOLAR PANEL	25,052.38
177	A	GRAVEL EQUIP.	—
177	A	STAGING AREA	—
TOTAL:			114,088.66
SUB-BASIN C-1 EXISTING CONDITIONS HYDRAULIC PATH TOTAL LENGTH = 444.3 AVG. GRADIENT = 7.97% SHEET FLOW (DESERT BRUSH) = 100 LF (08.90%) SHALLOW CHANNEL = 344.3 LF (7.70%) TIME OF CONCENTRATION (MINUTES) : 8.50			

POST-DEVELOPMENT BASIN MAP
(NTS)

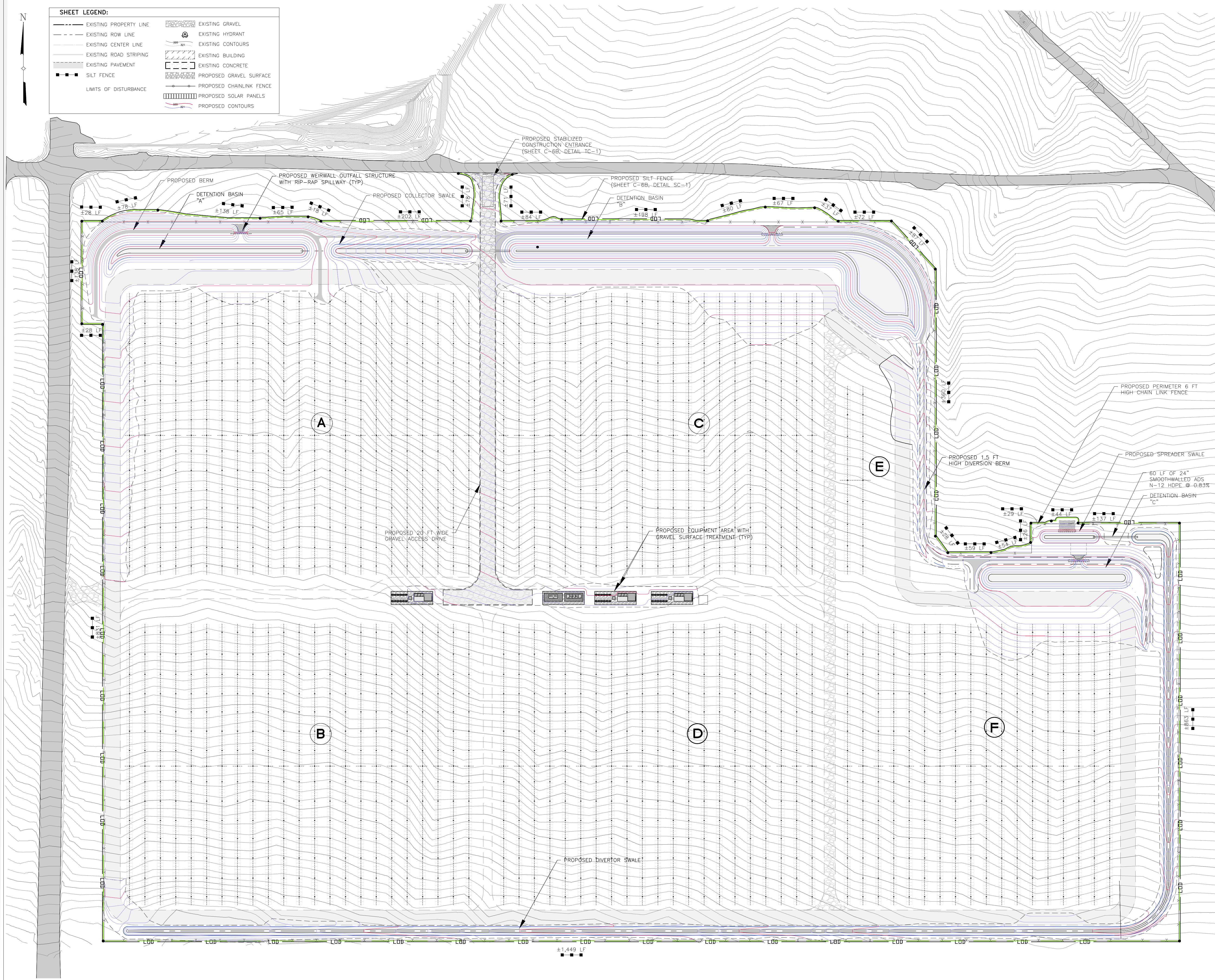


SHEET LEGEND:	
-----	EXISTING PROPERTY LINE
----	EXISTING ROW LINE
----	HYDRAULIC PATH EXISTING
■	PROJECT AREA
■	OFFSITE CONTRIBUTING AREA
---	EXISTING CONTOURS

1
S-1 OFF-SITE CONTRIBUTING AREA
SCALE: NTS



SHEET LEGEND:	
	EXISTING PROPERTY LINE
	EXISTING ROW LINE
	EXISTING CENTER LINE
	EXISTING ROAD STRIPING
	EXISTING PAVEMENT
	SILT FENCE
	LIMITS OF DISTURBANCE
	EXISTING GRAVEL
	EXISTING HYDRANT
	EXISTING CONTOURS
	EXISTING BUILDING
	EXISTING CONCRETE
	PROPOSED GRAVEL SURFACE
	PROPOSED CHAINLINK FENCE
	PROPOSED SOLAR PANELS
	PROPOSED CONTOURS

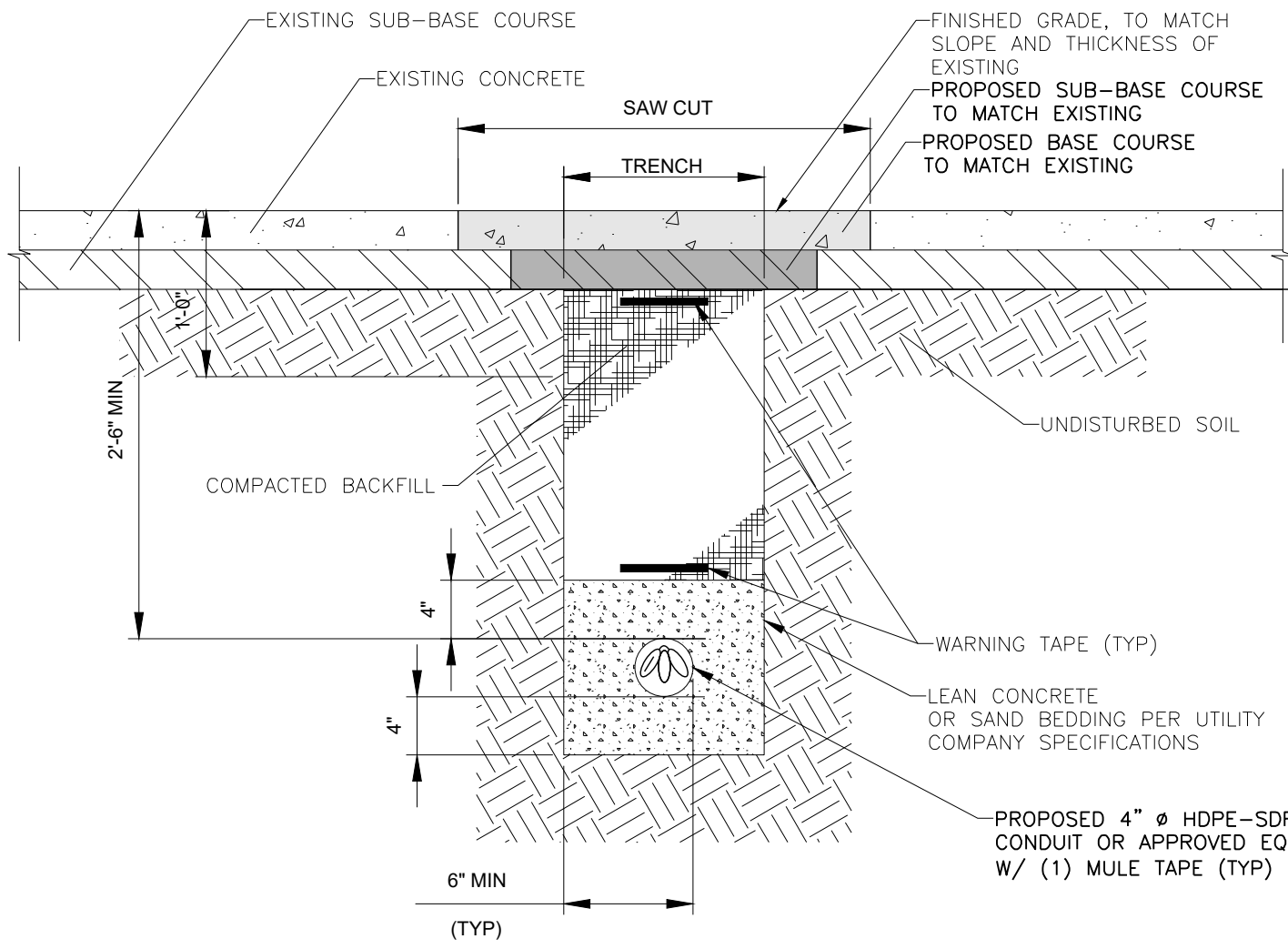


EROSION & SEDIMENT CONTROL PLAN
SCALE: 1" = 60'

EROSION AND SEDIMENT CONTROL NOTES

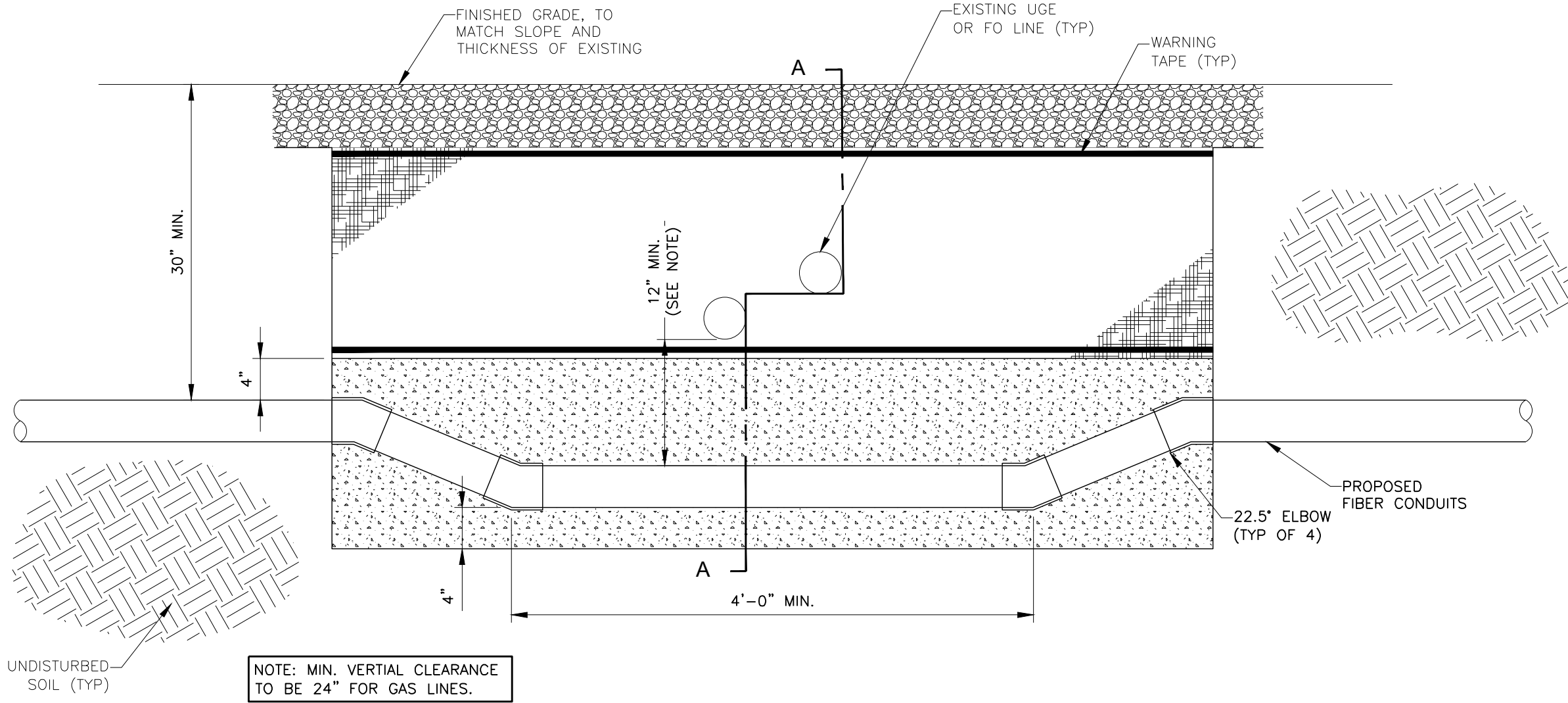
- In case of emergency, call (Responsible Person) at (24-Hour telephone).
- Pollution and erosion prevention measures, also known as Best Management Practices (BMPs), must be installed prior to grading. These measures, including the prevention of sedimentation or flood damage, to offsite property shall be adequate whether or not an erosion control permit is required.
- Eroded sediments and other pollutants must be retained onsite and may not be transported from the site via sheet flow, swales, area drains, natural drainage courses, or wind.
- Erosion Control devices shall be functioning at all times. In case of failure, rapid construction of emergency devices shall be implemented.
- Stockpiles of earth and other construction-related materials must be protected from being transported from the site by the forces of wind or water.
- Fuels, oils, solvents, and other toxic materials must be stored in accordance with their listing and are not to contaminate the soils and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.
- Excess or waste concrete must be contained onsite. Provisions shall be made to retain concrete wastes onsite until they can be disposed of as solid waste.
- Developers/contractors are responsible to ensure all Erosion Control Devices and BMPs are installed and functioning properly per plan. Proper precaution shall be considered when 50% or greater probability of predicted precipitation, and after actual precipitation. A construction site inspection checklist and inspection log shall be maintained at the project site at all times and available for review by the Building Official.
- Trash and construction-related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.
- Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.
- Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to inhibit erosion by wind and water.
- All silt and debris shall be removed from all devices within 24 hours after each rainstorm and be disposed of properly.
- All storm water capture devices shall be protected at all times.
- Erosion and sediment control practices should be in conformance with standard practice. The most common erosion control measures are:
 - Scheduling
 - Preservation of Existing Vegetation
 - Stockpile Management
 - Silt Fence
 - Fiber Rolls
 - Sandbag Barrier
 - Straw Bale Barrier
 - Storm Drain Inlet Protection
 - Concrete Waste Management
 - Vehicle and Equipment Fueling
 - Vehicle and Equipment Maintenance
 - Stabilized Construction Entrance/Exit
 - Wind Erosion Control
 - Entrance/Exit Tire Wash
- Dust shall be controlled by watering.

PROJECT	SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356	DRAWING TITLE EROSION & SEDIMENT CONTROL PLAN	SHEET NO. C6A	WORK ORDER # 11550.07	DEVELOPER: powerflex ED Renewables 855 THIRD AVENUE NEW YORK, NEW YORK 10022 WWW.POWERFLEX.COM	ENGINEER: Tectonic Engineering Consultants PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE. Phone: (949) 502-8805 2415 Campus Drive Irvine, CA 92612	SEAL 	REVISION DESCRIPTION	DATE	PM	ENG	CHK
								FOR COMMENT	05/22/24	JMP	GE	
								PER COMMENTS	07/24/24	JMP	GE	
								PER REV. STORM CALCULATIONS	03/12/25	JMP	GE	
PER COMMENTS	08/28/25	JMP	GE									

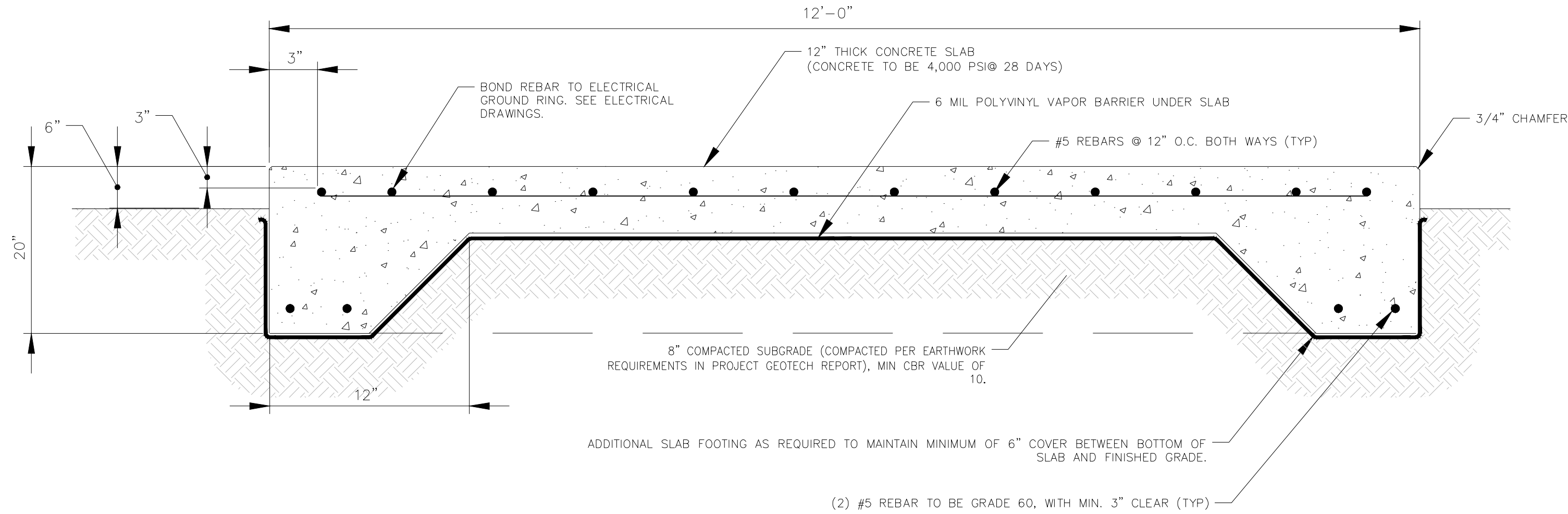


- NOTES:
1. BACKFILL SHALL BE CLEAN FILL WITHOUT STONES AND SHALL BE THOROUGHLY COMPACTED IN 12" LAYERS BY TAMPING OR APPROVED EQUAL METHOD. NO BELLING OF TRENCH SHALL BE ALLOWED.
 2. SCH 40 PVC CONDUIT SHALL BE USED BELOW GRADE.
 3. SCH 80 PVC CONDUIT SHALL BE USED UNDER ROADWAY.

1
C-8
TRENCHING DETAIL
SCALE: NTS

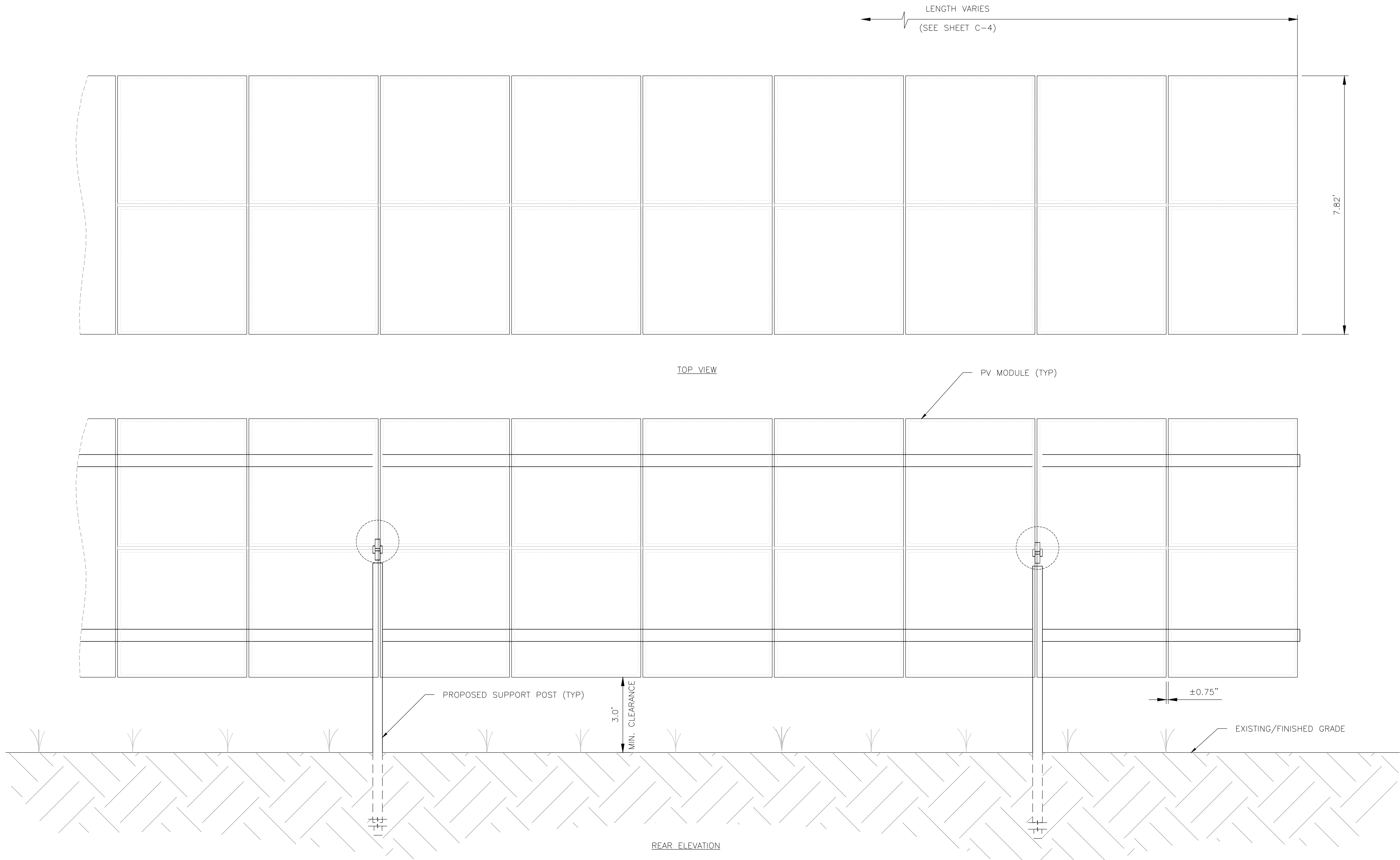


1
C-8
UTILITY BYPASS DETAIL
SCALE: NTS



3
C-8
CONCRETE SLAB DETAIL
SCALE: NTS

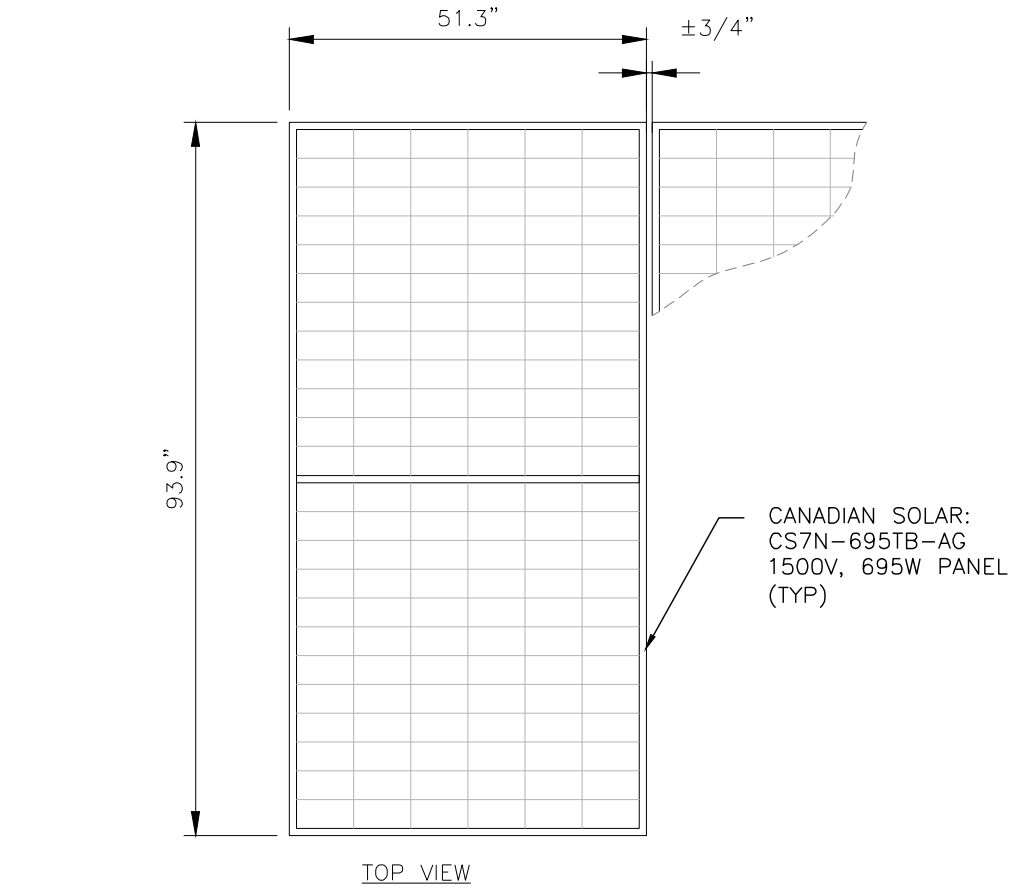
PROJECT	SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356	DRAWING TITLE DETAILS	WORK ORDER # 11550.07	SHEET NO. C7A	DEVELOPER: powerflex EDF Renewables 655 THIRD AVENUE NEW YORK, NEW YORK 10022 WWW.POWERFLEX.COM	PAGE SIZE 36" x 24"	ENGINEER Tectonic PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE. Tectonic Engineering Consultants 2415 Campus Drive Irvine, CA 92612 Phone: (949) 502-8805 www.tectonicengineering.com	SEAL REGISTERED PROFESSIONAL ENGINEER VINCENT J. CIVIL 00463 08/28/25	REVISION DESCRIPTION				PM	ENG	CHK
									DATE	FOR COMMENT	PER COMMENTS	PER REV STORM CALCULATIONS			
									05/22/24						
									07/24/24						
									03/12/25						
									08/28/25						



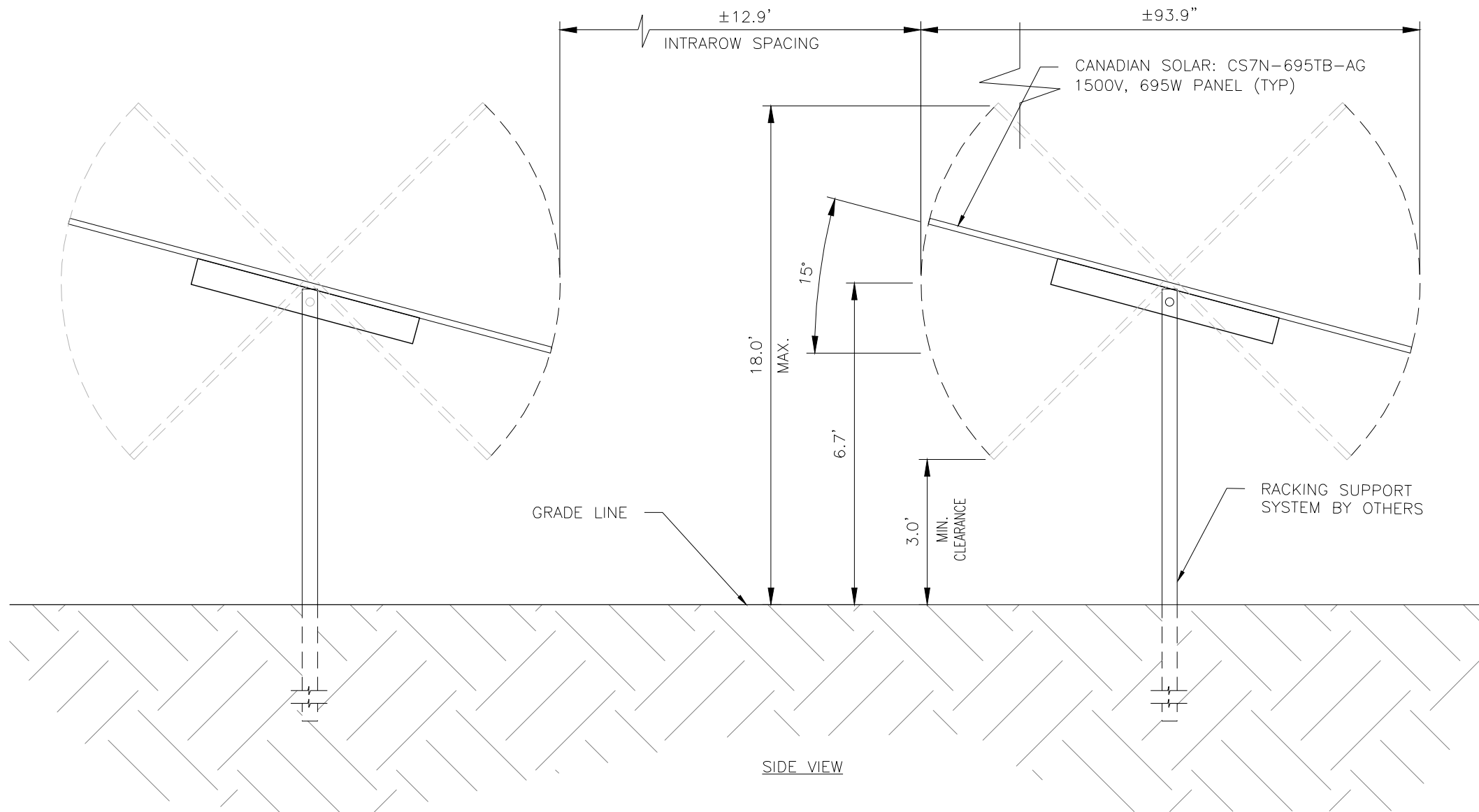
1
C-10

SOLAR PANEL DETAILS

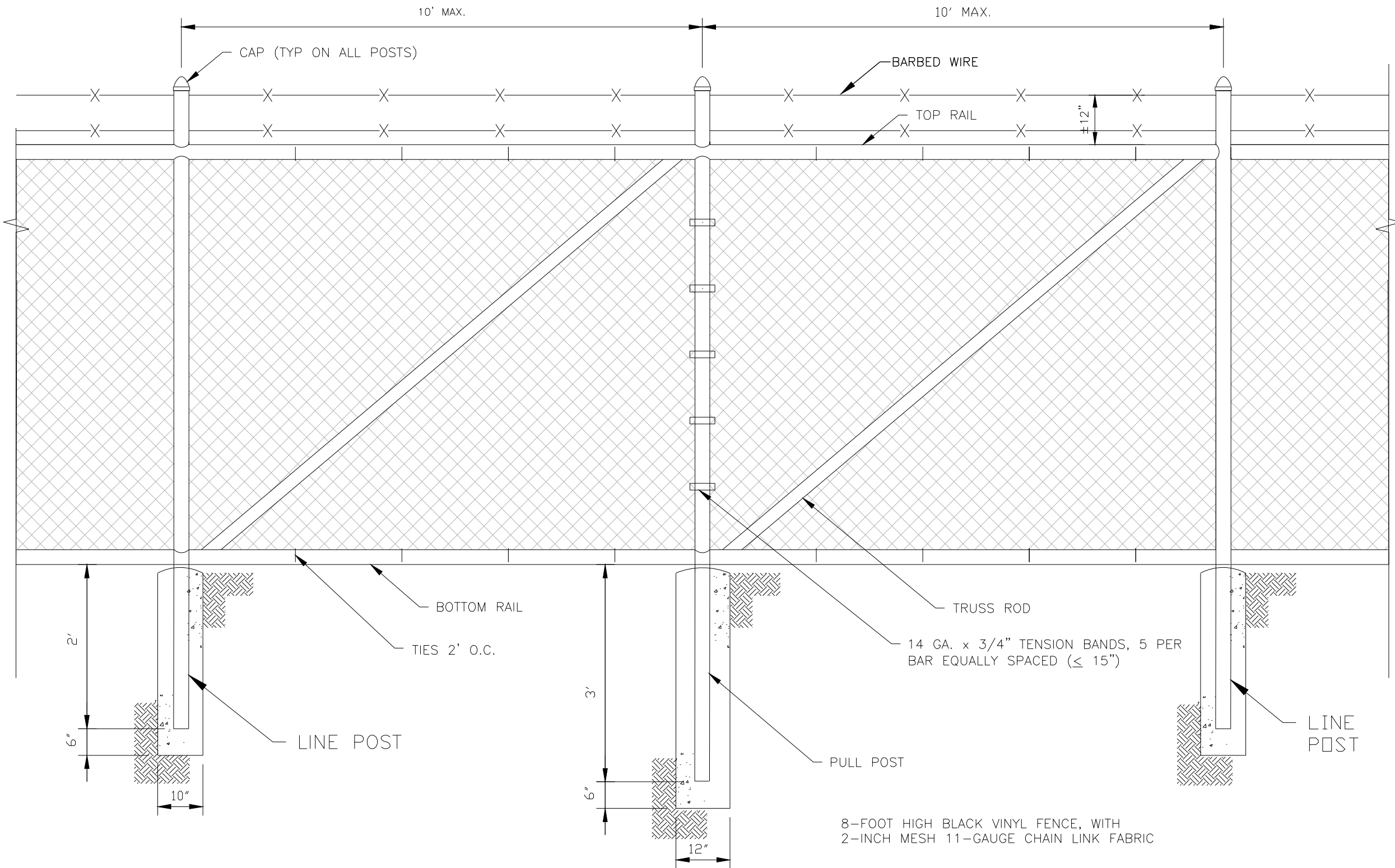
SCALE: NTS



RACKING	ORIENTATION	TILT	AZIMUTH	INTRAROW SPACING	# MODULES
SINGLE-AXIS TRACKERS	PORTRAIT (VERTICAL)	52° MAX.	180°	12.8 FT	9,592

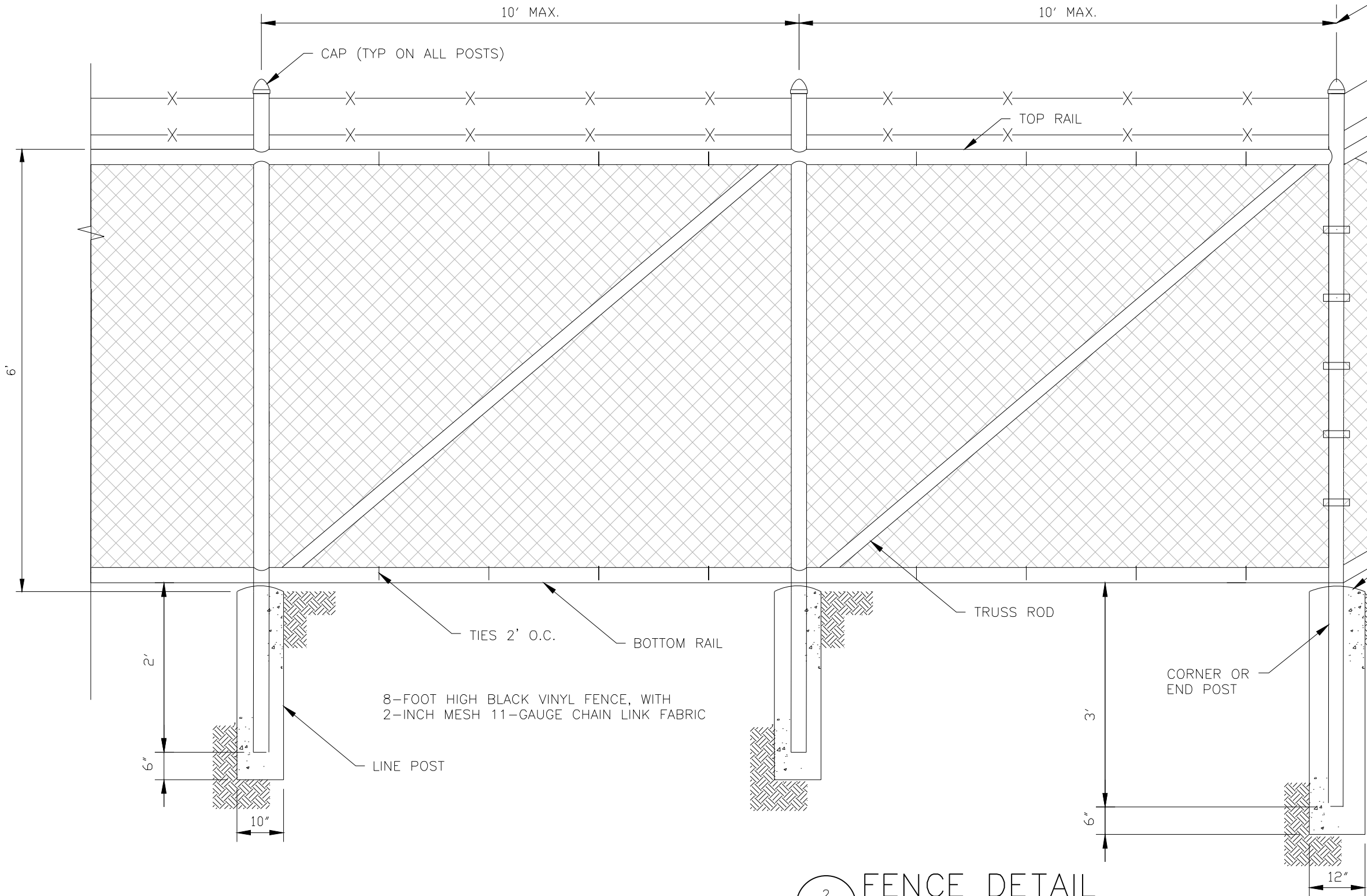


PROJECT	SOLAR GROUND MOUNT SYSTEM AT OMYA 7225 CRYSTAL CREEK ROAD LUCERNE VALLEY, CA 92356	
	DC SYSTEM SIZE: 6.66 MW AC SYSTEM SIZE: 2.25 MW MODULE TYPE: CS 695W MODULE QUANTITY: 9,592 ORIENTATION: 30° TILT, 180° AZIMUTH	
DRAWING TITLE PANEL ARRAY AND TRENCHING DETAILS		WORK ORDER # 11550.07
SHEET NO. C7B		
DEVELOPER:	 EDF Renewables 655 THIRD AVENUE NEW YORK, NEW YORK 10022 WWW.POWERFLEX.COM	PAGE SIZE 36" x 24"
ENGINEER	 Tectonic Engineering Consultants PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE. 2415 Campus Drive Irvine, CA 92612 Phone: (949) 262-8805 www.tectoniceengineering.com	REVISION DESCRIPTION DATE 05/22/24 FOR COMMENT - JMP GE 07/24/24 PER COMMENTS - JMP GE 03/12/25 PER REV. STORM CALCULATIONS - JMP GE 08/28/25 PER COMMENTS - JMP GE
SEAL		

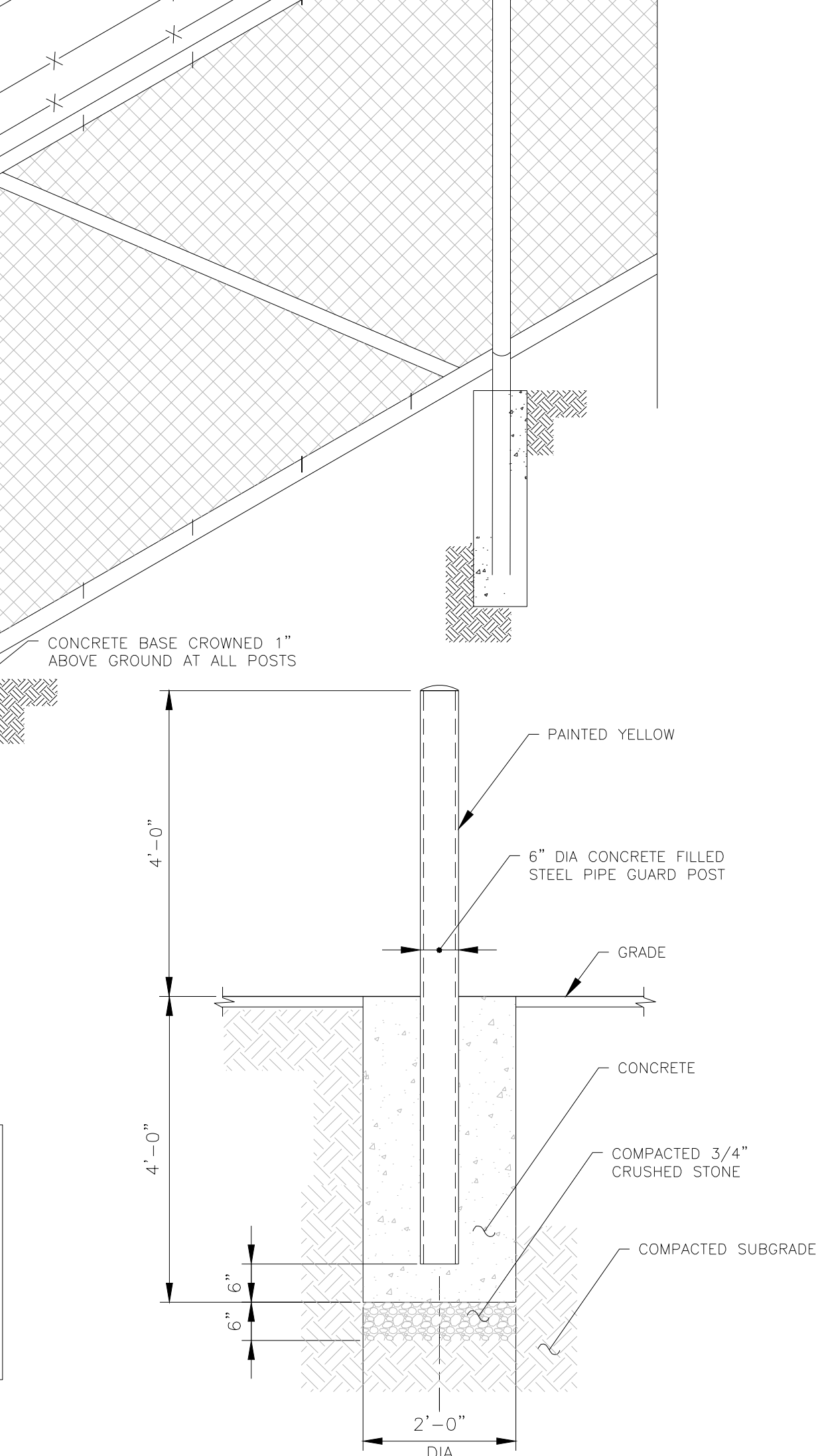


1 FENCE DETAIL
C-9B SCALE: NTS

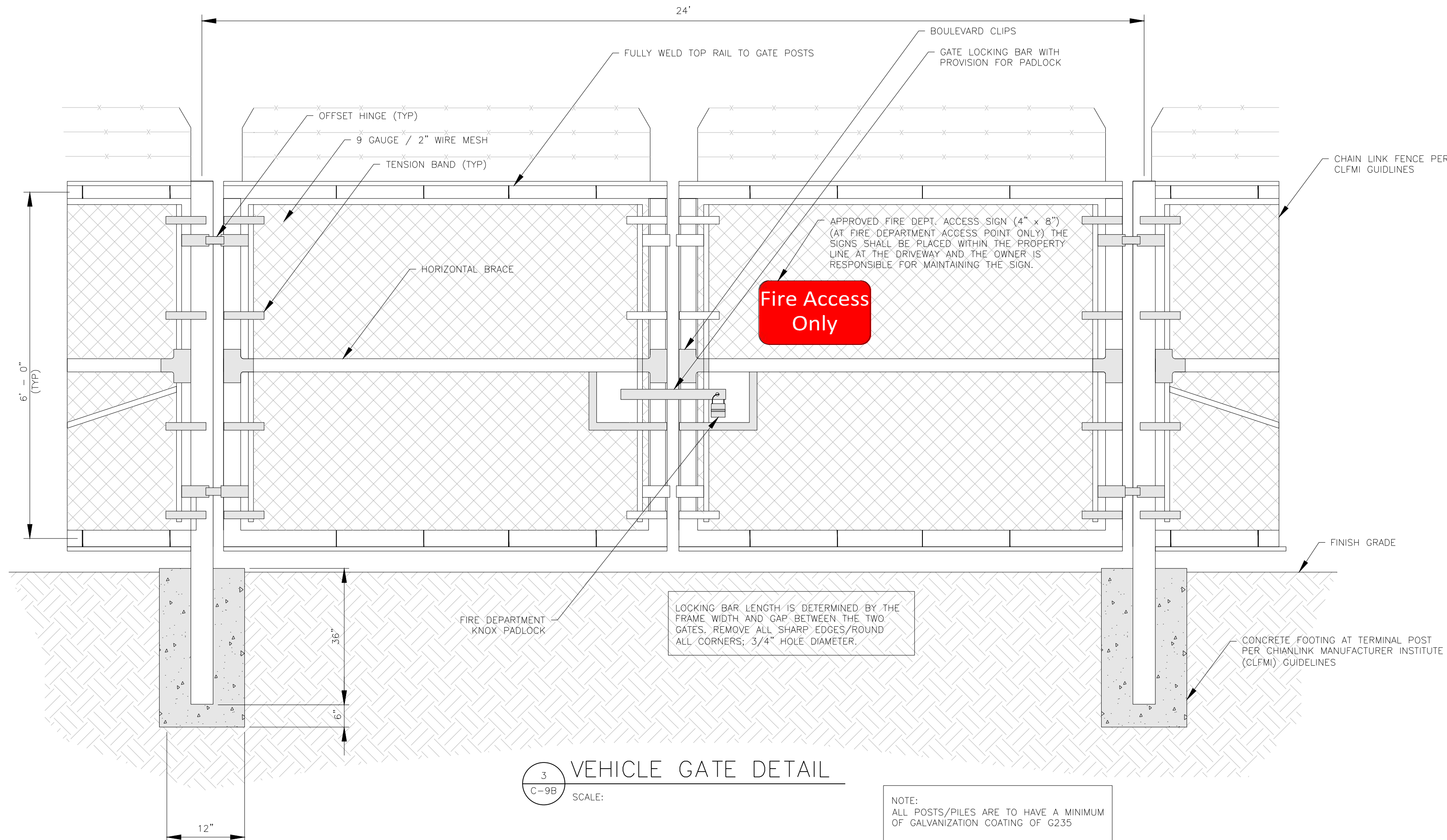
NOTE:
RAZOR WIRE TO BE
INSTALLED IF NEEDED.



2 FENCE DETAIL
C-9B SCALE: NTS



4 BOLLARD DETAIL
C-9B SCALE: NTS
(IF NEEDED)



3 VEHICLE GATE DETAIL
C-9B SCALE:

NOTE:
ALL POSTS/PILES ARE TO HAVE A MINIMUM
OF GALVANIZATION COATING OF G235



A CLEARLY VISIBLE WARNING SIGN
CONCERNING VOLTAGE MUST BE PLACED
AT THE FENCED EQUIPMENT AREA.

SITE MANAGED BY:

powerflex
EDF Renewables

(760) 248-5200
SITE NAME: OMYA LUCERNE VALLEY

A SIGN NOT TO EXCEED EIGHT S.F. SHALL BE DISPLAYED
ON OR NEAR THE MAIN ACCESS POINT AND SHALL LIST
THE FACILITY NAME, OWNER AND TELEPHONE NUMBER.

5 SIGNS
C-9A SCALE: NTS

KNOX
When security matters™

KNOXBOX® 3200

The KnoxBox 3200 is the number one high-security key lock box trusted by first responders and property owners. Store up to 10 keys to quickly gain rapid access to commercial properties.

Available in 3 colors:
Black, Aluminum, Dark Bronze

FEATURES

- Stores maximum 10 keys. Access cards and small entry items may also fit in interior compartment but will reduce max key quantity.
- Built Knox Rugged and secure. UL 1937, UL 1610, UL 1932, UL 637
- Finished with Knox-Coat® to protect four times better than standard powder coat
- Weather-resistant door gasket
- Hinged door

BENEFITS

- Allows rapid property access
- Reduces property damage
- Prevents forced entry into buildings
- Minimizes first responder injury
- Compliant to National Fire Code (NFPA, IFC, IBC)

OPTIONS

- Knox Tamper Alert connects to building's alarm system for extra security
- Mount types: Recessed and Surface
- 3 color options: Black, Aluminum, Dark Bronze

ACCESSORIES

- Multi-Purpose Switch for use on electrical doors, gates and other electrical equipment
- Recess Mounting Kit for new concrete or masonry construction
- Public Safety Labels
- Trap-Out Tamper Alerts
- Key Rings

ORDERING SPECIFICATIONS

To insure procurement and delivery of the KnoxBox 3200, it is suggested that following identification paragraph is used:

KnoxBox surface/recessed mount with hinged door, without UL Listed Knox Tamper Alert, 18" plate steel housing, 10" thick steel door with interior gasket seal and stainless steel door hinge, box and lock UL Listed Lock has 18" thick stainless steel dead cover with tamper and mounting capability.

Exterior Dimensions: Surface Mount Body - 41" x 57" x 3-7/8"

Recessed Mount Flange - 7 1/4" x 7 1/4"

Lock: UL Listed, Double-action rotating tumblers and hardened steel pins accessed by a braided out key.

Finish: (see Color prep/assembly finishing process)

Color: Black, Dark Bronze or Aluminum

PN: KnoxBox 3200 (info call ID)

It's a Name. A KNOX COMPANY

KNOX
When security matters™

KNOXBOX® 3200

GENERAL MOUNTING INSTRUCTIONS

Suggested minimum mounting height, 6 feet above ground.

ATTENTION: KnoxBox is a very strong device that MUST be mounted properly to ensure maximum security and resist physical attack.

RECESS MOUNTING KIT AND INSTALLATION INSTRUCTIONS

The Recess Mounting Kit (RMK) includes shell housing and mounting hardware, which may only be used for recessed models to install in place within new concrete or masonry construction. The KnoxBox is mounted into the shell housing after construction is completed.

RECESS MOUNTING KIT DIMENSIONS

Rough-in Dimensions: 6-1/2" H x 12" W x 3" D

IMPORTANT:

Care should be taken to ensure the front of the Recess Mounting Kit (RMK) shell housing, including the cover plate and corner heads, is flush with the wall. The RMK must be plumbed to ensure vertical alignment of the box.

ABOUT KNOX COMPANY

Over forty years ago, a unique concept in rapid access for emergency response was born. The KnoxBox®, a high-security key lock box, was designed to provide rapid access for emergency responders to reduce response times, minimize injuries and protect property from forced entry.

Today one revolutionary lock box has grown into a complete system providing rapid access for public safety agencies, industries, military, and property owners across the world. The Knox Company is trusted by over 14,000 fire departments, law enforcement agencies, and governmental entities.

KNOX COMPANY
1601 W. DEER VALLEY RD
PHOENIX, AZ 85027
T: 800.552.5669
F: 623.687.2290
KNOXBOX.COM
INFO@KNOXBOX.COM

BOUNDARY AND ENCUMBRANCE MAP

UNINCORPORATED AREA, COUNTY OF SAN BERNARDINO, STATE OF CALIFONRIA

PROPERTY DESCRIPTION

REAL PROPERTY IN THE CITY OF LUCERNE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

TRACT: I (0446-033-39)

GOVERNMENT LOTS 3 AND 4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN ACCORDING TO THE OFFICIAL PLAT THEREOF AND LYING SOUTHWEST OF THE RAILROAD.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, A KANSAS CORPORATION, BY DEED RECORDED MAY 10, 1956 IN BOOK 3934, PAGE 484 OFFICIAL RECORDS.

TRACT: II (0446-033-08)

THE WEST 1/2 OF THE EAST 1/2 OF THE NORTH 1/2 OF GOVERNMENT LOT 5 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO GOVERNMENT SURVEY.

EXCEPTING 3% OF ALL OIL AND MINERAL RIGHTS AS RESERVED IN DEED FROM LOUIS L. BARR, ET UX, TO PRESTON H. PORTER, ET UX, RECORDED APRIL 8, 1955, IN BOOK 3615, PAGE 271, OFFICIAL RECORDS.

TRACT: III (0446-033-09)

THE EAST 1/2 OF THE EAST 1/2 OF THE NORTH 1/2 OF LOT 5 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, OFFICIAL RECORDS OF SAID COUNTY APPROVED BY THE SURVEYOR GENERAL JULY 20, 1896.

TRACT: IV (0446-033-17)

THE SOUTH 1/2 OF LOT 5 AND THE SOUTH 1/2 OF LOT 6 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY. EXCEPTING THEREFROM THE EAST 1/2 OF THE SOUTH 1/2 OF LOT 6.

TRACT: V (0446-033-18)

THE NORTH ONE-HALF OF LOT 11 AND THE NORTH ONE-HALF OF LOT 12, OF THE NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SAN BERNARDINO COUNTY RECORDER.

TRACT: VI (0446-033-19)

THE SOUTH 1/2 OF LOTS 11 AND 12, SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

APN: 0446-033-39 AND 0446-033-08 AND 0446-033-09 AND 0446-033-17 AND 0446-033-18 AND 0446-033-19

EXISTING EASEMENTS

THE FOLLOWING MATTERS AFFECT TRACT: I (0446-033-39):

ITEMS 1 THROUGH 8 ARE NOT SURVEY-RELATED MATTERS

(8) AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 14, 1956 AS BOOK 3963, PAGE 382 OF OFFICIAL RECORDS.

[SAID EASEMENT DOES NOT AFFECT TRACT I]

ITEM 9 IS NOT A SURVEY-RELATED MATTER

(10) AN EASEMENT FOR ELECTRIC SERVICE LINES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED OCTOBER 03, 1978 AS BOOK 9530, PAGE 1613 OF OFFICIAL RECORDS.

THE FOLLOWING MATTERS AFFECT TRACT: II (0446-033-08):

(11) A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED JULY 14, 1949 IN BOOK 2432 OF PATENTS, PAGE 568.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[SAID RIGHTS ARE BLANKET IN NATURE.]

(12) AN EASEMENT FOR ROAD AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 4277, PAGE 523 OF OFFICIAL RECORDS.

13. THE LACK OF A RIGHT OF ACCESS TO AND FROM THE LAND.

THE FOLLOWING MATTERS AFFECT TRACT: III (0446-033-09):

(14) A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED IN BOOK 2432 OF PATENTS, PAGE 568.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[SAID RIGHTS ARE BLANKET IN NATURE.]

(15) AN EASEMENT FOR ROAD AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 4277, PAGE 523 OF OFFICIAL RECORDS.

(16) AN EASEMENT FOR ROAD AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 4277, PAGE 524 OF OFFICIAL RECORDS.

17. AN EASEMENT FOR INGRESS AND EGRESS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 7735, PAGE 779 OF OFFICIAL RECORDS.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[SAID DOCUMENT IS A RELEASE OF LIEN AND IS NOT AN EASEMENT]

18. THE LACK OF A RIGHT OF ACCESS TO AND FROM THE LAND.

THE FOLLOWING MATTERS AFFECT TRACT: IV (0446-033-17):

(19) A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED IN BOOK 2432 OF PATENTS, PAGE 568.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[SAID RIGHTS ARE BLANKET IN NATURE.]

(20) AN EASEMENT FOR NONE SHOWN AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED SEPTEMBER 22, 1977 AS BOOK 9268, PAGE 202 OF OFFICIAL RECORDS.

(21) AN EASEMENT FOR HIGHWAY AND ROAD AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED APRIL 16, 1981 AS INSTRUMENT NO. 81-82792 OF OFFICIAL RECORDS.

THE FOLLOWING MATTERS AFFECT TRACT: V (0446-033-18):

(22) AN EASEMENT FOR HIGHWAY AND ROAD AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED OCTOBER 15, 1990 AS INSTRUMENT NO. 90-409713 OF OFFICIAL RECORDS.

THE FOLLOWING MATTERS AFFECT TRACT: VI (0446-033-19):

(23) A RIGHT OF WAY FOR DITCHES AND CANALS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED JULY 14, 1949 IN BOOK 2432 OF PATENTS, PAGE 568.

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[SAID RIGHTS ARE BLANKET IN NATURE.]

(24) AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 5675, PAGE 632 OF OFFICIAL RECORDS.

[CENTERLINE OF EASEMENT IS PLOTTED HEREON; THE WIDTH OF SAID EASEMENT IS NOT SPECIFIED WITHIN SAID DOCUMENT]

THE FOLLOWING MATTERS AFFECT TRACT I TO VI:

25. RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE LAND LYING WITHIN ANY ROAD, STREET, ALLEY OR HIGHWAY.

26. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

ITEM 27 IS NOT A SURVEY-RELATED MATTER.

BASIS OF BEARINGS

THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83) ZONE V, RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (2017.50 EPOCH GPS ADJUSTMENT), BASED ON STATIC GPS TIES TO TWO CONTINUOUS GPS STATIONS (CGPS) REFERRED TO AS "P598" AND "P606", BEING NORTH 28°12'47" WEST BASED ON POSITIONS PUBLISHED IN THE CALIFORNIA SPATIAL REFERENCE CENTER.

DATUM STATEMENT

ALL DISTANCES SHOWN ARE GROUND, UNLESS OTHERWISE NOTED. TO OBTAIN GRID, MULTIPLY GROUND DISTANCE BY A COMBINED FACTOR OF 0.9997404788.

BENCHMARK

NATIONAL GEODETIC SURVEY BENCHMARK POINT ID "EVO564"

DESIGNATION: BENCHMARK DISK STAMPED "T 1152 1961"

ELEVATION: 3033.52 FEET [DATUM: NAVD 88]

LOCATION: DESCRIBED BY COAST AND GEODETIC SURVEY 1961 1 MI SE FROM LUCERNE VALLEY, 1.0 MILE SOUTHEAST ALONG STATE HIGHWAY 18 FROM THE JUNCTION OF OLD WOMAN SPRINGS ROAD AT LUCERNE VALLEY, 0.05 MILE NORTHWEST OF THE JUNCTION OF EL DORADO ROAD, 43 FEET NORTHEAST OF THE CENTER LINE OF THE HIGHWAY, 30 FEET WEST-SOUTHWEST OF THE CENTER LINE OF LADERA ROAD, 4 FEET NORTHWEST OF POWER LINE POLE 88299, 2.0 FEET SOUTHEAST OF A WITNESS POST, ABOUT 2 1/2 FEET HIGHER THAN THE HIGHWAY, AND SET IN THE TOP OF A CONCRETE POST PROJECTING 0.6 FOOT ABOVE THE GROUND.

SITE ADDRESS

7225 CRYSTAL CREEK ROAD, LUCERNE VALLEY, CALIFORNIA 92356

DATE OF SURVEY

THE TOPOGRAPHIC SURVEY OF THE AREA SHOWN ON THIS PLAT WAS SURVEYED ON APRIL 09, 2024.

SURVEYOR'S NOTES

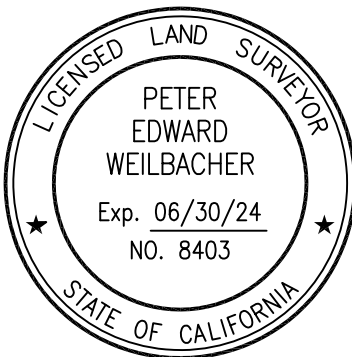
1. THE PURPOSE OF THIS SURVEY IS TO LOCATE AND PREPARE A TOPOGRAPHIC SURVEY OF THE AREA SHOWN AS SPECIFIED BY THE CLIENT.

2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY PBLA SURVEYING, INC. OR THE SURVEYOR TO DETERMINE OWNERSHIP OF THIS PARCEL OR TO VERIFY THE DESCRIPTIONS PROVIDED. PARCEL LINES ARE SHOWN AS REFERENCE PER RECORD INFORMATION AND DOES NOT CONSTITUTE OR PURPORT TO BE A BOUNDARY SURVEY.

3. PLOTTED EASEMENTS IN THE SURVEY AREA SHOWN HEREON PER SCHEDULE B OF FIRST AMERICAN TITLE INSURANCE COMPANY, GUARANTEE NO. 7102891, DATED MARCH 19, 2024.

SURVEYOR'S STATEMENT

I HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA, THAT THIS MAP CONSISTING OF 1 SHEET REPRESENTS A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY DIRECTION IN APRIL, 2024

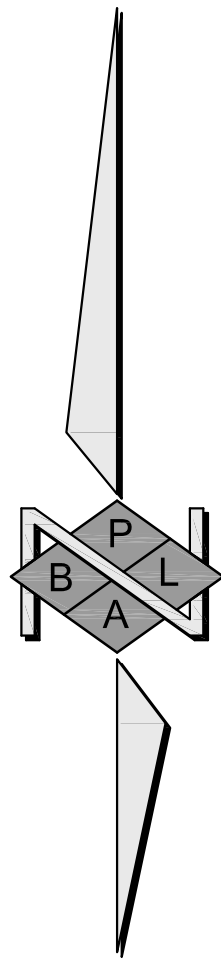


PETER E. WEILBACHER, PLS 8403
EXPIRES 06-30-24

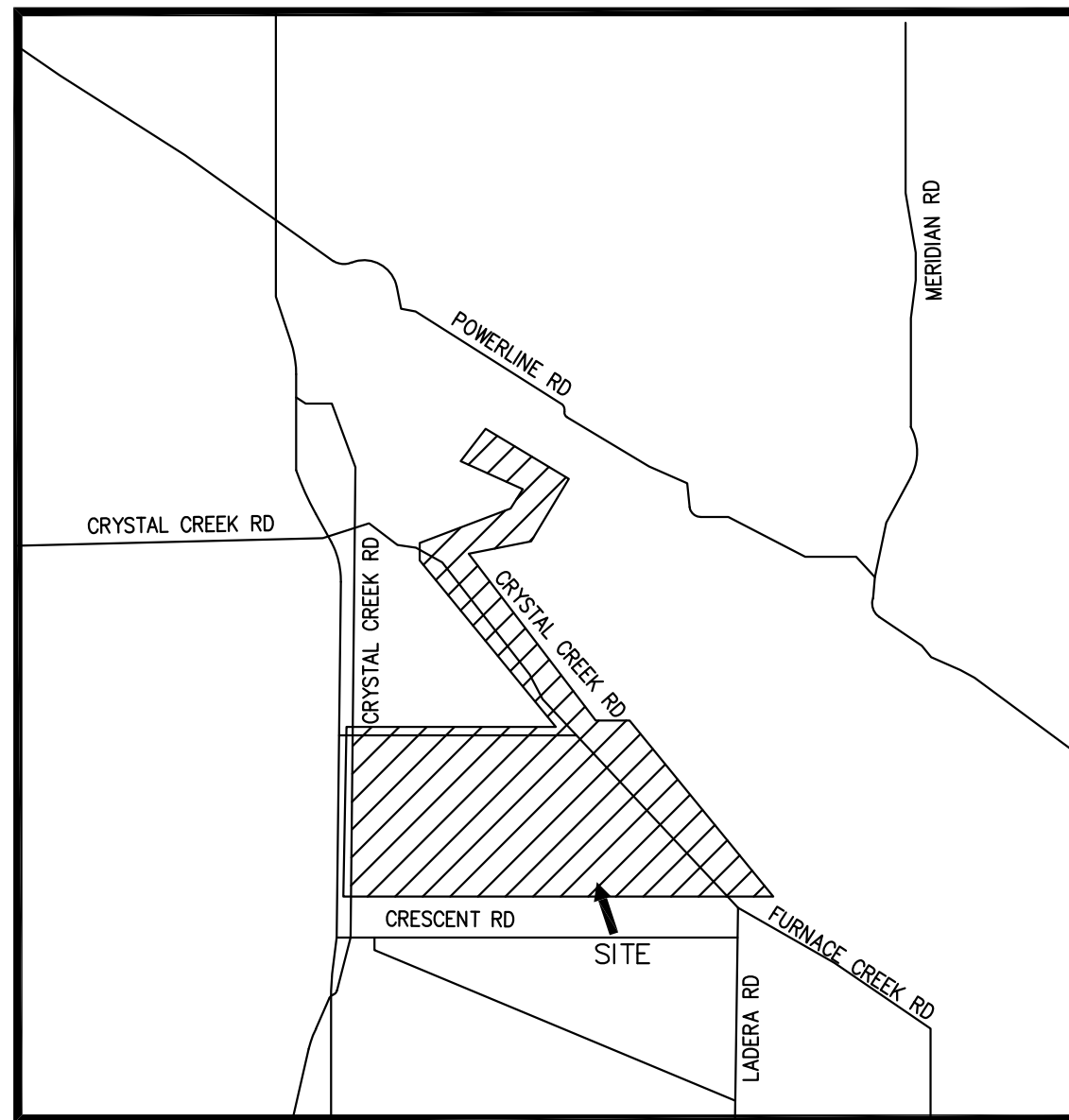
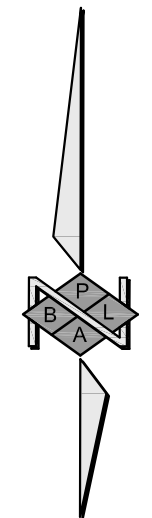
May 17 2024
DATE:

LEGEND

	TRACT LINE
	STREET CENTERLINE
	BOUNDARY LINE
	EASEMENT SIDELINE
	EASEMENT C/L
	LOT/PARCEL LINE
	CHAIN LINK FENCE
	1 FOOT CONTOUR INTERVAL
	5 FOOT CONTOUR INTERVAL



GRAPHIC SCALE
1 INCH = 150 FEET



VICINITY MAP
NOT TO SCALE

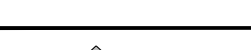
PREPARED BY:		DATE	BY	REVISION	APP'D	JOB NO.
	PBLA SURVEYING, INC.	05/03/2024	ES	FIRST RELEASE	PW	5061-1
	Planning • Engineering • Surveying	05/17/2024	ES	SECOND RELEASE - BOUNDARY, EASEMENT ADDED	PW	
	981 CORPORATE CENTER DR., STE. 168					
	POMONA, CALIF. 91768					
(888) 714-9642 • (714)389-9191 FAX						Sht. 1 of 1

EXHIBIT E

Finalized Waiver Request
SIW-2025-00005



Land Use Services Department and Department of Public Works

REQUEST FOR APPROVAL OF WAIVER OR MODIFICATION OF DEDICATION AND/OR STREET IMPROVEMENT REQUIREMENTS

Director Initiated: ☐ LUS ☐ DPW ☒ Applicant

Project Details

Waiver/Modification Record: SIW-2025-00005

Waiver/Modification Date: 07/08/2025

Planning Record: PROJ-2024-00165

APN: 0446-033-17, -18 & -19

Requestor/Applicant Name: Powerflex

Mailing Address: 15545 Innovation Drive San Diego, CA, 92128

Waiver/Modification Request

The applicant submitted a waiver application requesting the Department to consider waiving the road dedications and perimeter paved access improvements along the southerly property line of parcel of APN 044603319 (Crescent Road) and easterly property lines of parcels with APN 0446-033-18 and 0446-033-19. The applicant also requests for the Department to consider waiving the paved access requirements along Crystal Creek Road to the nearest county-maintained road.

Development Code Requirements

The project is being processed as a Conditional Use Permit for a proposed Commercial Solar Energy Facility across one 29.04 acre parcel (APN: 0446-033-17) and two 38.95 acre parcels (APN:0446-033-18 & 0446-033-19).

The southerly and easterly property lines of APN's 0446-033-18 /19 are on a quarter section line. Per Section 83.05.030 of the San Bernardino County Development Code (Desert Region), a 44-foot half-width right-of-way dedication is required. Per Table 83-11 of Section 83.09.050 of the San Bernardino County Development Code, perimeter paved access along the southerly property line of APN 0446-033-19 and easterly property lines of APN 0446-033-18 and 0446-033-19 is required.

The westerly property line is adjacent to Crystal Creek Road (perimeter road abutting the subject property) and is classified as a local street in the Desert Region. Per Table 83-20 of Section 83.12.030 of the San Bernardino County Development Code a 30-foot half-width dedication is required. Per Table 83-11 of Section 83.09.050 of the San Bernardino County Development Code, street improvement perimeter paved access along Crystal Creek Road is required.

Additional dedications and street improvements not listed hereon shall not be considered for waiver or modification.

Findings and Justifications

Dedication along the easterly property lines of APNs 0446-033-18 and 0446-033-19 and, southerly property line of APN 0446-033-19 is required to provide legal access to adjacent parcels to the east and north of the subject

parcels. The request to waive perimeter paved access along the southerly property line of APN 0466-033-19 and easterly property lines of APNs 0446-033-18 and 0446-033-19 do not conflict with the required findings to approve the request. The request to waive perimeter paved access along Crystal Creek Road does not conflict with the required findings to approve the request under the condition that access to the project during and after construction will only be available from the adjacent parcels to the north (APNs 0446-033-39 and 0446-033-06). Crystal Creek Road will not be used as daily access to the project but will only be allowed access for emergency services.

- Approval of the waiver request to waive the paved access roads as described above would not adversely affect the environment, public health, or safety since road conditions will be consistent with adjacent parcels.
- The waiver would not create a financial impact to the County or the San Bernardino County Flood District since access to the solar project will not be permitted from Crystal Creek Road. Maintenance of the county-maintained road (Crystal Creek Road) will not be affected by the project.
- The waiver or modification is not based solely on the financial hardship of the applicant but intended to keep the current surrounding areas consistent.
- The waiver would not conflict with other County departments or notified agencies since there are no plans to expand/continue development the existing abutting streets in the future. However, the required road dedication will provide legal access to surrounding parcels.
- There is good cause shown for the waiver that would serve a public purpose while complying with Development Code standards when developing adjacent to county-maintained roads.

Waiver/Modification Outcomes

- 1) Approval of this application waives the perimeter paved access requirements along the southerly property line of APN 0446-033-19, easterly property lines of APNs 0446-033-19 and 0446-033-18, as well as the westerly property lines of APNs 0446-033-017, 0446-033-018 and 0446-033-018 (Crystal Creek Road).
- 2) The request to waive the road dedications along the southerly property line of APN 0446-033-19 and easterly property lines of APNs 0446-033-19 and 0446-033-18 is not supported.

Review of Findings Required Pursuant to 83.05.070(a)(1) to waive the paved access road requirements along the southerly property line of APN 0446-033-19, easterly property lines of APNs 0446-033-18 /-19 and westerly property lines of APNs 0446-033-17/-18/-19.

Approved	Denied	Description
✓	☐	The waiver or modification will not adversely affect the environment, public health, or safety.
✓	☐	The waiver or modification would not create a financial impact to the County of San Bernardino or the San Bernardino County Flood Control District within ten (10) years from the date of the waiver or modification.
✓	☐	The request for a waiver or modification is not based solely on the financial hardship to the applicant.
✓	☐	The waiver or modification would not conflict with other County departments or notified agencies.
✓	☐	There is good cause shown for the waiver or modification and such waiver or modification would serve a public purpose.

Conclusion

According to Section 83.05.070 of the Development Code, Waiver or Modification of Street Improvements and Right-of-Way Dedication of PROJ-2024-00165 as explained above is hereby:

Approved

☒

Denied

Mark Wardlaw

Mark Wardlaw, Director
Land Use Services Department

7/24/2025

Date

XX
bcm
[Signature]

Noel Castillo, Director

Department of Public Works

7/30/25

Date

PowerFlex Solar, LLC
75 Broad Street
New York, NY 10004

February 10, 2025

Re: **REQUEST FOR APPROVAL OF WAIVER OR MODIFICATION OF DEDICATION AND/OR STREET IMPROVEMENTS; PROJ-2024-00165**

Powerflex, LLC is requesting a waiver for the following conditions that were noted in a memo from Eanas Shanabo, LD Project Manager, Land Use Services, entitled "ROAD AND DRAINAGE CONDITIONS – CONDITIONAL USE PERMIT (CUP) APPLICANT: POWERFLEX; APN: 044603308, 09, 17, 18, 19, 39; PROJ-2024-00165," dated January 31, 2025.

Parcel 044603317

Northerly Property Line (Sixteenth Section Line – 60 feet)

1. Road Dedication. A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet.
2. Road Dedication. A 20-foot grant of easement is required at the intersection of Northerly Property Line and Crystal Creek Road Property Line.

Crystal Creek Road / Westerly Property Line (Local Street – 60 feet)

1. Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

Parcel 044603318

Crystal Creek Road / Westerly Property Line (Local Street – 60 feet)

1. Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

Southerly Property Line (Quarter Section Line – 88 feet)

1. Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
2. Road Dedication. A 35-foot grant of easement is required at the intersection of Crystal Creek Road and Southerly Property Line.

Ladera Road/ Easterly Property Line (Quarter Section Line – 88 feet)

1. Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
2. Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Southernly Property Line.
3. Perimeter Paved Access Road. This project is required to have a perimeter access paved road per San Bernardino Development Code Chapter 83.09.050 table 83-11.

Parcel 044603319

Northerly Property Line (Quarter Section Line – 88 feet)

1. Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.

Crescent Road/Southernly Property Line (Section Line – 88 feet)

1. Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
2. Road Dedication. A 35-foot grant of easement is required at the intersection of Crescent Road and Crystal Creek Road Property Line.
3. Perimeter Paved Access Road. This project is required to have a perimeter access paved road per San Bernardino Development Code Chapter 83.09.050 table 83-11.

Ladera Road/Easterly Property Line (Quarter Section Line – 88 feet)

1. Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
2. Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Crescent Road.
3. Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Southernly Property Line.
4. Perimeter Paved Access Road. This project is required to have a perimeter access paved road per San Bernardino Development Code Chapter 83.09.050 table 83-11.

Crystal Creek Road/ Westerly Property Line (Local Street – 60 feet)

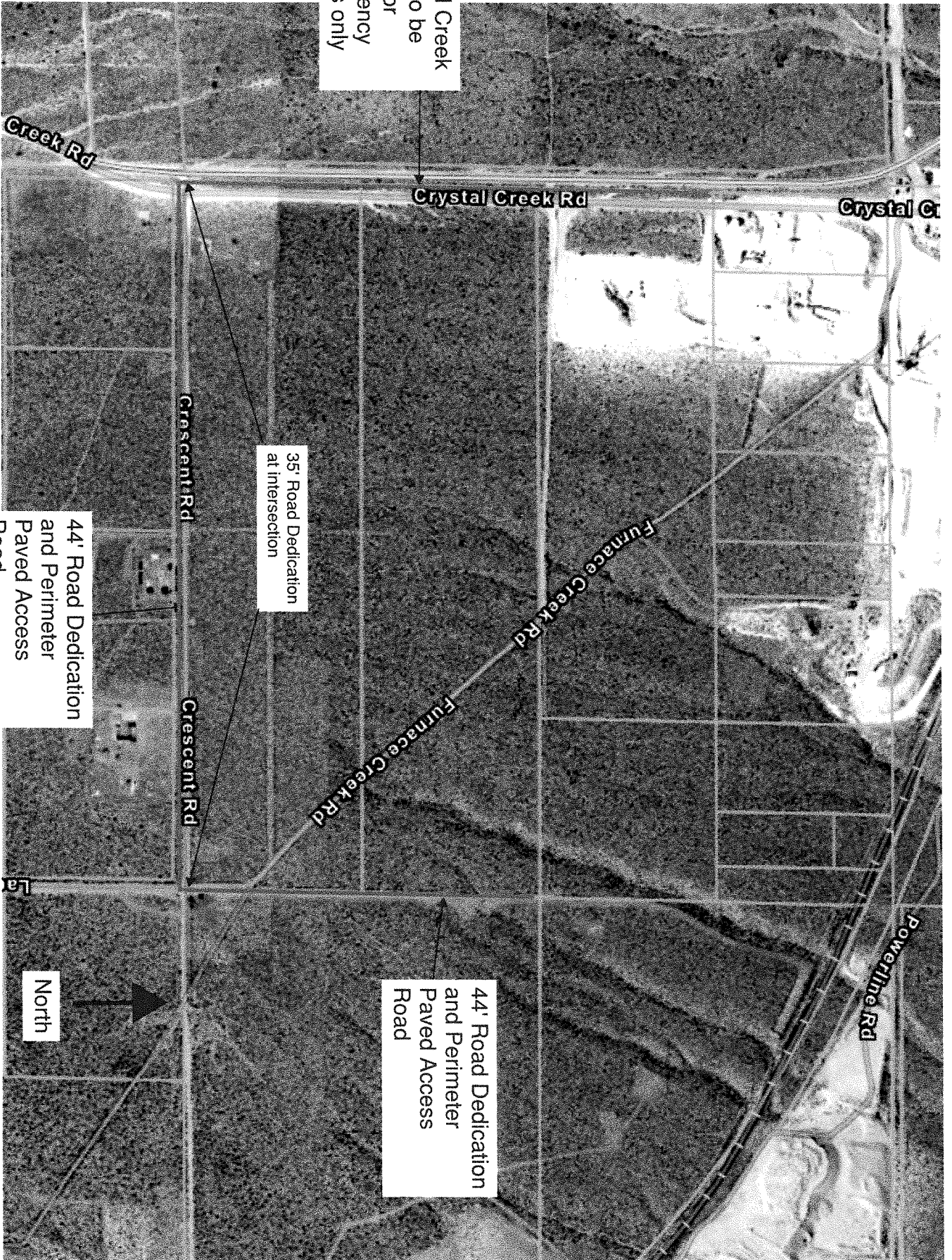
1. Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Southernly Property Line.
2. Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

Streetlights. This project lies within the streetlight district boundary of County Service Area 70, Zone SL-1. Due to the projected use of the property, streetlighting may be required. If this project requires streetlights as conditioned by San Bernardino County Department of Public Works Special Districts Streetlighting Section, streetlight plans will be submitted directly to Special

Districts, but all streetlights must be shown on the street improvement plans submitted to Land Development. Please contact (909) 386-8821 for requirements or for additional information.

Justification:

There are no improved paved streets anywhere in the vicinity of our project, only dirt roads. There is also no residential, commercial, or industrial development in the vicinity of our project, except for our own mining operation. Our project involves the installation of ground-mounted solar panels, which does not generate any vehicular trips that would warrant any off-site improvements, including paved roadways and streetlights. Any additional impervious surface will only create large volumes of stormwater that would require unnecessary land disturbance for drainage and stormwater management, which is an unneeded environmental impact. Off-site improvements should only be required when absolutely needed and warranted, and in this case, they are not.



Crystal Creek
Road to be
used for
emergency
access only

35' Road Dedication
at intersection

44' Road Dedication
and Perimeter
Paved Access
Road

44' Road Dedication
and Perimeter
Paved Access
Road

North



THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.

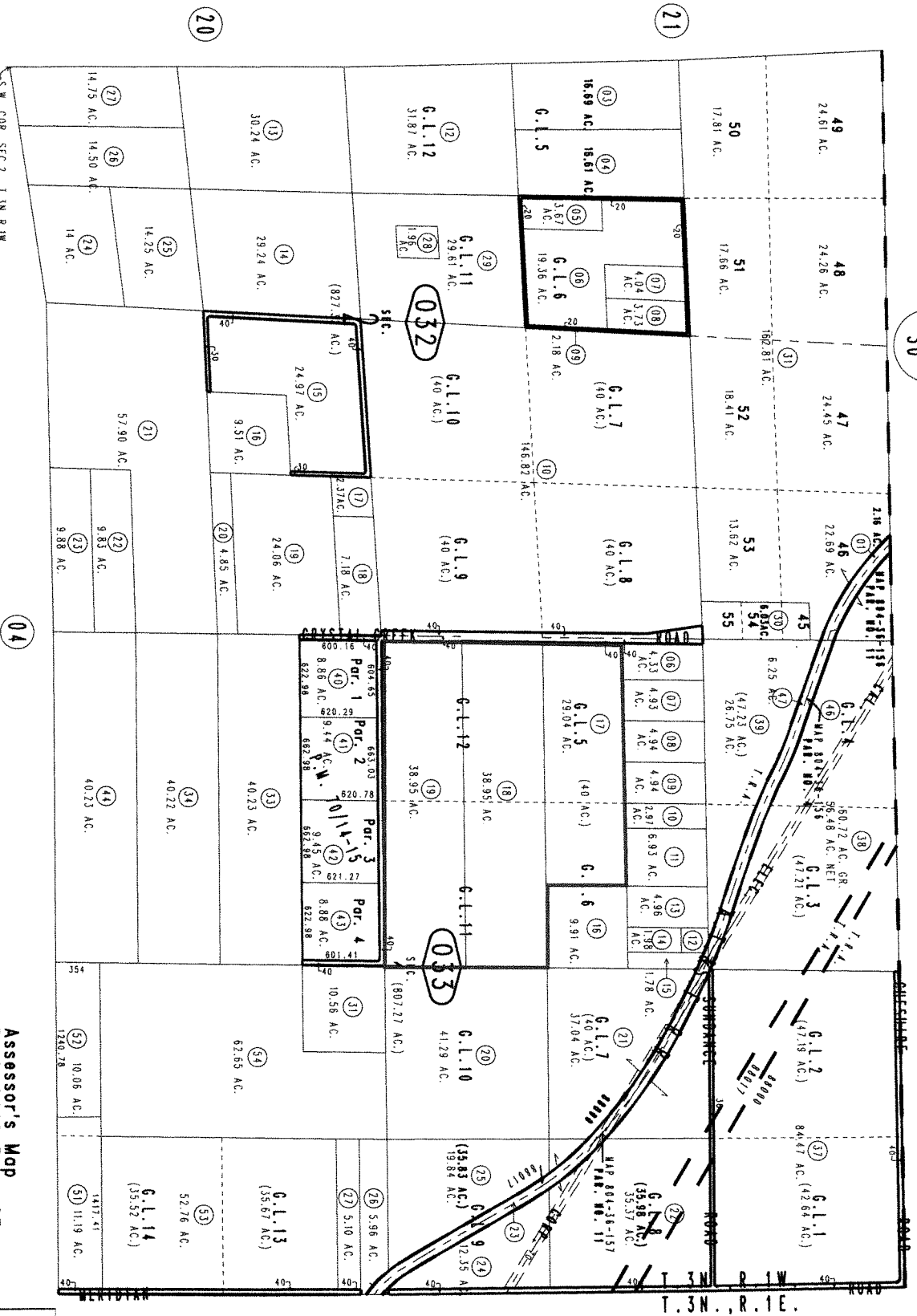
Fractional Sec.1,2, T.3N.,R.1W., S.B.B.&M.

Lucerne Valley Union 0446-03
Tax Rate Area
88000,88017

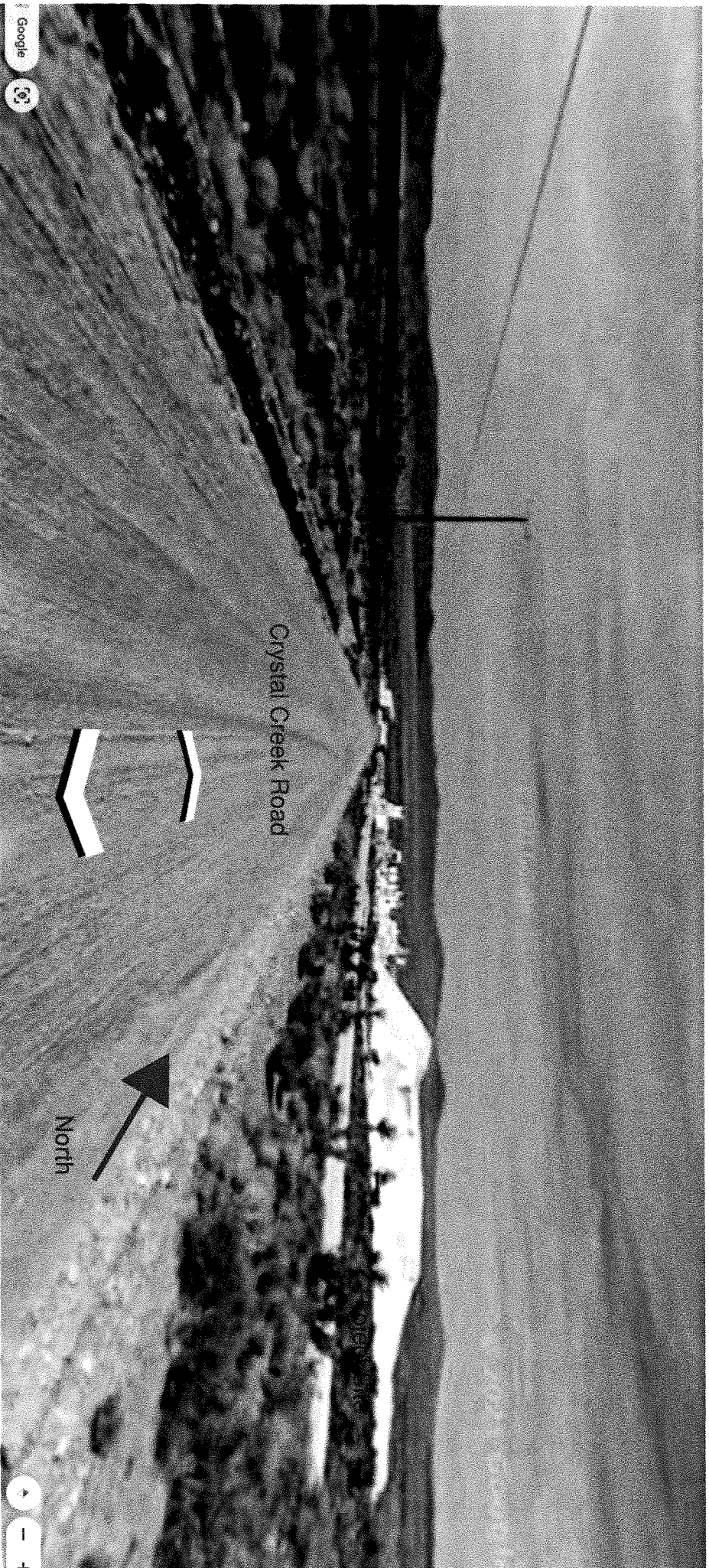
March 2005

Parcel Map No. 6801, P.M. 70/14-15

Assessor's Map
Book 0446 Page 03
San Bernardino County



REVISED
05/17/13 RU



Crystal Creek Road

North

Google





Interoffice Memo

DATE: June 04, 2025

PHONE: (909) 387-8311

FROM: **EANAS SHANABO**, LD Project Manager
Land Use Services

TO: **AMY ROSSIG**, Contract Planner
Land Use Services

ROAD AND DRAINAGE CONDITIONS – CONDITIONAL USE PERMIT (CUP)
SUBJECT: APPLICANT: POWERFLEX; APN: 044603308, 09, 17, 18, 19, 39; PROJ-2024-00165

Land Use Services Department – Land Development Division (LDD) recommends:

Based on the site plan received on 10/31/2024 the Department of Land Use Services, Land Development Division recommends:

- ☐ **APPROVE THIS PROJECT, subject to Conditions of Approval.**
- ☒ **DO NOT RELEASE APPROVAL OF THIS PROJECT, until the following redesign and/or studies are, submitted, reviewed and approved by Land Development Division.**
 - ☒ **A REVISED CUP/MUP SITE PLAN IS REQUIRED (list revisions):**
 1. Once approved, show all proposed drainage infrastructure on the site plan in accordance with the approved preliminary drainage study.
 2. Show, label and dimension radius return grant of easement as conditioned.
 3. Show, label and dimension road improvements as conditioned.
- ☒ **Preliminary Drainage Study.** A Preliminary Drainage Study (DRNSTY) shall be submitted under a separate record within EZ Online Permitting (EZOP) for review and approval prior to approval of the project. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. Review processed on an actual cost basis.

LAND DEVELOPMENT DIVISION RECOMMENDS

The following Conditions Of Approval:

GENERAL REQUIREMENTS

Conditions of Operation and Procedures
(Not subject to Condition Compliance Sign Off)

Land Use Services Department – Land Development Division – Drainage Section (909) 387-8311

- ☒ **Tributary Drainage.** Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.
- ☒ **Natural Drainage.** The natural drainage courses traversing the site shall not be occupied or obstructed.
- ☒ **Additional Drainage Requirements.** In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
- ☒ **FEMA Flood Zone.** The project is located within Flood Zone D according to FEMA Panel Number 06071C6575H dated 08/28/2008. Flood hazards are undetermined in this area, but they are still possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
- ☒ **Erosion Control Installation.** Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
- ☒ **Joshua Trees.** Any land disturbance shall be kept at least 40 feet away from any Joshua tree in order for the design to be acceptable. If the proposed land disturbance is within 40 feet of a Joshua tree, then the applicant will need to submit a survey by a licensed arborist to verify that the proposed design will not detrimentally affect the tree. For all applications, plot plans must show the location of all Joshua trees on a parcel.
<http://www.sbcounty.gov/Uploads/LUS/BandS/Handouts/IB-0016.pdf>
- ☒ **Endangered Desert Plants.** Compliance with Desert Native Plants Act. Removal actions of all plants protected or regulated by the Desert Native Plants Act (Food and Agricultural Code §§ 80001 et seq.) shall comply with the provisions of the Act before the issuance of a

development permit or approval of a land use application. Provide a plant protection plan or removal plan prepared by a licensed biologist to be approved by the County LUS.

Per the County General Plan Environmental Impact Report, provide a biological report and associated plan (uploaded as a separate attachment in the EZOP record) that shows any protected species including plant species with stems two inches or greater in diameter or six feet or greater in height including but not limited to those listed in: **§ 88.01.060 Desert Native Plant Protection.**

See related links:

<https://countywideplan.com/resources/document-download/>

https://countywideplan.com/wp-content/uploads/sites/68/2021/01/CWP_PolicyPlan_HardCopy_MainText_Tables_2022_Sept_Adopted.pdf?x23421

https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncty_ca/0-0-0-175924

- ☒ **NPDES Permit:** An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
- ☒ **Regional Board Permit:** Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

☒ **PROJECT SPECIFIC CONDITIONS (General Requirements):**

**PRIOR TO ISSUANCE OF GRADING PERMITS
OR LAND DISTURBING ACTIVITY**

The following shall be completed:

Land Use Services Department – Land Development Division – Drainage Section (909) 387-8311

- ☒ **Drainage Improvements.** A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
- ☒ **Drainage Easements.** Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or

concentration of runoff from the site. The hydrologic/hydraulic calculations supporting the size of the easement(s) shall be submitted for review/approval by the Land Development Division prior to recording the easement. Proof of recordation shall be provided to the Land Development Division.

- ☒ On-site Drainage Easement. On-site flows shall be directed within a drainage easement.
- ☒ Grading Plans. Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage improvements shall be shown on the grading plans according to the approved final drainage study reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
- ☒ Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at: <https://www.wildlife.ca.gov/Conservation/LSA>.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The following shall be completed:

Land Use Services Department – Land Development Division – Drainage Section (909) 387-8311

- ☒ No comments.

Land Use Services Department – Land Development Division – Road Section (909) 387-8311

- ☒ Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California:

Parcel 044603317

Crystal Creek Road / Westerly Property Line (Local Street – 60 feet)

- Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

Parcel 044603318

Crystal Creek Road / Westerly Property Line (Local Street – 60 feet)

- Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

Ladera Road/ Easterly Property Line (Quarter Section Line – 88 feet)

- Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Southernly Property Line. NOTE: The owner must have the road dedication completed prior to permit final.
- Perimeter Paved Access Road. This project is required to have a perimeter access paved road per San Bernardino Development Code Chapter 83.09.050 table 83-11.

Parcel 044603319

Crescent Road/Southernly Property Line (Quarter Section Line – 88 feet)

- Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Road Dedication. A 35-foot grant of easement is required at the intersection of Crescent Road and Crystal Creek Road Property Line. NOTE: The owner must have the road dedication completed prior to permit final.
- Perimeter Paved Access Road. This project is required to have a perimeter access paved road per San Bernardino Development Code Chapter 83.09.050 table 83-11.

Ladera Road/Easterly Property Line (Quarter Section Line – 88 feet)

- Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Crescent Road. NOTE: The owner must have the road dedication completed prior to permit final.

- Road Dedication. A 35-foot grant of easement is required at the intersection of Ladera Road and Northernly Property Line. NOTE: The owner must have the road dedication completed prior to permit final.
- Perimeter Paved Access Road. This project is required to have a perimeter access paved road per San Bernardino Development Code Chapter 83.09.050 table 83-11.

Crystal Creek Road/ Westerly Property Line (Local Street – 60 feet)

- Road Dedication. A 35-foot grant of easement is required at the intersection of Crystal Creek Road and Northernly Property Line. NOTE: The owner must have the road dedication completed prior to permit final.
 - Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.
- ☒ Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.
- ☒ Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Desert Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
- ☒ Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
- ☒ Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.
- ☒ Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

- ☒ Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.
- ☒ Streetlights. This project lies within the streetlight district boundary of County Service Area 70, Zone SL-1. Due to the projected use of the property, streetlighting may be required. If this project requires streetlights as conditioned by San Bernardino County Department of Public Works Special Districts Streetlighting Section, streetlight plans will be submitted directly to Special Districts, but all streetlights must be show on the street improvement plans submitted to Land Development. Please contact (909) 386-8821 for requirements or for additional information.
- ☒ Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

☒ **PROJECT SPECIFIC CONDITIONS (General Requirements):**

PRIOR TO FINAL INSPECTION OR OCCUPANCY OF ANY STRUCTURE

The following shall be completed:

Land Use Services Department – Land Development Division – Drainage Section (909) 387-8311

- ☒ Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

Land Use Services Department – Land Development Division – Road Section (909) 387-8311

- ☒ LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
- ☒ Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.
- ☒ Private Roads/Improvements. Prior to occupancy, all required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.
- ☒ Structural Section Testing. A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.

EXHIBIT F

Initial Study / Mitigated Negative Declaration

Initial Study

Powerflex PROJ-2024-00165

APNs: 0446-033-18, 0446-033-19, 0446-033-17, 0446-033-08, and 0446-033-09

July 2025

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

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

PROJECT LABEL:

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

PROJECT CONTACT INFORMATION:

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

Contact person: Amy Rossig, Planner IV (Harris & Assoc)
Phone No: (916) 212.8232 **Fax No:** (909) 387-3223
E-mail: amy.rossig@weareharris.com

PROJECT DESCRIPTION:

Summary

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

Project Overview

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

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

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

Project Location and Setting

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

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

- **Interconnection:** APN 0446-033-39 (26.37 AC), 0446-033-09 (4.94 AC), 0446-033-08 (4.94 AC), 0446-033-17 (29.04 AC), and 0446-033-18 (38.95 AC). Includes a duct bank 3 feet wide by 4 feet deep and approximately 3,302 linear feet (0.6 mile) to connect the solar field with the Omya plant facilities. Point of interconnection at SCE meter in the 115 kV substation at ground level, and solar medium voltage (MV) Switchgear pad-mounted outside this substation at ground level. This parcel is not owned by the OMYA, however, the interconnection facilities would be located within an existing SCE easement. Total disturbed area for the interconnection line and equipment is about 0.49 AC.
- **Solar Array:** APN 0446-033-18 (38.95 AC) and 0446-033-19 (38.95 AC). Includes solar modules, transformers, switchboards, and inverters. These parcels are owned by Pluess-Stauffer, now known as OMYA. Of the 77.90 total acres, approximately 28.9 AC would be used for the solar field and facilities, and approximately 1 acre would be used for construction staging and storage.

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

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

Zoning and Surrounding Land Use

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

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

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

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

Table 1: Existing Land Use and Zoning

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

Project Components

Clearing and Grubbing

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

Solar Modules

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

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

Inverters

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

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

Owner Control and Monitoring Containers

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

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

Onsite Meteorological Station

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

Interconnection

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

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

Staging and Storage

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

Stormwater Control

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

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

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

Access

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

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

Fencing and Signage

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

Water Use

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

Construction

Phasing

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

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

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

Table 2: Construction Phases and Anticipated Construction Equipment

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

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

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

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

Site Grading

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

Construction Access and Staging Areas

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

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

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

Water Quality

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

Hazardous Materials

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

Operation and Maintenance

The Project would be operated on an autonomous, unstaffed basis and monitored remotely from an existing off-site facility. It is anticipated that maintenance requirements would be minimal as the proposed Project's PV arrays would operate with limited moving parts. No full-time staffing would be required to operate the facility. Operational activities are limited to monitoring plant performance and responding to utility needs for plant adjustment along with preventative and unscheduled maintenance. The Project would operate during daylight hours only. Periodic module cleanings and maintenance activities might utilize two to 10 full-time workers for one to two weeks per year. No heavy equipment would be used during routine Project operation. Operation and maintenance vehicles would include trucks (pickup, flatbed), and loaders for routine and unscheduled maintenance, and water trucks for solar module washing. Large heavy-haul transport equipment may be brought to the site infrequently for equipment repair or replacement.

Any required maintenance would be scheduled so as to avoid peak electric load periods, with unplanned maintenance activity as needed depending on the event. Preventative maintenance kits and certain critical spare components would be stored at the Project site, while all other necessary maintenance components would be available at an offsite location. On an as-needed basis, SCE would make necessary inspections, maintenance and improvements to their facilities that are on-site connecting the Project to the distribution grid.

Vegetation is sparse with little potential for vegetative fuel buildup. The applicant would prepare a weed abatement plan for the Project in compliance with applicable County regulations. The Project would produce a small amount of waste associated with maintenance activities. PV solar farm wastes typically include broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid materials including typical household type refuse generated by workers. These materials would be collected and recycled to the extent possible.

Decommissioning

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

All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable federal, State, and County regulations. Following the implementation of a decommissioning plan, all equipment, foundations, and fencing would be removed and the Project site would be re-vegetated so that the end use and site condition are consistent with the surrounding agricultural landscape. End uses would be consistent with the existing zoning.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None.

State of California:

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

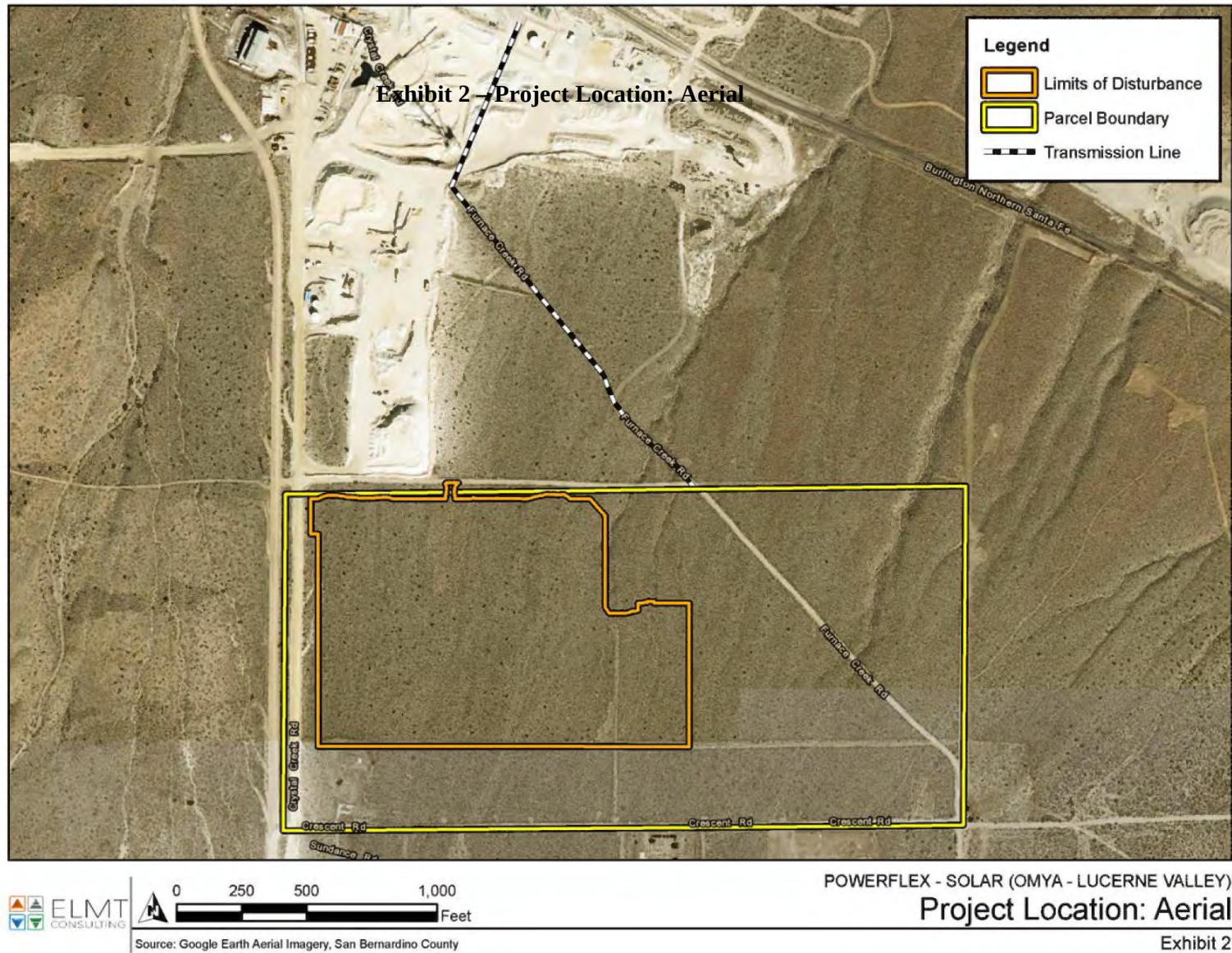
County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, Special Districts, and Public Works.

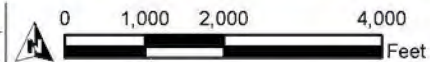
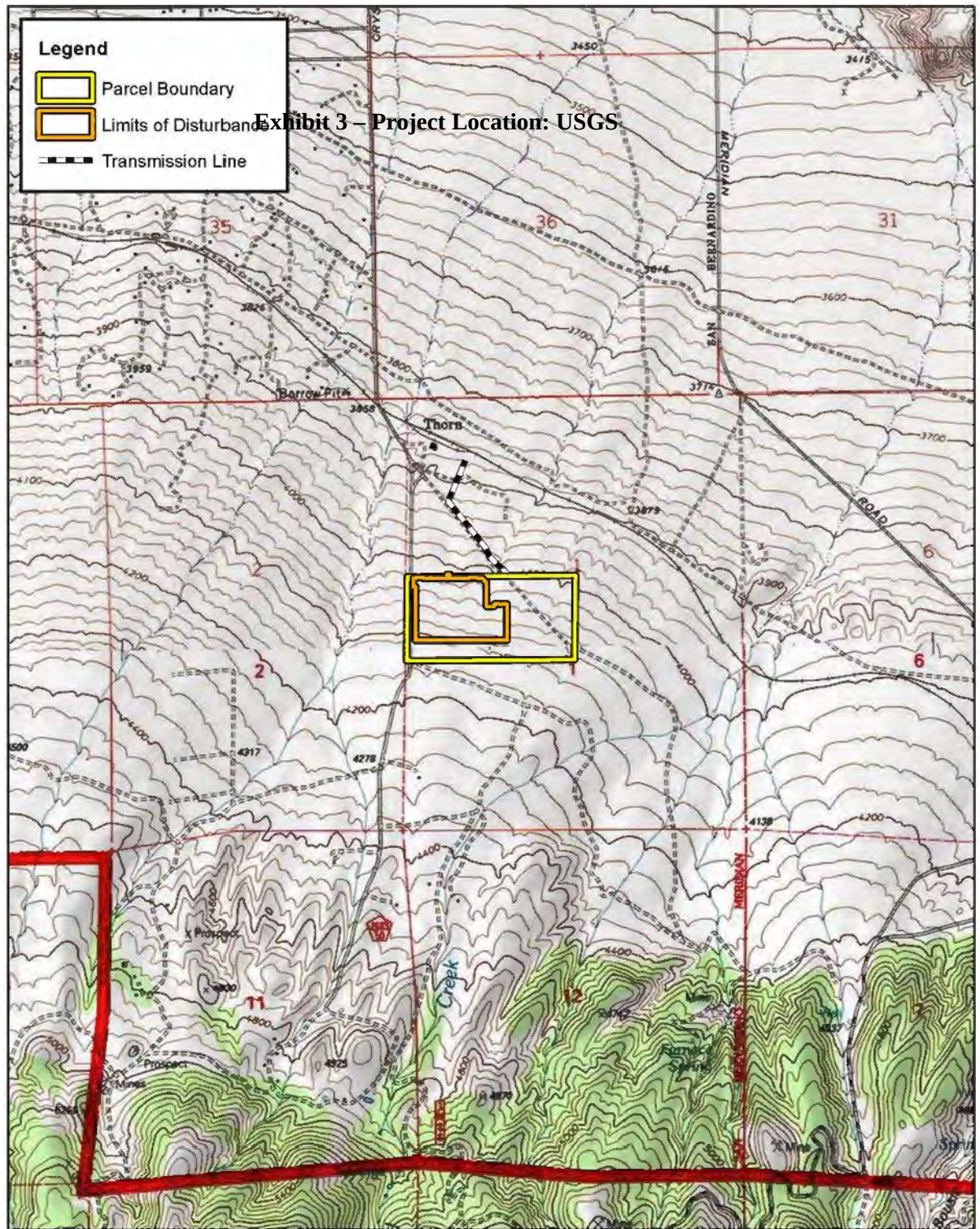


POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)

Regional Location

Exhibit 1



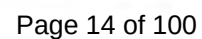


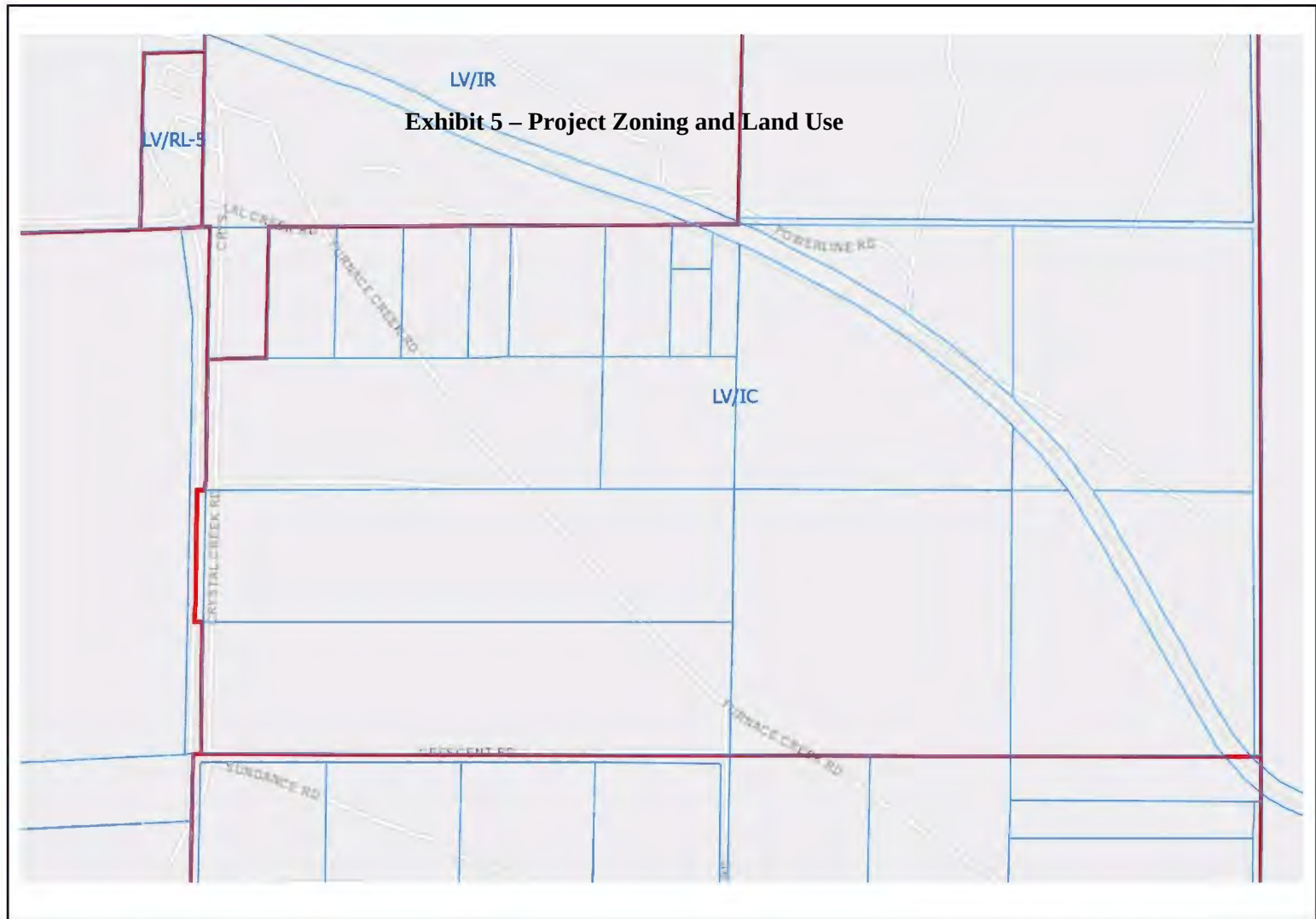
Source: USA Topographic Map, San Bernardino County

POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)

Project Location: USGS

Exhibit 3





Not-to-Scale

Source: San Bernardino County

**POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)
 Project Zoning and Land Use**

Exhibit 5

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

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

AB 52 Consultation

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

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal

cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. Technical studies and data were summarized herein to provide analyses of various environmental factors (e.g. air quality model results, biological resources assessment, cultural resources investigation, traffic study); these are cited herein where appropriate and included in the list of references.

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

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

Amy Rossig
Signature: (Amy Rossig, Planner)

07/21/2025

Date

Signature: (Supervising Planner)

Date

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:					

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

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

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

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

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

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

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

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

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

No Impact

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

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

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

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

No Impact

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

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

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

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

Less Than Significant Impact

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

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

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

Shielding requirements. New permitted lighting for new construction, unless exempt in compliance with Subsection 83.07.040(e) (Exempt lighting and fixtures), below, shall be shielded in compliance with the requirements outlined in Table 83-7 (Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region), in order to preclude light pollution or light trespass on:

(A) Adjacent property;

(B) Other property within the line of sight (direct or reflected) of the light source; or

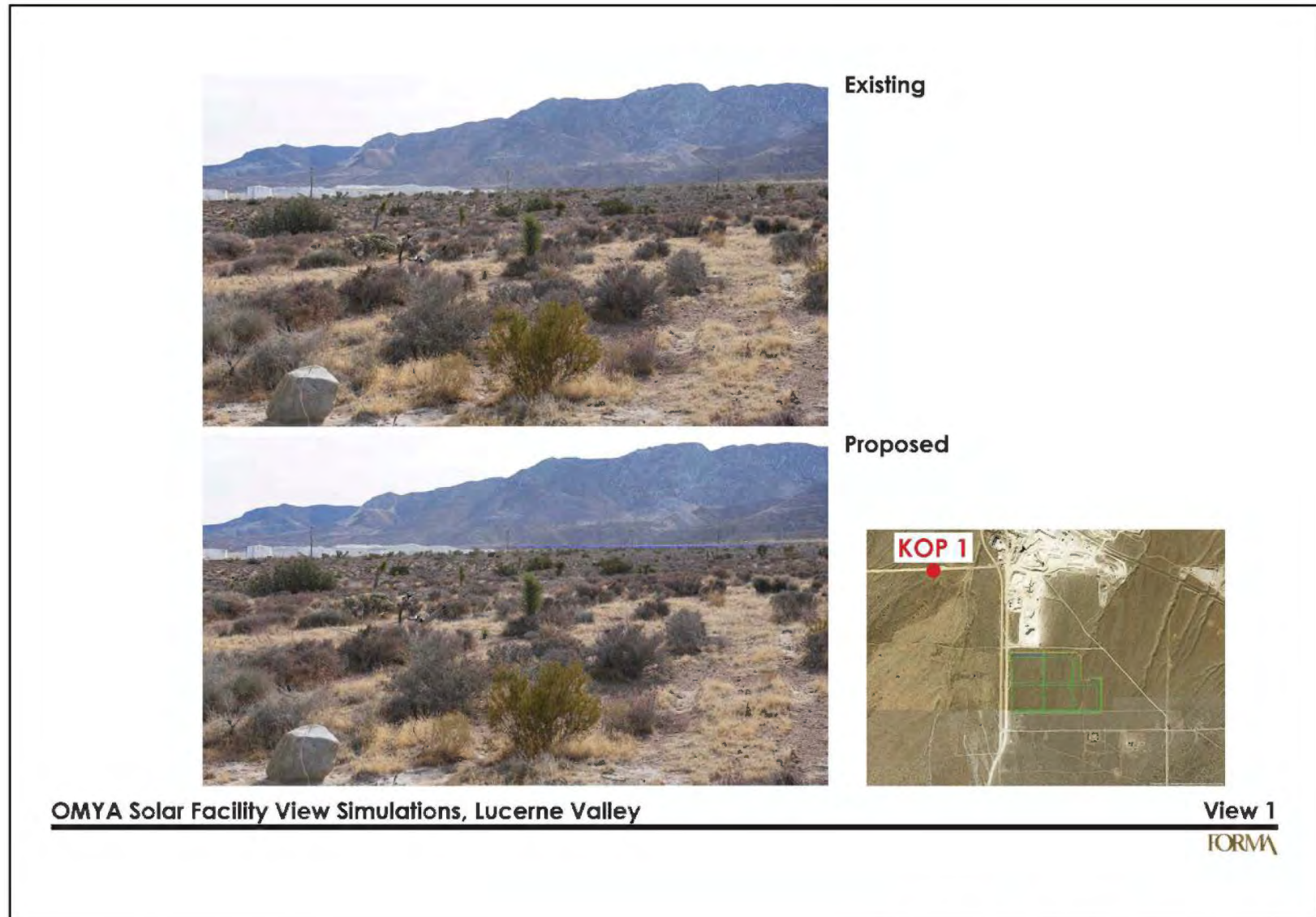
(C) Members of the public who may be traveling on adjacent roadways or rights-of-way.

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

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

Less Than Significant Impact

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





Existing



Proposed



OMYA Solar Facility View Simulations, Lucerne Valley

View 2

FORMA



Not-to-Scale

Source: Forma

POWERFLEX - SOLAR (OMYA - LUCERNE VALLEY)

View Simulations

Exhibit 6b



Existing



Proposed



OMYA Solar Facility View Simulations, Lucerne Valley

View 3

FORMA

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

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

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

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

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

No Impact

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

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

No Impact

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

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

No Impact

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

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

No Impact

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

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

No Impact

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

<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?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐
SUBSTANTIATION: <i>(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):</i>					
Countywide Policy Plan; Submitted Project Materials; Air Quality, Greenhouse Gas and Energy Impact Study, prepared by MD Acoustics, LLC, February 5, 2025 (Appendix B)					

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

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

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

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

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

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

Less Than Significant Impact

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

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

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

- 25 tons per year or 137 pounds per day of VOC
- 25 tons per year or 137 pounds per day of NO_x
- 100 tons per year or 548 pounds per day of CO
- 25 tons per year or 137 pounds per day of Sox
- 15 tons per year or 82 pounds per day of PM₁₀
- 12 tons per year or 65 pounds per day of PM_{2.5}

Construction Emissions

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

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

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

Activity	Pollutant Emissions (pounds/day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2024	3.75	36.10	34.50	0.07	9.49	5.47
2025	10.10	18.10	24.30	0.04	1.02	0.78
Maximum	10.10	36.10	34.50	0.07	9.49	5.47
MDAQMD Thresholds	137	137	548	137	82	65
Exceeds Thresholds	No	No	No	No	No	No

Notes:

1 Source: CalEEMod Version 2022.1.1.22

2 On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM-10 and PM-2.5 emissions show mitigated values for fugitive dust for compliance with MDAQMD Rule 403.

3 Off-site emissions from equipment operated on public roads.

4 Construction, architectural coatings and paving phases may overlap.

Operational Emissions

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

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

Activity	Pollutant Emissions (tons/year) ¹					
	VOC	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Area Sources ²	0.10	0.00	0.00	0.00	0.00	0.00
Energy Usage ³	0.00	0.00	0.00	0.00	0.00	0.00
Mobile Sources ⁴	0.04	0.08	0.72	0.00	0.15	0.04
Total Emissions	0.14	0.08	0.72	0.00	0.15	0.04
MDAQMD Annual Thresholds	25	25	100	25	15	12
Exceeds Threshold?	No	No	No	No	No	No

Notes:

1 Source: CalEEMod Version 2022.1.1.22

2 Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

3 Energy usage would consist of emissions from on-site natural gas usage, however there will be no natural gas usage onsite and therefore no energy usage emissions.

4 Mobile sources consist of emissions from vehicles and road dust.

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

As identified in Tables 3 and 4, construction and operations emissions would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impactc) *Expose sensitive receptors to substantial pollutant concentrations?*

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

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

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

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

Construction

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

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

Operations

Project operations would generate emissions of NO_x, ROG, CO, PM₁₀, and PM_{2.5}, which would not exceed the MDAQMD regional thresholds and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Therefore, operation of the Project would not result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors (refer to Table 4).

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

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

Less Than Significant Impact

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

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

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

Less Than Significant Impact

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

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

migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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

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

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

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

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

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

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

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

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

- **Mojavean desert scrub.** The dominate plant community, Mojavean desert scrub. This plant community is dominated by large perennial shrub species such as black brush (*Coleogyne ramosissima*) and Mojave yucca (*Yucca schidigera*) and supports an intermittent to consistent shrub layer and sparse to robust herbaceous layer. This vegetation community also supports the western Joshua tree (*Yucca brevifolia*)
- **Disturbed.** The Project Sites support disturbed land within access roads that bound and cross through the Project Sites. These areas vary in vegetative density from typically barren to intermittent according to the type and degree of routine disturbance, and primarily support weedy/early successional species observed in the aforementioned plant communities.
- **Developed.** Developed land generally encompasses all buildings/structures and paved or otherwise impervious surfaces. The Project Site supports developed land where site boundaries overlap with existing OMYA quarries and facilities, and within a remnant building foundation in the southwest corner. These areas are generally barren due to impermeable substrates and routine disturbance, but may support especially hardy weedy/early successional species

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

Critical Habitat

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

Special Status Plants

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

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

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

Purple-Nerve Cymopterus

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

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

Cushenberry Milk-vetch

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

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

Parish's Daisy

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

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

Western Joshua Tree

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

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

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

Table 5: Summary of Western Joshua Trees Within Project Site

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

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

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

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

Special Status Wildlife

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

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

Burrowing Owl

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

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

Mitigation Measure BIO-2: Pre-Construction Burrowing Owl Clearance Survey.

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

Desert Tortoise

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

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

Mitigation Measure BIO-3: Pre-Construction Desert Tortoise Clearance Survey.

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

Mohave Ground Squirrel

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

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

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

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

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

Crotch Bumblebee

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

Nesting Birds

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

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

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

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

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

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

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

Less than Significant with Mitigation

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

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

No Impact

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

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

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

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

Table 6: Jurisdictional Area and Impact Analysis

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

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

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

Less Than Significant Impact

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

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

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

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

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

Less Than Significant Impact

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

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

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

No Impact

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

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

No Impact

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Less than Significant with Mitigation

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

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

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

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

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

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

Less than Significant with Mitigation

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

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

SUBSTANTIATION:

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

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

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

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

Construction Energy

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

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

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

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

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

Operations

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

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

Less Than Significant Impact

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

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

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

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

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

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

Less Than Significant Impact

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

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

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

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

☐ ☐ ☒ ☐

ii. Strong seismic ground shaking?

☐ ☐ ☒ ☐

iii. Seismic-related ground failure, including liquefaction?

☐ ☐ ☒ ☐

iv. Landslides?

☐ ☐ ☐ ☒

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

☐ ☐ ☒ ☐

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

☐ ☐ ☒ ☐

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

☐ ☐ ☒ ☐

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

☐ ☐ ☐ ☒

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

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

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

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

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

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

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

Less Than Significant Impact

- ii) Strong seismic ground shaking?

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

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

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

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

Less Than Significant Impact

iv) Landslides?

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

No Impact

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

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

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

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

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

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

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

Less Than Significant Impact

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

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

Less Than Significant Impact

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

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

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

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

Less Than Significant Impact

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

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

No Impact

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

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

Less Than Significant Impact

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

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

SUBSTANTIATION:

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

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

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

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

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

Construction

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

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

Table 7: Construction Greenhouse Gas Emissions

Year	Metric Tons Per Year					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e (MT)
2024	0.00	190.00	190.00	0.00	0.01	191.00
2025	0.00	132.00	132.00	0.01	0.00	132.00
Total	0.00	322.00	322.00	0.01	0.01	323.00
Annualized Construction Emissions						10.77

Notes:

¹ MTCO₂e=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane and nitrous oxide).

² The emissions are averaged over 30 years.

Source: CalEEMod output (Appendix B)

Operations

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

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

Table 8: Opening Year Project-Related Greenhouse Gas Emissions

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

Notes:

¹ Source: CalEEMod Version 2022.1.1.22² Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment.³ Energy usage consist of GHG emissions from electricity and natural gas usage.⁴ Mobile sources consist of GHG emissions from vehicles.⁵ Solid waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.⁶ Water includes GHG emissions from electricity used for transport of water and processing of wastewater.⁷ Construction GHG emissions based on a 30 year amortization rate.

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

Less Than Significant Impact

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

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

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

And

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

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

Less Than Significant Impact

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

<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?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

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

SUBSTANTIATION:

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

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

Construction

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

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

Operations

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

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

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

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

Decommissioning

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

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

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

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

Less Than Significant Impact

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

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

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

Therefore, there would be a less than significant impact to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident

conditions involving the release of hazardous materials into the environment during construction, operation, and decommissioning, and no mitigation is required.

Less Than Significant Impact

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

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

No Impact

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

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

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

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

No Impact

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

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

No Impact

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

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

No Impact

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

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

Mitigation Measure HAZ-1:

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

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

Less than Significant with Mitigation

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

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

SUBSTANTIATION:

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

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

Construction and Decommissioning

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

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

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

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

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

Operations and Maintenance

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

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

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

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

Less Than Significant Impact

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

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

The well draws water from the Lucerne Valley Groundwater Basin, according to the Colorado River Regional Water Quality Control Board groundwater information³. Groundwater basin recharge according to 1976 data was reported at 1,000 af, discharge was 10,000 AF, and change in storage was 9,000 AF. Groundwater overdraft of 9,000 AF/yr was calculated using this data. Recharge has been estimated to be 1,000 AF/yr. Groundwater storage in 1979 was estimated at 1.7 million AF.

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

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

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

Less Than Significant Impact

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

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

Less Than Significant Impact

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*
- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*
- iv) *Impede or redirect flood flows?*

³

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

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

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

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

Less Than Significant Impact

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

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

No Impact

- iv) *Impede or redirect flood flows?*

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

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

No Impact

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

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

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

No Impact

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

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

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Materials

- a) *Physically divide an established community?*

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

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

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

Less Than Significant Impact

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

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

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

Less Than Significant Impact

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

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

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

Countywide Policy Plan; Submitted Project Materials

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

The Project Sites are located in Mineral Resource Zone (MRZ) 2a which are designated as significant aggregate deposits⁴.

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

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

Less Than Significant Impact

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

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

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

Less Than Significant Impact

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

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

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

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

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

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

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

County of San Bernardino Noise Standards

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

(c) Noise Standards for Stationary Noise Sources.

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

Table 83-2		
Noise Standards for Stationary Noise Sources		
<i>Affected Land Uses (Receiving Noise)</i>	<i>7:00 a.m. – 10 p.m. Leq</i>	<i>10:00 p.m. – 7 a.m. Leq</i>
Residential	55 dB(A)	45 dB(A)
Professional Services	55 dB(A)	55 dB(A)
Other Commercial	60 dB(A)	60 dB(A)
Industrial	70 dB(A)	70 dB(A)

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

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

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

Table 83-3

Noise Standards for Adjacent Mobile Noise Sources

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

Notes:

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

(2) The outdoor environment shall be limited to:

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

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

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

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

- (1) Motor vehicles not under the control of the commercial or industrial use.*
- (2) Emergency equipment, vehicles, and devices.*
- (3) Temporary construction, maintenance, repair, or demolition activities between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays.*

Existing Noise Environment

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

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

Future Noise Environment Impacts and Mitigation

Construction and Decommissioning Noise

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

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

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

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

Table 9: Construction Noise at East Property Line

Phase	dBA Lmax	dBA Leq
Site Prep	63.3	57.2
Grading	64.3	57.9
Build	63.3	55.7
Paving	69.3	56.4
Arch Coating	57.3	43.5
Notes: Const Equip from CalEEMod		

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

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

Operations Noise

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

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

Less Than Significant Impact

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

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

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

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

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

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

Less Than Significant Impact

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

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

No Impact

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

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

SUBSTANTIATION:

Countywide Policy Plan; Submitted Project Material

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

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

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

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

No Impact

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

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

No Impact

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

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

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

SUBSTANTIATION:**Countywide Policy Plan, 2020; Submitted Project Materials**

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

Fire Protection?

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

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

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

Less Than Significant Impact

Police Protection?

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

Less Than Significant Impact

Schools?

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

No Impact

Parks?

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

No Impact

Other Public Facilities?

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

No Impact

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

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

SUBSTANTIATION:

Submitted Project Materials

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

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

No Impact

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

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

No Impact

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

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

SUBSTANTIATION:

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

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

Bicycle and Pedestrian Facilities

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

Transit Service

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

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

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

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

Table 10: Powerflex Solar Project Trip Generation

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

Notes:

1 Carpooling two employees per vehicle.

2 Majority of site deliveries are done outside the peak hours

3 Passenger car equivalent factor of 3.0; 4+ Axle Trucks (worst case scenario)

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

Less Than Significant Impact

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

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

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

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

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

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

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

- The intent of SB 743 and VMT analysis per CEQA is the analysis of VMT generated by automobiles in which the State Office of Planning and Research defines as "on-road passenger vehicles, specifically cars and light trucks." The total daily trips from passenger vehicles, excluding construction truck trips, is 66 ADT (per Table 9: $50+16=66$ excluding Truck trips).
- The Project construction total daily trips is 86 ADT without applying the 3.0 PCE conversion rate to Project construction truck trips. The implementation of the PCE factor is to equalize the size difference between passenger vehicles and heavy vehicles. In this case of VMT analysis, it is not appropriate to apply the PCE factor since the VMT generated by the trucks is, in fact, not three times the VMT generated by a passenger vehicle making the same trip.
- Trip generation during the construction phase of the Project represents the worst-case scenario of traffic generated by the project under normal conditions. Once the facility is constructed, the site will be operated remotely with intermittent routine maintenance and inspection trips that will be performed consistent with an established monthly maintenance schedule.

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

Less Than Significant Impact

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

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

No Impact

- d) *Result in inadequate emergency access?*

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

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

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

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

SUBSTANTIATION:

Cultural Resources Assessment, BCR Consulting, July 22, 2021 (Appendix C)

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

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

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

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

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

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

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

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

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

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

- A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
- D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

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

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

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

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

- A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
- C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
- E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Less than Significant with Mitigation

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

<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?	☐	☐	☒	☐

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

SUBSTANTIATION:**Countywide Policy Plan; Submitted Project Materials; California Energy Commission Energy Report**

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

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

Less Than Significant Impact

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

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

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

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

Less Than Significant Impact

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

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

No Impact

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

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

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

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

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

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

Less Than Significant Impact

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

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

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

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

Less Than Significant Impact

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

<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?	☐	☐	☒	☐
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUBSTANTIATION:

County of San Bernardino Countywide Policy Plan; Submitted Project Materials

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

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

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

Less Than Significant Impact

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

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

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

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

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

Less than Significant with Mitigation

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

The Project is identified by FRAP as being within a Very High Fire Hazard Zone, however, the Project is to construct, operate and decommission a solar facility to provide supplemental power to an existing mining operation. The interconnection line between the solar facility and the mine would be buried and not exposed to the potential to cause a fire due to high winds. The Proposed Project also does not propose residential or commercial uses that involves human habitation. Therefore, the Project does not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may

exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. There would be a less-than-significant impact, and no mitigation is required.

Less Than Significant Impact

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

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

Less Than Significant Impact

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

Issues		<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?

☐
☒
☐
☐

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

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

There are no cultural, archaeological or paleontological resources identified on site. However, as site development may uncover unanticipated resources, Mitigation Measures CR-1, CR-2 and CR-3 that identify steps to take in the event resources are found, reduce these impacts to less than significant. Therefore, the Proposed Project is not anticipated to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal.

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

Less than Significant with Mitigation

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

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

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

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

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

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

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

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

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

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

Less Than Significant Impact

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

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

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

Less than Significant with Mitigation

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

GENERAL REFERENCES

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

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

County of San Bernardino. County Policy Plan web maps.

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

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

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

PROJECT-SPECIFIC REFERENCES

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

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

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

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

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

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

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

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

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

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

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OMYA Lucerne Valley Solar Ground Mount

APNs: 0446-033-18, 0446-033-19, 0446-033-17, 0446-033-08, and 0446-033-09

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