SAN BERNARDINO COUNTY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

PROJECT LABEL:

APNs:	468-141-05; 469-131-02, 04, 05, 06; 469-191-01, 03, 05, 11, 12; 469-201-02, 05 and -07
Applicant:	CalPortland Company
Project No:	AP20190009/RMC
Staff:	Steven Valdez, Senior Planner
Rep:	Desirea Haggard (CalPortland Company)
Proposal:	CalPortland Company's Oro Grande Quarries Amended Reclamation Plan

USGS Quad:	Victorville; Helendale
Lat/Long:	34° 37' 31" N, 117° 18' 59" W
T, R, Section:	T6N R4W Portions of Sections 4, 5, 8, 9, 16, 17, and 18
City:	N/A
LUC:	General Industrial (GI) south half; Resource Land Management (RLM) northeast quarter; & Rural Living (RL) northwest quarter.
ZONING DISTRICT:	Regional Industrial (IR); Resource Conservation (RC); & RL
Overlays:	NR-4: Mineral Resources Zones

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
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San Bernardino, CA 92415-0182

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PROJECT DESCRIPTION:

CalPortland Company (CalPortland) submitted an Amended Reclamation Plan (Amended Plan) to the County of San Bernardino for a planned expansion of the existing Sparkhule, Original Canyon, Shay-Klondike, and Mack's Peak Limestone Quarries collectively known as the Oro Grande Quarries (84M-009), and to incorporate the Superior Quarry (91M-01). The production of cement-grade limestone ore from these quarries will ensure the long-term viability of the adjacent CalPortland Oro Grande Cement Plant. The Oro Grande Quarries are all located on privately-held lands owned by CalPortland and are within a current Reclamation Plan (CA Mine ID #91-36-0023) approved by the County in 1984 with a minor amendment in 2003. The Reclamation Plan is currently approved until 2034. CalPortland also intends to re-open the Superior Quarry, which is located on and within contiguous CalPortland properties, and merging the Superior Quarry Reclamation Plan into the overall Oro Grande Amended Reclamation Plan. All of these lands are privately-owned and vested for mining operations.

The Project Site is located approximately five miles north of Victorville and adjacent to, and to the northeast of the unincorporated community of Oro Grande, San Bernardino County, California (see Figures 1 and 2).

The Amended Plan describes the existing and permitted mining and reclamation activities and the planned expansion of operations for a period of 100 years from the date of approval of the Amended Plan, or 87 years from the 2034 expiration time of the current approval. The existing and planned operations include five quarries, six overburden stockpiles, the backfilling of two quarries when mining is completed, the potential partial backfilling of the Sparkhule Quarry, and the development of new haul roads. Refer to Figure 3 for an aerial showing the existing approved and planned boundaries of the quarries and overburden stockpiles. The Project Site is outlined in green in Figure 3.

The existing permitted Oro Grande Reclamation Plan area is approximately 971 acres, 850 acres disturbed or to be disturbed with approximately 121 acres of miscellaneous uses, buffers, and undisturbed areas. This Amended Plan will add approximately 315 acres to be disturbed including an additional 15 acres for Superior Quarry and minus 67 acres for removal of the cement kiln dust (CKD) dump/landfill for a total disturbed area of approximately 1,165 acres. (CKD is a by-product from the cement kilns typically captured with baghouses and mostly recycled.) Buffer areas around the quarries and overburden stockpiles, miscellaneous uses, and islands of non-developed lands within the reclamation boundary where some disturbance could occur, consists of approximately 487 acres. The overall Reclamation Plan area totals approximately 1,652 acres.

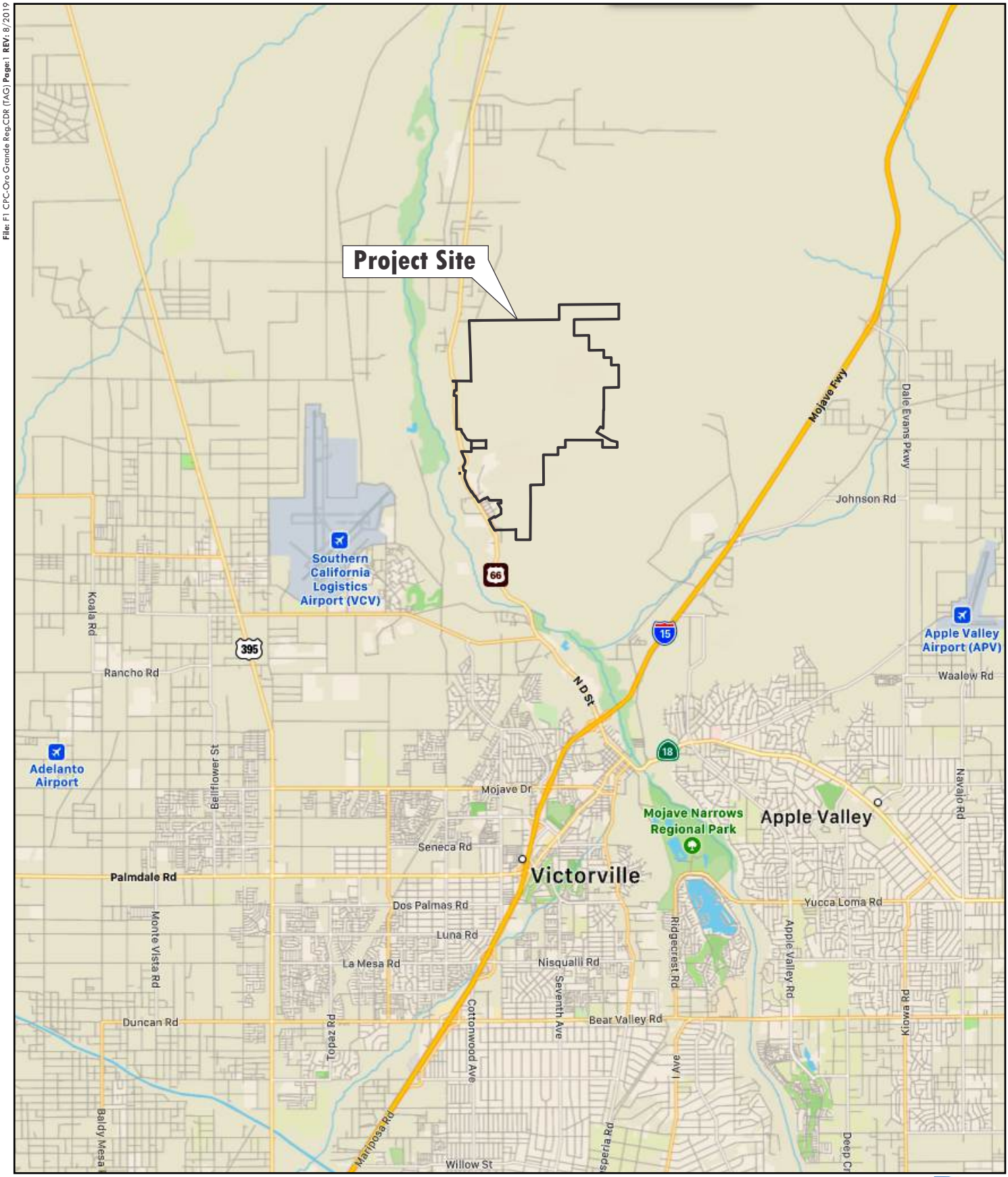
The permitted Superior Quarry Reclamation Plan is on a total area of approximately 40 acres. CalPortland is currently proposing to re-open the mine and limit future mining to an approximate 14.5-acre area which will be incorporated in the Amended Reclamation Plan as shown in Table 1.

The California Surface Mining and Reclamation Act (SMARA) is implemented for mining projects in unincorporated San Bernardino County by the County, SMARA's local lead agency. In consultation with the County, CalPortland submitted an Amended Plan per Chapter 88.03 of the County's Development Code. Obtaining the necessary County approval will require compliance with the California Environmental Quality Act (CEQA) and the preparation of this Initial Study/Mitigated Negative Declaration (IS/MND).

The Oro Grande Quarries are currently permitted to operate through the year 2034. Based on years of mining and drilling samples, known reserves total approximately 228 million tons (MT) for an additional 72.4 mine years (through year 2092) based on an average limestone production of 3.15 million tons/year (MTPY). Additional limestone resources add approximately 87 MT or 27.6 years to the mine life. Therefore, CalPortland is requesting a mine life extension of either 100 years from an estimated approval year of 2021, or 87 years from the current expiration date of 2034, which would extend the Reclamation Plan to December 31, 2121.

Table 1 lists the existing permitted and the planned operational areas for each of the five quarries, six overburden stockpile sites, haul roads, and a materials storage area. Excluded from these areas is the cement kiln dust (CKD) storage area which is a part of the CalPortland Oro Grande Cement Plant operations and the Old Sanitary Landfill on a total of approximately 67 acres. These facilities are not part of the mining and reclamation of the quarries but are managed under County permits. The CKD areas are inactive but not closed for reporting purposes. The landfill was deemed closed in 1998.

File: F1 CPC-Oro Grande RegCDR (TAG) | Page: 1 REV: 8/2019



Source: Lilburn Corp., Aug. 2019.

LEGEND

Oro Grande Property Line

0 2 MILES

LILBURN CORPORATION

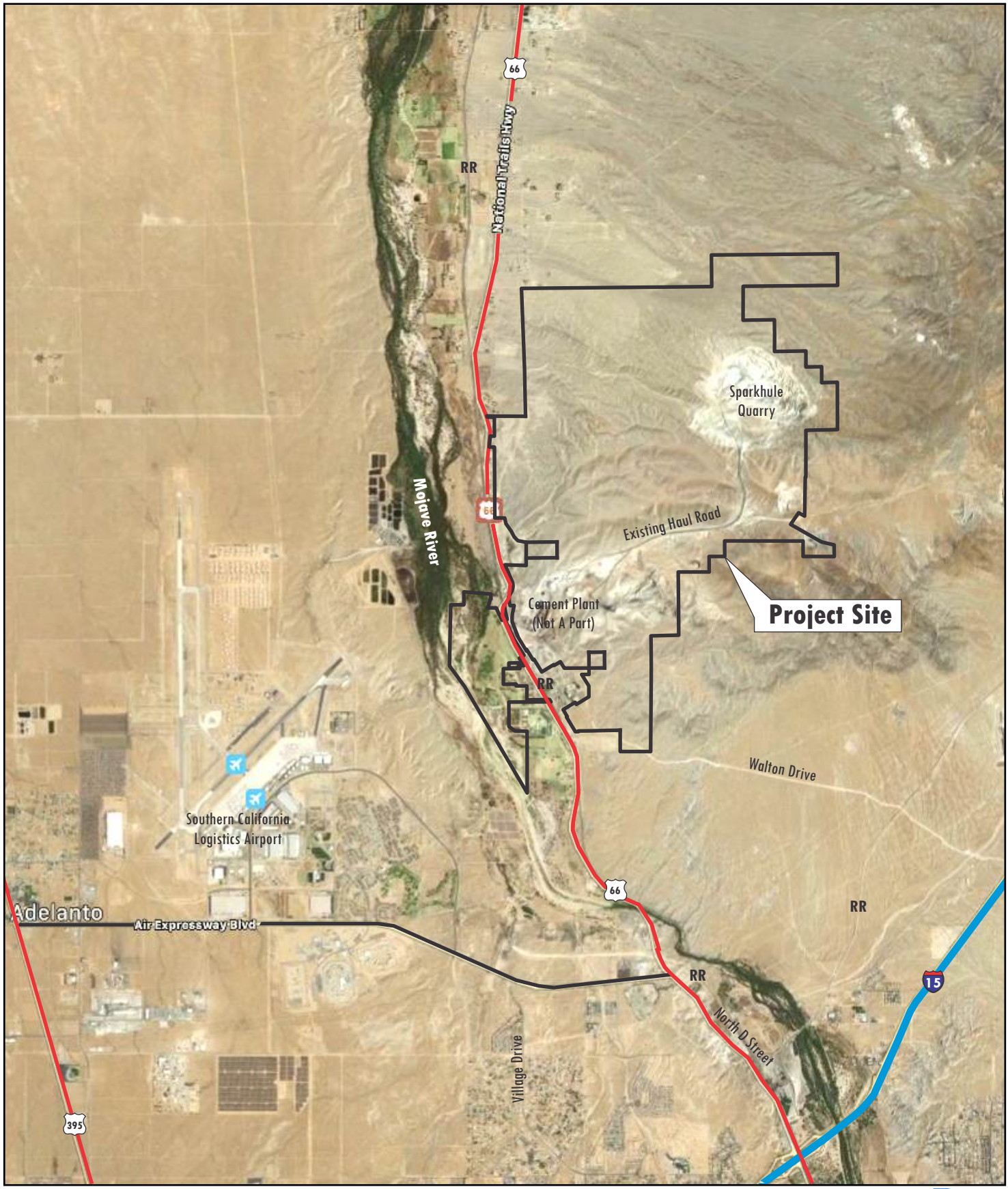
CALPORTLAND®

REGIONAL LOCATION

Oro Grande Quarry

County of San Bernardino, California

FIGURE 1



Source: Lilburn Corp., Aug. 2019.

LEGEND

Oro Grande Property Line

0 1 MILES

LILBURN CORPORATION

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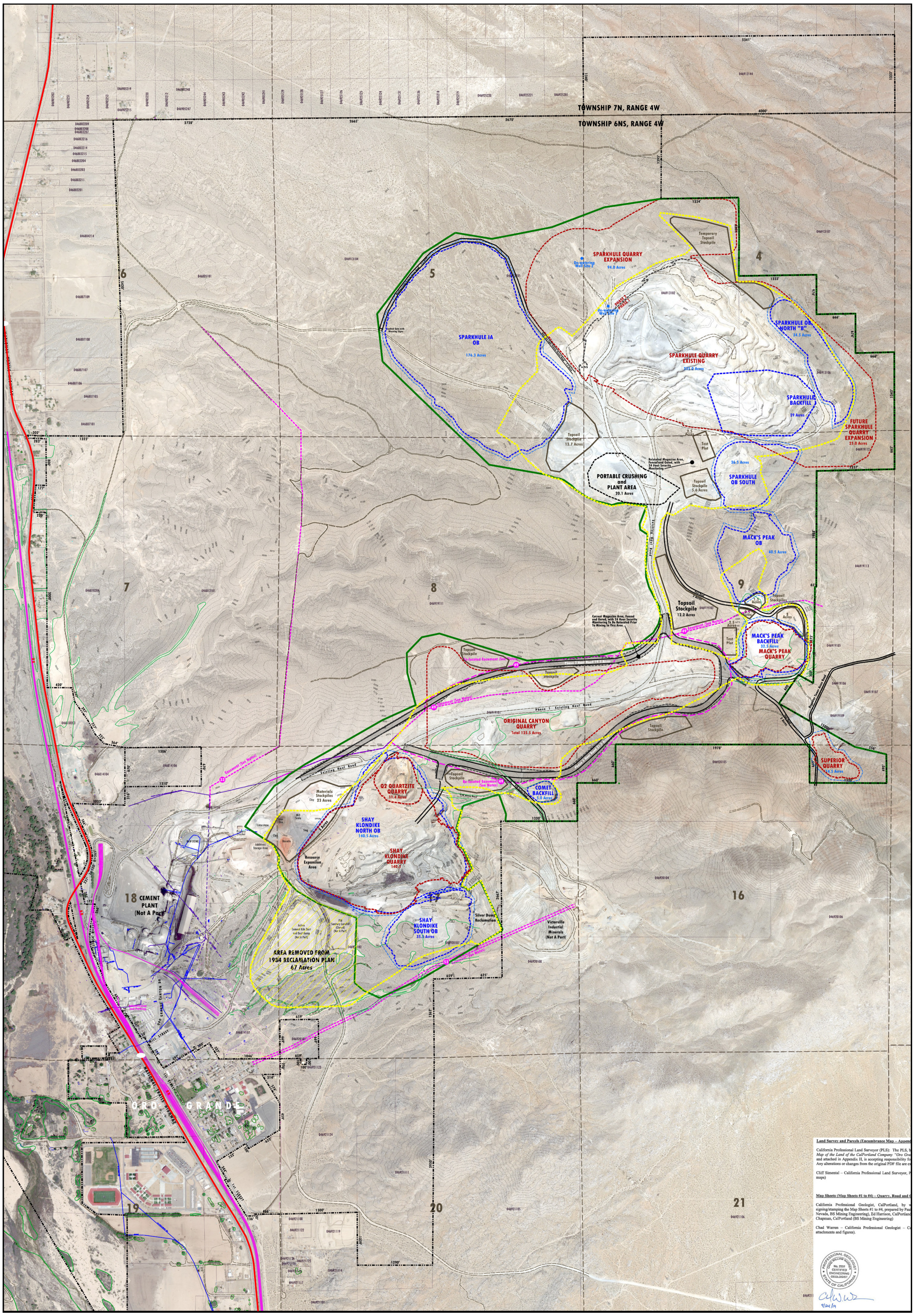
PROJECT VICINITY

Oro Grande Quarry

County of San Bernardino, California

FIGURE 2



Source: Lilburn Corp., Nov. 2020.

LEGEND

- Oro Grande Property Line
- Approved Reclamation Plan
- Amended Relamation Plan Area
- Planned Quarries
- Planned Overburden/Backfill
- Parcel Line

0 1500 FEET

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EXISTING QUARRIES and PLANNED OPERATIONS

Oro Grande Quarry

County of San Bernardino, California

FIGURE 3

Table 1
Existing Permitted and Planned Operational Areas
Oro Grande Quarries

Quarry, Overburden, & Misc. Areas	Existing Permitted Areas Phase I (acres)	Proposed New Areas Phase II (acres)	Total Amended Project Areas (acres)
QUARRIES			
Shay-Klondike/Q2	140.5	0	140.5
Original Canyon	120.0	15.5	135.5
Mack's Peak	32.5	0	32.5
Sparkhule	235.0	119.0	354.0
Superior[1]	Not a Part	14.5	14.5
Quarries Subtotal	**528.0**	**149.0**	**677.0**
OVERBURDEN STOCKPILES			
Shay-Klondike South	95.0	-65.5 (1.5 ac added)	29.5
Original Canyon / Comet OB	5.0	0	5.0
Mack's Peak OB	14.5	26.0	40.5
Sparkhule OB North	34.5	0	34.5
Sparkhule OB South	28.0	8.5	36.5
Sparkhule IA OB	42.25	134.0	176.25
Stockpiles Subtotal	**219.25**	**103.0**	**322.25**
MISCELLANEOUS AREAS			
Material Storage	11.5	10.5	22.0
Haul Roads	36.0	38.0	74.0
Revegetation Test Plots	5.0	0	5.0
Top Soil Stockpiles (outside other facilities)	30.5	14.25	44,75
Portable Crushing Plant Area	20.0	0	20.0
Misc. Areas Subtotal	**103.0**	**62.75**	**165.75**
Subtotal (mostly disturbed and to be disturbed):	**850.25 (existing)**	**314.75 (proposed)**	**1,165**
Buffers/Internal Pockets; Generally Open Space	121.25	365.75	487
Total Reclamation Plan Boundary	**971.5**	**680.5**	**1,652**

Source: CalPortland, Lilburn 2020
Notes: Areas rounded to nearest quarter of an acre.
Totals may be slightly different due to areas being redefined for secondary uses or overlapping uses over time.
1 – Superior Quarry previously mined and reclaimed under a separate permit.

Numerous project designs, conditions of approval and control measures from the existing permitted plans are being implemented and will be incorporated into the quarry operations and reclamation to reduce potential environmental impacts. The Amended Plan includes the following existing and planned avoidance/minimization and environmental protection measures:

1. Design quarries to minimize drainage, biological, and visual impacts;
2. Design future overburden to be backfilled into existing overburden areas and completed quarries as much as feasible to reduce land and biological impacts;
3. Maintain all equipment in compliance with air quality regulations;
4. Continue to implement dust control measures at active quarry and stockpile areas and on roads per Mojave Desert Air Quality Management District (MDAQMD) regulations;
5. Continue to utilize water from de-watering Sparkhule Quarry for dust control to reduce use of ground water and to comply with water use requirements amounts established by the Mojave Water Agency (MWA);
6. Implement the existing Storm Water Pollution Prevention Plan (SWPPP) to reduce erosion and uncontrolled run-off;
7. Continue employee training that will provide information and protection measures for mining within potential desert tortoise habitat; and
8. As areas become available, implement concurrent reclamation/revegetation of completed quarries and overburden stockpiles to reduce visual impacts through backfilling, recontouring and slope reduction, and revegetation with native plant species.

MINING OPERATIONS

The operational and reclamation project descriptions are applicable to the existing and future operations at the Oro Grande Quarries and would also be applicable for the Superior Quarry. The CEQA analysis provided herein considers all five quarries and other facilities and operations as described.

The Oro Grande Quarries consist of four limestone quarries; Sparkhule, Shay-Klondike, Mack's Peak, and Original Canyon with reserves of approximately 228 MT. The Superior Quarry, which has reserves of approximately 5 MT of silica within approximately 14.5 acres, is expected to be mined up to an estimated 100,000 tons/year. The Amended Reclamation Plan provides detailed mining and reclamation information for the site. Table 2 lists the area, reserves, and approximate production years for each quarry. Figure 4 is a reduction of the full sized mine plan (Mine and Reclamation Plan Sheet 2) that provides detailed mapping and mine information as discussed below.

The quarries are multi-bench open pit mines that are currently being mined. Several working levels within each quarry are typically operated at any one time to supply the quality and quantity of limestone required for blending specific cement products being produced at the Oro Grande Cement Plant. When mining is completed at the Mack's Peak Quarry and the Shay-Klondike Quarry, each quarry will be backfilled with overburden from the development of mainly the Original Canyon Quarry. The Original Canyon Quarry will be developed on a limited basis through about 2050 and thereafter will be one of two primary quarries. The Sparkhule Quarry will be operated for the life of mine and will produce approximately 64% of the total limestone on-site.

Table 2
Estimated Planned Quarries' Limestone Reserves, Production and Area

Quarry	Surface Area (acres)	Ore Limestone Reserves (million tons)	Percent of Total Reserves	Annual Average Ore Excavated (million tons)	Annual Ave. Waste Limestone[1]/ Overburden (million tons)	Estimated Years
Sparkhule Phase I	235.0	80.8	36	1.4 – 2.2	0.6 – 2.2	2021- 2060
Sparkhule Phase II	94.25	64.1	28	0.7 – 1.7	0.2 – 2.1	2041- 2121
Original Canyon Ph. I	122.5	13.5	6	0.25	0.25 – 0.7	2021 - 2070
Original Canyon Phase II	16.5	57.6	25	0.5 to 3.5	2.0 – 2.7	2051 - 2121
Mack's Peak	32.5	3.1	1	0.3	0.15	2021 - 2070
Shay- Klondike	140.5	8.9	4	0.45	0.45	2021- 2070
Total Limestone	641.25	228.0	100[1]	3.15	3.3	2021– 2121[3]
Superior - Silicate	14.5	**Silicate** 5.0	---	0.1	0.05	2021 - 2121

Source: CalPortland 2020
1 – Waste limestone is material below cut-off grade of 60% CA + $MgCO_3$. Waste rock and overburden excavated will vary annually depending on area(s) being excavated.
Areas are rounded to the nearest tenth of an acre and tonnage to tenths. Totals may be slightly different due to rounding. All tons are short tons.

Quarry Excavations

The quarries are excavated utilizing conventional open pit methods. This consists of drilling and blasting benches from 30 to 60 feet high. Bench heights and widths may vary with specific site geology as determined in the field for all quarries. Quarry haul roads are 100 feet wide and grade is 10% or less depending on locations and conditions. All operational and reclaimed slopes will have an overall slope of 1H:1V or slightly less.

The *Slope Stability Investigation Report Amended Reclamation Plan CalPortland Oro Grande Mine, ED #91-36-0023, February 2019, Terracon Consultants, Inc.* (refer to Amended Reclamation Plan, Appendix C) provides the calculated slope stability for potential failure geometries in rock benches for the quarries and overburden slopes. Based on geologic field observations and results of the slope stability analysis, the Amended Reclamation Plan's proposed rock and stockpile reclamation slopes will meet sufficient static factors of safety (FS) in excess of 1.5 and seismic factors of safety at or greater than 1.1 in conformance with Division of Mine Reclamation (DMR) criteria.

Broken limestone ore is loosened or stockpiled by a dozer and loaded by loaders into 100-ton off-road haul trucks (typical) for transport to the primary crusher plant located just to the southwest of the mine site boundary within the cement plant area. After the limestone is crushed and screened, it is stored in a dome covered stockpile and eventually processed into portland cement. The above is a continuous quarry operation; operations normally

being conducted in two 10-hour shifts, up to 6 days a week. No permanent stationary processing plants to crush and screen the ore are located within the mine plan boundary.

Other specialty minerals used within the cement plant process are found on-site in relatively low quantities. Portable crushing and screening plants are utilized on-site for processing these materials for use in the cement plant when needed. In addition, some rock, gravel, and non-spec material up to approximately 0.5 MT are crushed and screened on-site for use as construction aggregate to be used either on-site or for sale to market. These portable crushing plants, typically powered with diesel generators, are required to be fully permitted with the MDAQMD and to implement applicable dust control measures.

Detailed descriptions of the design parameters for each quarry are included in the Amended Plan.

Overburden Stockpiles

Overburden and waste rock are composed of limestone with less than 60% total carbonates and native rock and alluvium material. For the overall mine life, the strip ratio of overburden to limestone is approximately 1-ton of overburden to 1-ton of limestone. The overburden and non-spec limestone are loaded into off-road 100-ton haul trucks and transported along interior haul roads to adjacent overburden stockpiles.

Table 3 lists the existing and planned overburden stockpiles and backfilled areas, their heights, and the estimated amount of overburden capacity. Currently, overburden is deposited into six overburden stockpiles located adjacent to the three active quarries; Sparkhule IA, Sparkhule North, Sparkhule South, Mack's Peak, Comet, and Shay-Klondike South (mix of stockpile and backfill). Overburden stockpiling will continue throughout the life of the mine. The stockpiles are typically developed in 100-foot lifts for the higher stockpiles with approximately 40-foot wide benches at 100-foot vertical lifts. The interface slope is the angle of repose; 34° or 1.5H:1V. The overburden material is compacted by tractor roll-over. Final slopes for the stockpiles and elevated backfills will be sloped at 2H:1V or 27° with a horizontal bench of about 20 feet. Figure 4 shows the overburden stockpiles locations and design.

Overburden Backfills

To reduce stockpile footprints and transportation distances and to limit impacting undisturbed lands, overburden will also be deposited as backfill into the Shay-Klondike and Mack's Peak quarries after mining is completed. These two quarries will be completely backfilled by overburden and to maximize the stockpiles, overburden will be stockpiled up to a height of 270 feet above Shay-Klondike and 100 feet above Mack's Peak. Backfilling may potentially be conducted in completed portions of the Sparkhule Quarry.

All the stockpile slopes will be developed in lifts of approximately 100 feet in height with 1.5H:1V slopes with 40-foot benches. The Slope Stability Investigation Report determined that the worst-case fill or stockpile slope of 430 feet at 2H:1V will meet or exceed static and seismic factors of safety in conformance with DMR criteria.

The stockpile slopes will be graded upon completion of the lift and at final reclamation sloped to 2H:1V with 20-foot benches to create more natural surfaces to blend into the hills to the north and east and to create islands and pockets to place salvaged soil. This practice will enhance the capture of seeds and rainfall to facilitate revegetation and stability. The tops of stockpiles will be designed with inward drainage with a 10-foot deep depression to catch precipitation which will percolate and evaporate and avoid runoff down the stockpile slopes or haul roads and potential erosion.

Table 3
Planned Overburden Stockpiles and Storage Capacities
Oro Grande Quarries

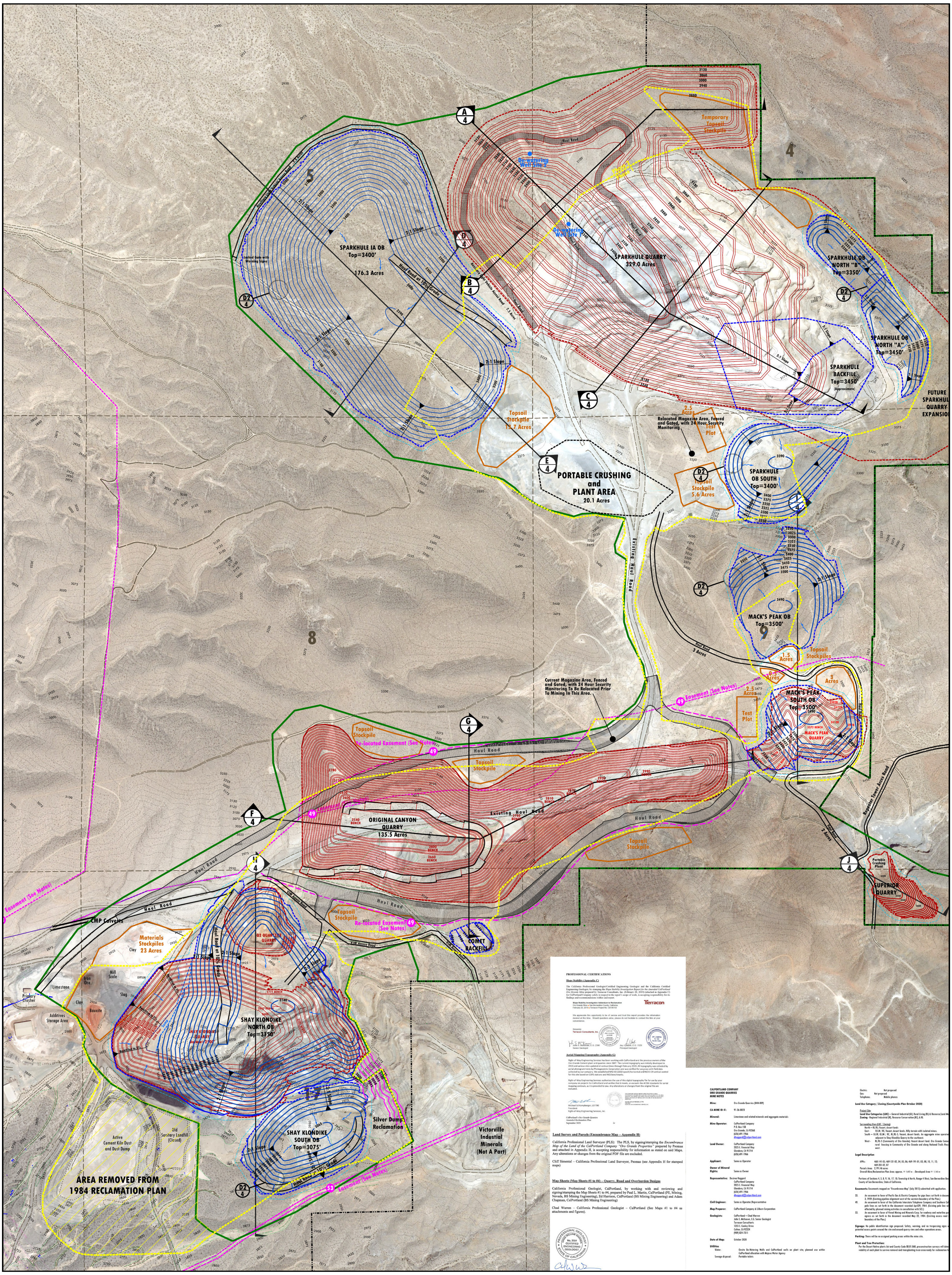
Overburden Storage Areas	Existing Area (acres)	Planned Expansion Area (acres)	Total Area (acres)	Height (varies) (feet)	Estimated Overburden Quantity (millions of tons)
Overburden Stockpiles					
Sparkhule IA	42.25	134.0	176.25	400	115.4
Sparkhule North A & B	34.5	0	34.5	50 to 75	1.0
Sparkhule South	28.0	8.5	36.5	100	4.0
Mack's Peak North OB	14.5	26.0	40.5	150	6.6
Comet	5.0	0	5.0	100	0.6
Shay-Klondike South	95.0	-65.5	29.5	175	7.0
Stockpiles Subtotal	**219.25**	**103.0**	**322.25**	**---**	**134.6**
Overburden - Backfill Quarries					
Shay-Klondike[1]	0	140.5	140.5	100 to 300	88.8
Mack's Peak Quarry[1]	0	32.5	32.5	100	1.7
Sparkhule Backfill[2]	0	40 (est.)	40 (est.)	250[2]	8.3
Backfill Subtotal	**0**	**213.0[1]**	**213.0**	**---**	**98.8**
Total OB	**219.25**	**316.0**	**535.25**	**---**	**233.5**

Source: CalPortland 2020
Tons based on loose or swelled cubic yards (25% swell factor).
Areas rounded to nearest quarter of an acre. Totals may be slightly different due to rounding.
Overburden excavated will vary annually depending on areas being excavated.
All final slopes will be 2H:1V.
1 – Backfill will be within the quarry footprint initiated when mining nears completion.
2 – Conceptual backfill within Sparkhule Quarry's southeast portion will be maximized based on mining conditions and resources. Height is thickness and will be within the depth of the pit.

Mobile Equipment

Approximately 16 pieces of heavy off-road construction-type equipment including five loaders and six 100-ton haul trucks are currently used for mining, hauling, and road maintenance activities on-site. As operations progress over time, replacement equipment may be required to optimize operations and to meet equipment and fleet emissions' standards. The replacement equipment types would not substantively change over time. Haul trucks and diesel equipment will meet all requirements of the California Air Resources Board's (CARB) off-road diesel vehicles regulation and fleet emission standards to reduce diesel pollutants.

Mine equipment is fueled at a diesel tank located near the quarry. Additionally, equipment can be fueled in the cement plant where maintenance facilities are located. The fuel tanks are on concrete pads with concrete berms as secondary containment. Scheduled equipment maintenance occurs at the cement plant facilities.



Source: Lilburn Corp., Sept. 2019.

0 1100
FEET

LILBURN CORPORATION

LEGEND

- Oro Grande Property Line
- Approved Reclamation Plan
- Amended Relamation Plan Area
- Planned Quarries
- Planned Overburden/Backfill
- Parcel Line

CALPORTLAND

MINE PLAN

Oro Grande Quarry

County of San Bernardino, California

FIGURE 4

Water

Water is only used in the SMARA boundaries for dust suppression at the quarries, overburden stockpiles, haul roads, and on occasion for water spray systems when portable crusher/screening plants are used on-site. Currently, one 8,000 and one 9,000-gallon water trucks are used for dust control. Typically, 7 to 8 truckloads of water are sprayed on-site per day, four to six days a week depending on active operations and weather conditions. This equates to approximately 63,000 to 72,000 gallons per day or about 52 acre-feet (AF)/year. This amount is not expected to change with the Amended Plan. Note that the use of approved dust palliatives on roads and active mine areas and infrequent wet weather, contribute to reducing the amount of water needed to control dust.

Water used in the mine area to control dust is primarily obtained from the Sparkhule Well No. 1 de-watering well recently drilled in 2015. A second de-watering well designated Sparkhule Well No. 2 will be drilled to the northwest in Phase II as needed to maintain de-watering of the quarry and to supply dust control water. In addition, the mine water trucks may fill-up from the 500,000-gallon water supply tank on the plant site.

Bottled drinking water for employees at the mining area is brought to the site as necessary. No surface water is used in the operation. There will be no added diversions or storage for water supply. No treatment facilities are needed, and no wastewater will be produced.

The Mojave Water Agency (MWA) is a State Water Project contractor, a regional groundwater management agency, and serves as Watermaster for the adjudicated Mojave Basin in which CalPortland's wells are located. CalPortland's Oro Grande Plant (industrial) including the mine site, has a free production allowance of 1,545 AF/year for its wells (26th Annual Report of the Mojave Basin Watermaster for Water Year 2018-2019; May 1, 2020). Verified water production in water year 2018-2019 per this report was 598 AF. The Amended Plan is not expected to substantially increase water use. The current water use of about 52 AF/year is within the available free production allowance for the Oro Grande Plant. In addition, CalPortland holds a 2019 – 2020 free production allowance of 483 AF/year for agricultural uses; in 2018-2019 none of this allowance was used. The agriculture allowance can be transferred to industrial uses.

Dust Control

Existing dust control measures are in compliance with MDAQMD Rules 401 (limiting visible emissions); 402 (avoid nuisance emissions to people or businesses or property); and 403 (prohibits visible dust from crossing property lines) and meet the required air quality standards. The dust control measures are in-place and operative with periodic monitoring by MDAQMD and CalPortland personnel ensuring that the regulatory standards are met. The purpose of Rule 403 of the MDAQMD is to reduce the amount of PM_{10} entrained as a result of human activities. Rule 403 requires that the Facility implement control measures to prevent, mitigate, or reduce fugitive dust. The principal dust control measure is the water spraying of roads, operational quarry areas, and active overburden stockpiles. Two water trucks with 8,000 and 9,000-gallon capacities are currently used for dust control. Radio and phone communications from the mine manager directs the water truck to any specific areas requiring immediate attention. Water spray systems located on chutes and conveyors are utilized when fugitive dust is visible. On occasion, if deemed a more effective method for road dust, CalPortland will utilize approved dust suppressant agents on quarry haul roads.

In addition, the portable crushing plants, typically powered with diesel generators, are permitted under the Oro Grande Title V Permit which includes corresponding MDAQMD permits and implement applicable dust control measures.

Hazardous Materials and Waste

Very limited hazardous materials are used on-site with the exception of fuels and oils for mobile equipment. There is a possibility that mobile equipment used on the mine site may leak or spill fuel or oil.

CalPortland has prepared a Hazardous Materials Business Plan (HMBP) for cement plant including the mine site that addresses the hazardous materials stored and used at these facilities. The HMBP describes methods and procedures to minimize the potential for hazardous material and waste releases including an emergency response and contingency and spill response procedures.

CalPortland has prepared a Spill Prevention Control and Countermeasure (SPCC) Plan for the cement plant and the mine site. The SPCC is designed to minimize the potential for spills or releases of oil and fuel and outlines procedures to be followed in the event of a spill.

Public Access and Safety

Access to the Oro Grande Quarries is limited to employees and authorized personnel. Access is gained through the Oro Grande Cement Plant with controlled access and 24-hour security, gates, and signs. During off hours for mine operations, access is restricted by warning signs and fences, and all legal access roads have locked gates and signs informing the public that the roads are closed to public access. Warning signs notify the public that the mining area has restricted access and that the roads are not public access roads. During non-operating hours, gates are closed and locked.

Quarry areas will continue to have warning signs, roads not used will be blocked or closed, and safety berms six feet high and 20 feet wide will be constructed along the quarry rims. Any unauthorized roads will be blocked or closed at the property boundary.

Overburden and waste rock at the Oro Grande Quarries are composed of limestone with less than 60% carbonates and native rock material. Overburden and waste rock are nontoxic, naturally occurring rock material, but which are of insufficient quality to process for ore.

Erosion and Sedimentation Control

Control of surface drainage, erosion, and sedimentation of the operations will involve the following primary components:

- Limiting surface disturbance to the minimum area required for active operations;
- Diverting runoff from flowing unchecked into quarries or down stockpile slopes; and
- Stabilizing disturbed areas through regrading, replacement of soils, revegetation, and erosion control practices.

All operations on-site will comply with the SWPPP to be updated periodically with mine site development and employ storm water Best Management Practices (BMPs).

Blasting

Blasting operations involve drilling along the mining face, placement of charges, and detonation of the charges by a blaster licensed through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF&E) for handling explosive materials. The transporting, handling, storage, and use of explosive materials, blasting agents, and

blasting equipment shall be directed and supervised by a qualified blasting contractor properly trained and licensed in accordance with all Federal, State, and local agencies and regulations. The blasting contractor and the explosive delivery company employees must be properly trained in accordance with CAL-OSHA and MSHA requirements and possess current blasting licenses and applicable insurance. CalPortland and its contractors currently hold applicable licenses and permits for on-site blasting operations.

Drilling is currently conducted 7 days a week, 10 hours/day with depths between 33 and 43 feet depending if developing a 30 or 40-foot vertical bench. Drilling hours may be extended, or a second rig may be used if needed in future during new quarry development. Blasting currently takes place approximately 8 to 9 times per month. Blasting would likely increase to up to about 12 blasts/month depending on the development phase of the various quarries. Blasting activities shall take place between the hours of 8:00 a.m. and 2:00 p.m. on weekdays (Monday through Friday). No blasting shall be allowed after dark or on weekends and Federal holidays.

RECLAMATION

CalPortland proposes to reclaim the five quarries to meet SMARA requirements as implemented by the County that will minimize impacts to the surrounding environment and provide public safety. Because of the phased nature of the mining development, reclamation concurrent with mining only can occur to a limited degree for safety and logistical reasons. Concurrent reclamation starts with the initiation of mining and development of new roads or new overburden stockpiles and includes the following:

- Stockpiling available surface material for use as a seed bed and seed bank in separate identified stockpiles seeded with an erosion control ground cover, water sprayed to create a crust, and/or covered with a larger rock material to limit wind and water erosion;
- Stockpiling alluvium overburden (for growth media) into separate stockpiles for future reclamation with erosion controls as listed above;
- Backfilling of the mined-out Comet, Mack's Peak, Shay-Klondike, and potentially a portion of the Sparkhule quarries as mining is completed in those quarries to reduce new overburden stockpiles and to reduce leaving open pits in the landscape;
- Sloping and grading of completed quarry and stockpile slopes for safety, slope stability, and erosion control;
- Ripping of compacted areas and roads prior to revegetation;
- Covering disturbed areas with salvaged soil and alluvium overburden to aid in revegetation;
- Revegetation – imprinting seeds and broadcast seeding followed by covering seed with layer of soil or alluvium by pulling chains or screens over the area;
- Upon completion of mining, remaining equipment, utilities, and internal roads not needed for site access will be reclaimed, and
- Monitoring and remediation until success criteria achieved.

The Reclamation Plot Plan is included as Sheet 3 of 4 in the Amended Plan.

<u>Equipment Removal</u>

Final reclamation will take place within the 10 years after termination of mining. All remaining equipment, utilities, and internal roads not needed for site access, reclamation, revegetation, and general site monitoring will be removed and reclaimed within five years.

Quarries

Reclamation of the quarries will consist of final sloping of excavated cuts and benches as needed that will not be backfilled to meet the designed slopes. Bench heights will vary with material encountered and have been determined as a result of detailed slope studies of the geologic structure and years of mining experience on-site.

The finished benches will be solid rock; portions as feasible will be ripped, covered with soil and alluvium, and revegetated. After revegetation, CalPortland will maintain erosion control and safety features; monitor revegetation progress; and conduct remediation as necessary until success criteria achieved.

Overburden Backfills

After mining is completed, Shay-Klondike and Mack's Peak quarries will be completely backfilled by overburden. To maximize the stockpiles, overburden will be stockpiled to a height of approximately 270 feet above Shay-Klondike and 100 feet above Mack's Peak. As the backfilling levels reach above grade, completed slopes will be developed with 2H:1V slopes, compacted by tractor roll-over, benches ripped and covered with up to 1-foot of soil and alluvium, and revegetated.

Overburden Stockpiles

All the stockpile slopes will be reclaimed with lifts of approximately 100 feet with 2H:1V slopes and 20-foot benches. The stockpile slopes will be graded concurrently and when a bench is completed, the lower final slopes will be graded to create more natural surfaces to blend into or conform with the surrounding hills and topography to the north and east and to create islands and pockets to place salvaged soil. This practice will enhance the capture of seeds and rainfall to facilitate revegetation and stability. The tops of stockpiles will be designed with inward drainage with a 10-foot deep depression to catch precipitation which will percolate and evaporate and avoid runoff down the stockpile slopes or haul roads and reduce potential erosion**.** The top of the stockpiles will be covered with soil and alluvium and revegetated.

Revegetation

A detailed description of the planned revegetation is included in the Amended Plan in Section 2.6 and Appendix F. The following procedures will be implemented for revegetation.

Site Preparation and Revegetation Procedures

- Ripping or scarifying compacted areas including closed roads to a 0.5-foot minimum depth (if possible due to rock benches in quarries), with surface rills and furrows left to aid in water and seed collection;
- Placing alluvium overburden on areas to be seeded to a depth of 0.5 to 1-foot to provide a more conducive subsurface for root establishment and grading;
- Placing soils that have been stockpiled on level areas, benches and 2H:1V or less steep slopes and partially mixed with underlying scarified material;
- Shaping or contouring final slopes and benches on the overburden stockpiles visible on the west for drainage and for natural appearing slopes and landforms. Shallow basins shall be graded into slopes and covered with soil to create favorable conditions for revegetation. (Quarry slopes will be below grade.);
- Seeding with locally native species and revegetation per methods described and as listed in the Amended Plan;
- Staking or flagging reclaimed areas to eliminate additional disturbance;

- Monitoring to determine of revegetation meets success criteria; and
- Application of remedial activities, if necessary, including but not limited to additional seeding and planting, plant protection and change of seed mix.

Surrounding Land Uses and Setting

The expansion areas are all logical extensions of vested mining activities based on geologic exploration in support of the Oro Grande Cement Plant. The expansion or development areas total approximately 315 acres on an overall Reclamation Plan area of 1,652 acres within private properties owned by CalPortland. The main expansion areas are to the northwest of the existing quarries and are generally undulating hills sloping east to west with typical desert vegetation. The Countywide Policy Plan (November 2020) Land Use Category (LUC) for the site is mostly General Industrial (GI) with a zoning district of Regional Industrial (IR); Resource/Land Management (RLM) with a zoning district of Resource Conservation (RC) in the northeastern quarter; and Rural Living (RL) land use category and zoning in the northwest quarter of the site. The IR zoning identifies and establishes areas suitable for major industrial purposes to support the need for manufacturing and employment.

The surrounding uses are as follows:

- North: Land Use Category (LUC) and zoning - RL; Vacant, desert lands.
- East: LUC – RLM; Zoning – RC.; Vacant, desert lands. Hilly terrain with isolated mines.
- South: LUC – GI and RLM; Zoning - IR and RC. Vacant, desert lands. An aggregate mine operated by others is located adjacent to Shay-Klondike Quarry to the southeast.
- West: LUC – GI, Medium Density Residential (MDR) in Community of Oro Grande to southwest, and RL to west along National Trails Highway. Zoning IR; multiple residential (RM); and RC. Vacant, desert lands to immediate west. Oro Grande Cement Plant to southwest; rural housing in Community of Oro Grande to southwest and along National Trails Hwy; and Mojave River further west.

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located approximately five miles north of Victorville in the unincorporated community of Oro Grande in San Bernardino County. The site is approximately four miles northwest of Interstate 15 (I-15), approximately 4.5 miles east of State Highway 395, and adjacent to National Trails Highway (State Route 66). The Project Site is within portions of Sections 4, 5, 8, 9, 16, 17, and 18 of Township 6 North, Range 4 West, San Bernardino Base Meridian. The Project Site consists of a total of 13 parcels (468-141-05; 469-131-02, 04, 05, 06; 469-191-01, 03, 05, 11, 12; 469-201-02, 05 and -07) within privately-held lands owned by CalPortland.

The proposed Project Site currently supports the existing Sparkhule, Original Canyon, Shay-Klondike, and Mack's Peak Limestone Quarries, collectively known as the Oro Grande Quarries, and Superior Quarry. Additionally, the Project Site currently contains six overburden stockpiles, areas designated for material storage, haul roads, topsoil stockpiles, buffers, and open space, as well as other associated uses. The total existing permitted Oro Grande Reclamation Plan area is approximately 971 acres with 850 acres disturbed or to be disturbed; the Amended Plan will add approximately 315 acres to be disturbed including an additional 14.5 acres for Superior Quarry for a total disturbed area of approximately 1,165 acres. Buffer areas around the quarries and overburden stockpiles, and islands of non-developed lands within the reclamation boundary will consist of approximately 487 acres. As such, the Reclamation Plan or Project Site's area totals approximately 1,652 acres.

ADDITIONAL APPROVAL POTENTIALLY REQUIRED BY OTHER PUBLIC AGENCIES

(Example: permits, financing approvals, or participation agreements.)

***Federal*:** U. S. Fish and Wildlife (FWS) – compliance with the Federal Endangered Species Act

***State*:** California Department of Fish and Wildlife (CDFW) - 1602 Streambed Alteration Agreement and compliance with the California Endangered Species Act; and Dredge and Fill Waste Discharge Permit with Regional Water Quality Control Board (RWQCB) (if applicable).

***County*:** None required

***Local*:** None required

SUMMARY OF 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 confidentially, etc.?

Yes, consultation was requested and completed. See Tribal Cultural Resources Section XVIII for additional details. On January 27, 2021, the County of San Bernardino mailed notifications pursuant to Assembly Bill 52 (AB-52) to the following Tribes:

- AhaMakav Cultural Society
- San Gabriel Band of Mission Indians
- Colorado River Indian Tribes
- Twenty-Nine Palms Band of Mission Indians
- Morongo Band of Mission Indians
- San Manuel Band of Mission Indians
- Soboba Band of Luiseno Indians
- Gabrieleno Band of Mission Indians - Kizh Nation

Requests for consultations were due in 30-days to the County by or around February 26, 2021. The San Manuel Band of Mission Indians (SMBMI) responded via email to the County on February 25, 2021. Subsequent consultations between the County and the SMBMI culminated in a set of mitigation measures which are included under Section V, Cultural Resources and Section XVIII, Tribal Cultural Resources.

In addition, on April 12, 2018, CRM TECH, the cultural resource consultant, submitted a written request to the State of California's Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. NAHC stated in a letter dated April 18, 2018, that the Sacred Lands File identified no Native American cultural resources in the project area but that the location is considered to be sensitive for such resources. Following the NAHC's recommendations and previously established consultation protocol, on April 26, 2018, CRM TECH further contacted a total of seven Tribal representatives in the region in writing for additional information on potential Native American cultural resources at or near the project location.

Three of the tribes contacted responded in writing, and none of them identified any specific sites of Native American cultural concern. The Morongo Band and the Twenty-Nine Palms Band of Mission Indian requested copy of this report for tribal review. The nearest Tribe among them, the San Manuel Band, provided ethnographic information.

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, Title 14, 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 18 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

1. **No Impact**: No impacts are identified or anticipated, and no mitigation measures are required.

2. **Less than Significant Impact**: No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

3. **Less than Significant Impact with Mitigation Incorporated**: Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures).

4. **Potentially Significant Impact**: Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are: (List of the impacts requiring analysis within the EIR).

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

On the basis of 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.

Steven Valdez — 05/10/2021

Signature: Steven Valdez, Senior Planner — Date

David Prusch — David Prusch — 05-10-2021

Signature: David Prusch, Supervising Planner — Date
Land Use Services Department/Planning Division

	Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
I.	**AESTHETICS** - Will 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 an existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SUBSTANTIATION: *(Check ☐ if project is located within the view-shed of any Scenic Route listed in the Countywide Policy Plan):* ***San Bernardino Countywide Policy Plan, 2020*****; *submitted Project Materials***

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

The Project Site is not located within a scenic vista recognized by the County Policy Plan or demonstrated as such in the San Bernardino County Land Use Plan Open Space Element. Therefore, the Proposed Project would not have a substantial adverse effect on a designate scenic vista. No impacts are identified or are anticipated, 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 located approximately 1.25 to 1.5 miles east of National Trails Highway and approximately three miles northwest of I-15; however, National Trails Highway and I-15 are not recognized as Officially Designated state scenic highways by the California Department of Transportation. The Officially Designated state scenic highway located nearest to the Project Site is California State Route 2, located approximately 26 miles southwest of the Project Site. Given the distance between the Project Site and the nearest officially designated state scenic highway, the Proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, no impacts are identified or are anticipated, 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 a historical industrial and mining area and the mine features are not a dominant view from National Trails Highway due to their low profile (quarries below grade, not hillside), adjacent railroad lines, and the eastern background of higher undeveloped hills and ridges. The Proposed Project will extend the stockpiles to approximately one mile from the rural residences along National Trails Highway. No mine expansion will be closer to the community of Oro Grande to the southwest of the Plant. The Amended Plan will not introduce a new use or create a substantial new alteration to the landscape of the area; however, the expansion of the two western overburden stockpiles may increase views of impacted areas. As such, CalPortland will implement the following Project Design features to reduce visual impacts:

- Deposit overburden within the completed Shay-Klondike, Mack's Peak, and a portion of the Sparkhule quarries as described in Section 1 of the Amended Plan to reduce the area of disturbance and visual impact outside the quarries;
- Implement reclamation and revegetation on completed overburden slopes and benches concurrent with operations where feasible;
- Cut or roughen overburden slopes that may be visible from west to reduce straight lines and visual impacts as benches completed;
- Construct catchment berms at foot of stockpiles to reduce rock rolldown and possible erosion;
- Limit surface disturbances to areas identified in the Amended Plan; and
- Implement appropriate dust controls to reduce visible dust during operations.

Additionally, the Proposed Project is not located in an urbanized area and the ongoing mining is a vested mining operation. The ongoing activities are allowable uses within the Regional Industrial (IR), RC, and RL zoning districts upon approval of a Reclamation Plan. Following the completion of mining, reclamation shall take place in order to reshape mining features and revegetate disturbed areas to minimize aesthetic impacts. Therefore, with approval and implementation of the Amended Reclamation Plan and the Project Design features listed above, the Proposed Project would not substantially degrade the existing visual character or quality of the Project Site or its surroundings, and the Proposed Project would not conflict with applicable zoning and other regulations governing scenic quality. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area as no permanent new light sources are proposed. All temporary lighting on-site shall comply with the requirements outlined by County Development Code Section 83.07.040, Glare and Outdoor Lighting – Mountain & Desert Regions. This includes fully shielding lights as required to preclude light pollution or light trespass on adjacent property, other property (directly or reflected), and members of the public on adjacent roads. With adherence to

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

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*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):*
San Bernardino Countywide Policy Plan 2020*; *CA Department of Conservation Farmland Mapping and Monitoring Program

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 Site is not designated, used, or zoned for agricultural purposes. The California Department of Conservation's Farmland Mapping and Monitoring Program's California Important Farmland Finder identifies portions of the Project Site as occurring within Urban and Build-Up Land, Grazing Land, and Other Land area. No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. Therefore, implementation of 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 designated, used, or zoned for agricultural purposes and it Is not part of a Williamson Act Contract. The California Department of Conservation's Division of Land Resource Protection's most recent San Bernardino County Williamson Act Contract FY 2015/2016 – Sheet 1 of 2 identifies portions of the Project Site as Urban and Built-Up Land and Non-Enrolled Land. No impacts are identified or are 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 Countywide Policy Plan Land Use Category for the site is mostly General Industrial (GI) with a zoning district of Regional Industrial (IR); Resource/Land Management (RLM) with a zoning district of Resource Conservation (RC) in the northeastern quarter; and Rural Living (RL) LUC and zoning in the northwest quarter of the site. The surrounding properties are zoned RL, RC, GI, and IR. Within the Community of Oro Grande, there are areas zoned for medium density residential (MDR) and multiple residential (RM). The Project Site and surrounding area are not used or zoned for timberland or forest land. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not zoned for and does not support forest land. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Implementation of the Proposed Project would not 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 impacts are identified or anticipated, and no mitigation measures are required.

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

SUBSTANTIATION: *(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):* ***San Bernardino Countywide Policy Plan 2020*; AQ & GHG Assessment 2020; s*ubmitted Project Materials**

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

The Project site falls under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) and is located in the Mojave Desert Air Basin (MDAB). The Air Quality Management Plan (AQMP) provides a program for obtaining attainment status for key monitored air pollution standards, based on limiting existing and future air pollution emissions resulting from development, traffic, employment and residential growth projections. The AQMP is developed using input from various agencies' General Plans and other projections for population and employment growth. The Project site is designated within the Mojave Desert Planning Area for nonattainment of PM_{10}. The MDAB is also a designated nonattainment basin for ozone. Equipment usage would result in emission of PM_{10} and ozone precursors, including NO_x and volatile organic compounds (VOC).

Generally, a project may be inconsistent with the AQMP or attainment plan if it could generate population, housing, or employment growth exceeding the forecasts used in the development of the AQMP. The Countywide Policy Plan Land Use Map shows that the project site is mostly within Land Use Category General Industrial (GI) and within Regional Industrial (IR) zoning. The Proposed Project is within an industrial area utilized for the extraction of minerals and the production of cement. No changes or amendments to land use, land use categories, or zoning are proposed; only the continuation of activities previously approved and ongoing on-site and in the surrounding area consistent with the Countywide Policy Plan. The Proposed Project is an amendment to an approved Reclamation Plan to continue mining on historical and vested mining areas and will not generate any substantial increases to housing, employment, or population. The site includes an increase in annual production from 2.1 to 3.1 million tons of limestone per year that is provided to the adjacent cement

plant. Criteria emission increases are estimated below and the MDAQMD CEQA thresholds are not exceeded.

Therefore, the emissions associated with the Proposed Project have already been taken into account in the AQMP and approval of the Proposed Project would not conflict with the AQMP. Applicable MDAQMD rules and regulations will be complied with. No significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project's emissions were obtained from an Air Quality Impact Analysis prepared by Lilburn Corporation in December 2020. Emissions were estimated using the latest emission factors from the following sources:

- MDAQMD's "Emissions Inventory Guidance for Mineral Handling and Processing Industries" (April 2000);
- CARB EMFAC2017 Emission Rates;
- SCAQMD "Air Quality Handbook" as updated (2019);
- SCAQMD and the California Emissions Estimator Model (CalEEMOD) Off-Road Mobile Source Emissions Factors;
- CalPortland's Title V Permit requirements;
- CalPortland's existing and future equipment inventory;
- CalPortland's CA Emissions Inventory Report (2016);
- EPA's AP-42 Section 13.2.2 unpaved roads (November 2006);
- SCAQMD Particulate Matter Emission Factors (July 2010);
- CARB Carl Moyer Program Guidelines for In-Use Off-Road Diesel-Fueled Emissions (2017); and
- Haul trucks and diesel equipment compliance with California Air Resources Board's (CARB) off-road diesel vehicles regulation and CalPortland's fleet averaging requirements to reduce diesel pollutants.

Stationary Emission Sources

There are no permanent stationary processing plants or facilities on the project site. On occasion, portable crushing and screening plants are utilized on-site for processing specialty minerals found on-site. In addition, some rock, gravel, and non-spec material are crushed and screened on-site for use as construction aggregate to be used either on-site or for sale to off-site construction jobs. These portable crushing plants, typically powered with diesel generators, are required to be fully permitted with the MDAQMD and to implement applicable dust control measures through its Title V Federal Operating Permit for the Oro Grande Facility described below.

All powered equipment on the mine site that is being used for the production of cement in any way is permitted under the Title V federal operating permit No.223900003. All areas of the Site that are

permitted in the Title V permit also have corresponding MDAQMD permits. All motors, fans, mills, bins, silos, bucket elevators, air slides, conveyors, feeders, generators, baghouses, quarry crushers, portable crushers, and all other powered equipment with horse power greater than 50 must be permitted under the Oro Grande Title V permit and MDAQMD permits. Stack emissions, point source emissions, and area emissions are also regulated under the Oro Grande Title V permit. No new piece of equipment with greater than 50 horse power, singly or combined, shall be added, even temporarily, to the facility without first receiving a Title V revision and corresponding MDAQMD permit. This applies to any and all equipment brought onto the site for any reason that shall benefit the site including, but not limited to the following: cement production, stationary equipment overhaul, relines, new construction, reconstruction, or crushing by portable equipment for the benefit of the site. Therefore, portable processing plant emissions are taken into account under Title V and are not included in the emissions inventory.

Mobile Equipment Exhaust Emissions

Mobile pollutant sources are regulated at the state level by CARB, not through the MDAQMD or local counties. Diesel truck exhaust has been the focus of recent studies. The CARB implements a comprehensive Diesel Reduction Plan to reduce emissions from both new and existing diesel-fueled engines and vehicles. The goal of the plan is to reduce diesel PM emissions and the associated risk by 75 percent in 2010 and 85 percent or more by 2020. Measures to reduce diesel emissions may include:

- More stringent emission standards for new diesel fueled engines and vehicles;
- Retrofitting existing engines with particulate traps;
- Require low sulfur content in diesel fuel; and
- Evaluate alternatives for diesel-fueled engines and vehicles.

Existing Baseline Conditions (2019)

The operations, the production rates, and shipping plans are listed below for the existing baseline conditions.

- Ore Production – Existing up to 10,500 tons/day, 2.1 million tons/year (depending on demand)
- Hours of Operation – 2 – 3 shifts; 20 hours/day, 4 days/week; equipment hours vary (see Appendix A, Table 1 (typical, depending on demand)
- Limestone ore is transported by off-road 100-ton capacity haul trucks directly to the primary crusher at cement plant to southwest of quarries – 100-ton trucks, 4 days/week up to 105 trucks/day
- Overburden – approx. 1:1 ratio that varies annually depending on quarry excavation location; 100-ton capacity haul trucks directly to the overburden stockpile area or backfill; 100-ton trucks, 4 days/week up to 105 trucks/day
- Portable aggregate plant with two crushers, two screens, and 15 conveyors and/or stackers (typical) ; permitted through MDAQMD either through CalPortland Title V or directly permitted by contractor with MDAQMD;
- Construction Aggregate Production: 322,375 ton/year (2018)
- Aggregate Shipping Off-Site - 25-ton trucks, 5 days/week up to 52 trucks/day, 250 days/year.

Future Operations (2022)

The operations, the production rates, and shipping plans are listed below for the future conditions from year 2022.

- Ore Production – Existing up to 15,750 tons/day, 3.15 million tons/year (depending on demand)
- Hours of Operation – 2 – 3 shifts; 20 hours/day, 4 days/week; equipment hours vary (see Appendix A, Table 1 (typical, depending on demand)
- Limestone ore is transported by off-road 100-ton capacity haul trucks directly to the primary crusher at cement plant to southwest of quarries – 100-ton trucks, 4 days/week up to 158 trucks/day
- Overburden – approx. 1:1 ratio that varies annually depending on quarry excavation location; 100-ton capacity haul trucks directly to the overburden stockpile area or backfill; 100-ton trucks, 4 days/week up to 158 trucks/day
- Portable aggregate plant with two crushers, two screens, and 15 conveyors and/or stackers (typical) ; permitted through MDAQMD either through CalPortland Title V or directly permitted by contractor with MDAQMD;
- Construction Aggregate Production: 500,000 ton/year
- Aggregate Shipping Off-Site - 25-ton trucks, 5 days/week up to 80 trucks/day, 250 days/year
- Haul trucks and diesel equipment will meet all requirements of the California Air Resources Board's (CARB) off-road diesel vehicles regulation and CalPortland's fleet averaging requirements to reduce diesel pollutants.

Typical equipment used onsite and hours of operations are shown in Table 4.

On-Site Aggregate Truck Exhaust Emissions

Some rock, gravel, and non-spec material are crushed and screened on-site for use as construction aggregate to be used either on-site or for sale to off-site construction jobs. The use of essentially overburden or non-spec limestone for aggregate products will reduce overburden volumes by about 15%.

Based on the past three years of production of this material, an average of approximately 322,375 tpy were produced and assumed to be all transported off-site. This results in approximately 52 – 25-ton street-legal haul truck trips per day based on 250 days per year. The average on-site distance traveled on-site assuming 50% of material from Sparkhule area (6-mile round trip to National Trails Highway; 156 miles), and 50% in southern quarries (about 3.5 miles round trip; 91 miles) is about 247 miles per day.

For future conditions and new shorter haul road to Sparkhule Quarry, CalPortland is estimating approximately 500,000 tpy of production of this material. This results in approximately 80 – 25-ton street-legal haul truck trips per day based on 250 days per year. The average on-site distance traveled on-site assuming 50% of material from Sparkhule area (4.8-mile round trip to National Trails Highway; 192 miles), and 50% in southern quarries (about 3.5 miles round trip; 140 miles) is about 332 miles per day; an increase of about 85 miles/day.

Table 4
Onsite Mobile Equipment (typical) - Estimated Usage

Equipment	Existing Number	Existing Hours/Day Per Vehicle	Future Operations Number	Future Operations Hours/Day Per Vehicle
Loaders:				
992 -Tier 4	2	9.4	3	14
992 – Tier 2	1	9.6	---	---
988 – Tier 3	1	9	1 (Tier 4)	10
980 – Tier 3	1	10	1 (Tier 4)	10
Haul Trucks:				
777 – Tier 4	4	10	6	15.5
777 – Tier 2	1	10	---	---
785 – Tier 2	1	10	---	---
Grader:				
14G – Tier 0	1	2	1 (Tier 4)	2
Dozer:				
D9N – Tier 0	1	5	1 (Tier 4)	5
Water Truck:				
769 – Tier 1	1	6	1 (Tier 4)	6
Drill Rigs:				
CAT Tier 0	1	5	---	---
Atlas Tier 4	1	5	---	---
EpiRoc Tier 4	---	---	2	6
Street Legal Aggregate Truck On-Site Miles (25 to 27-ton)	Varies	**Miles/Day (on-site)** 312	Varies	**Miles/Day (on-site)** 480
On-Site Off-Road Haul Trucks (ore & overburden)	4	**Miles/Day (on-site)** 595	Varies	**Miles/Day (on-site)** 895

Source: CalPortland 2020

Note: Existing equipment above is presently used onsite with varied Tier emission levels. Haul trucks and diesel equipment will meet all requirements of the CARB off-road diesel vehicles regulation and CalPortland's fleet averaging requirements to reduce diesel pollutants. Aggregate trucks increase with future production and must comply with emission regulations.

Fugitive Dust

Fugitive dust is generated by other activities onsite. These include dozing, loading, and dumping material, and wind erosion of active ore and overburden stockpiles, and active quarry areas. Dust equations in EPA AP-42, the MDAQMD Guidance Handbook, and/or the SCAQMD guidelines were utilized to estimate dust emissions. Existing dust control measures are in compliance with MDAQMD Rules 401 (limit visible emissions); 402 (avoid nuisance emissions to people or businesses or property); and 403 (updated October 2020), which requires the owner/operator of a mining facility to

implement measures to reduce PM_{10} entrained in the ambient air and to meet air quality standards. The dust control requirements for mining facilities are listed in Rule 403 (C)(8) and are required to be in place and operative with approval and periodic monitoring by MDAQMD and CalPortland personnel ensuring that the regulatory standards are met. Rule 403 requires that the Facility obtain and implement a District-approved Dust Control Plan which includes control measures to prevent, mitigate, or reduce Fugitive Dust. CalPortland has recently received approval for its Dust Control Plan from the District (December 2020). The principal dust control measure is the water spraying of roads, operational quarry areas, and active overburden stockpiles. An 8,000-gallon and a 9,000-gallon water truck are currently used for dust control. Radio and phone communications from the mine manager directs the water truck to any specific areas requiring immediate attention. Water spray systems located on chutes and conveyors are utilized when fugitive dust is visible. On occasion, if deemed a more effective method for road dust, CalPortland utilizes approved dust suppressant agents on quarry haul roads.

In addition, the portable crushing plants, typically powered with diesel generators, are required to meet permit requirements and to implement applicable dust control measures.

The following measures are implemented by CalPortland to reduce criteria emissions and fugitive dust:

1. *Annually renew permits and/or regulate permits to other outside operators to operate portable processing plants from the MDAQMD and implement conditions of said permits. Note that operating permits and other conditions may be included in the CalPortland - Oro Grande Facility Title V federal operating permit No. 223900003.*

2. *Water is applied to unpaved haul roads, active operational areas, and material stockpiles. Roads are treated with EPA approved dust suppressants to prevent dust as needed.*

3. *Prevent track out from trucks leaving from the site onto paved surfaces and wet sweep as needed.*

4. *All loaded trucks leaving from the site shall be properly trimmed with a 6-inch freeboard height and/or covered and sprayed with water so as to minimize dust and prevent spillage onto a public roadway per California Vehicle Code 23114.*

Table 5 summarizes the total emissions for the existing baseline conditions and the future scenario and the net change of pollutants expected as compared to CEQA thresholds. The net change in pollutants shows a decrease in NOx and ROC emissions with an increase CO despite an increase in production from 2.1 million tons/year to 3.15 million tons/year. Dust emissions (PM_{10} and $PM_{2.5}$) will also decrease with additional water spraying and use of dust suppressants. The principal reasons for the changes in net emissions are:

- Compliance with diesel emission standards and compliance with CalPortland's fleet averaging requirements thereby reducing the rate of truck and equipment exhaust; and
- Continued implementation of stringent dust control measures.

Therefore, the emission changes related to the Amended Plan will be less than the Existing Baseline (except for CO) and will not result in any new significant impacts or more severe impacts per CEQA guidelines. Air quality impacts will be less than significant with implementation of MDAQMD rules and regulations.

Table 5
Oro Grande Quarries
Existing Baseline Compared to Future Conditions
Estimated Maximum Air Pollutant Emissions (tons/year)

	ROG		NO_x		CO		PM_{10}		$PM_{2.5}$	
EMISSIONS SOURCES	**Existing Baseline**	**Future**	**Existing Baseline**	**Future**	**Existing Baseline**	**Future**	**Existing Baseline**	**Future**	**Existing Baseline**	**Future**
Mobile Equip. (Exhaust)	0.93	0.66	27.80	25.66	26.09	33.4	0.51	0.21	0.47	0.19
On-site Aggregate Trucks (exhaust)	0.01	0.01	0.24	0.27	0.03	0.03	0.01	0.01	0.01	0.01
Active Area Operations Fugitive Dust	---	---	---	---	---	---	1.80	2.40	0.65	0.88
Unpaved Road Dust (on-site)							56.7	42.2	11.8	8.7
Fugitive Dust	---	---	---	---	---	---	12.2	17.31	3.3	4.75
Emission Totals (tons/year)	**0.94**	**0.67**	**28.04**	**25.93**	**26.12**	**33.43**	**60.17**	**46.13**	**16.23**	**14.53**
Emission Change	**-0.27**		**-2.11**		**7.31**		**-14.04**		**-1.70**	
CEQA Thresholds	25		25		100		15		15	
Significant	**No**		**No**		**No**		**No**		**No**	

Source: Lilburn Corporation 2020

Less Than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

The Proposed Project is an Amendment to an existing use and uses are not anticipated to change substantially from existing conditions. The area's Land Use Category and Zoning Designation are for mostly industrial uses. The Land Use Category for the site is mostly General Industrial (GI) with a zoning district of Regional Industrial (IR); Resource/Land Management (RLM) with a zoning district of Resource Conservation (RC) in the northeastern quarter; and Rural Living (RL) land use category and zoning in the northwest quarter of the site. The IR zoning identifies and establishes areas suitable for major industrial purposes to support the need for manufacturing and employment.

The MDAQMD CEQA and Federal Conformity Guidelines (August 2016) describes sensitive receptors as being residences, schools, daycare centers, playgrounds, and medical facilities. The modeling results (as shown in Table 5) indicate that approval of the Amendment is not anticipated to exceed MDAQMD emissions thresholds. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project is an Amendment to an existing use and uses are not anticipated to change significantly from existing conditions. The area's Land Use Category and zoning are for industrial uses. The Countywide Policy Plan Land Use Category (LUC) for the site is mostly General Industrial (GI) with a zoning district of Regional Industrial (IR); Resource/Land Management (RLM) with a zoning district of Resource Conservation (RC) in the northeastern quarter; and Rural Living (RL) land use category and zoning in the northwest quarter of the site. The IR zoning identifies and establishes areas suitable for major industrial purposes to support the need for manufacturing and employment.

Potential odor sources associated with the Proposed Project may result from mining equipment exhaust; however, standard heavy duty equipment requirements would minimize odor impacts resulting from earthwork activities. The Proposed Project would also be required to comply with MDAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
IV.	**BIOLOGICAL RESOURCES -** Would the project:				
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 ☐):* ***San Bernardino Countywide Policy Plan, 2020*; *submitted Project Materials; Habitat and Jurisdictional Assessment, ELMT 2020***

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?

ELMT Consulting, Inc. (ELMT) prepared a Habitat and Jurisdictional Assessment (December 2020) for the Proposed Project (available at the County offices for review) to characterize and confirm existing site conditions and to assess the probability of occurrence for special-status plant and wildlife species that could be impacted with implementation of the Proposed Project.

Data regarding biological resources was obtained through review of literature, records searches, and field investigation. Previously recorded occurrences of special-status plant and wildlife species and their proximity to the Project Site were determined through a query of the California Department of Fish and Wildlife (CDFW) QuickView Tool in the Biogeographical Information and Observation System (BIOS), CNDDB Rarefind 5, the California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants of California, Calflora Database, compendia of special-status species published by CDFW, and the U.S. Fish and Wildlife Service (USFWS) species listings.

In May 2018 and May 2019, ELMT biologists performed field investigations which evaluated the extent and conditions of the plant communities found within the boundaries of the Project Site. All plant and wildlife species observed, as well as dominant plant species within each plant community, were recorded. Wildlife detections were made through observation of scat, trails, tracks, burrows, nests, and/or visual and aural observation. In addition, site characteristics such as soil condition, topography, hydrology, anthropogenic disturbances, indicator species, condition of on-site plant communities, and presence of potential jurisdictional drainage and/or wetland features were noted.

The habitat assessment evaluated the conditions of the habitats within the boundaries of the Project Site to determine if the existing plant communities at the time of the survey have the potential to provide suitable habitats for special-status plant and wildlife species. The literature search identified nine special-status plant species and 41 special-status wildlife species as having the potential to occur within the Victorville and Helendale quadrangles. No special-status plant communities were identified within these quadrangles. Special-status plant and wildlife species were evaluated during surveys for their potential to occur within the project boundaries based on habitat requirements, availability, and quality of suitable habitat, and known distributions.

<u>Plant Communities</u>

The creosote bush scrub plant community occurs on 790 of the approximately 1,652 acres throughout the undeveloped/undisturbed portions of the project site and is the dominant plant community within the surrounding landscape, and overall underlying plant community in the area. This plant community is dominated by creosote (*Larrea tridentata*) and is found on the outer perimeter of the project site outside of the areas that have been subject to existing mining activities.

Approximately 862 acres are disturbed areas that have been subject to a high level of human disturbances from existing mining activities and no longer comprise a native plant community.

Special-Status Plants

No special-status plant species were observed on-site during the field investigations, which was conducted during the blooming period for most of the special-status plant species. Based on habitat requirements for the identified special-status species, and known distributions, it was determined that the undeveloped portions of the Project Site that support the creosote bush scrub plant community have a moderate potential to support white pygmy-poppy (*Canbya candida*), Mojave monkeyflower (*Diplacus mohavensis*), Booth's evening-primrose (*Eremothera boothii ssp. boothii*), Torrey's box-thorn (*Lycium torreyi*), solitary blazing star (*Mentzelia eremophila*), Beaver Dam breadroot (*Pediomelum castoreum*), and Mojave fish-hook cactus (*Sclerocactus polyancistrus*). None of these special-status plant species are federally or State endangered; however, they are listed as CNPS Rare plant rank species. Additionally, all other special-status species documented as occurring within the vicinity of the Project Site are presumed absent.

A Protected Plant Preservation Plan was prepared by RCA Associates, Inc. in August 2020 that evaluated the presence of Joshua trees (*Yucca brevifolia)* on the project site. A total of 97 Joshua trees were documented within the boundary of the project site. Of the 97 Joshua trees, 58 were determined to be suitable for transplantation, leaving 39 to be removed. Following the completion of the Protected Plant Preservation Plan, San Bernardino County issued a Tree Removal Permit on August 11, 2020 for the transplantation of 58 and removal of 39 Joshua trees.

As concluded by ELMT, no special-status plant species were observed on-site during field investigation, which was conducted during the blooming period for most of the special-status plant species. Prior to future ground disturbing activities, focused special-status plant surveys should be conducted during the spring blooming season prior to ground disturbing activities, to determine if special-status plant species are present or absent in proposed mining areas. The following mitigation measure shall be implemented to ensure that less significant impacts occur:

Mitigation Measure BIO-1:

Prior to ground disturbing activities for each expanded mine area, focused special-status plant surveys shall be conducted during the spring blooming season to determine if special-status plant species are present or absent from the undisturbed portions of the Proposed Project areas focusing on white pygmy-poppy, Mojave monkeyflower, Booth's evening-primrose, Torrey's box-thorn, solitary blazing star, Beaver Dam breadroot, and Mojave fish-hook cactus. The surveys shall follow protocols and guidelines approved and recommended by the USFWS Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants; CDFW Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities; and the CNPS Botanical Survey in place at the time surveys are conducted. If species are found, measures to avoid, salvage, and transplant individuals, or collect seeds shall be implemented.

Special-Status Wildlife

Loggerhead shrike (*Lanius ludovicianus*) and desert tortoise (*Gopherus agassizii*) were the only special-status wildlife species observed on-site during the habitat assessment. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project Site has a moderate potential to provide suitable habitat for burrowing owl, and low

potential to provide habitat for Cooper's hawk (*Accipiter cooperii*), Golden eagle (*Aquila chrysaetos*), Townsend's big-eared bat (*Corynorhinus townsendii*), prairie falcon (*Falco mexicanus*), Victorville shoulderband (*Helminthoglypta mohaveana*), silver-haired bat (*Lasionycteris noctivagans*), hoary bat (*Lasiurus cinereus*), western small-footed myotis (*Myotis cilialabrum*), and Yuma myotis (*Myotis yumanensis*).

Mohave ground squirrel (*Xerospermophilus mohavenesis*), was not observed during the field investigations. Based on habitat requirements for Mohave ground squirrel, it was determined this species is presumed absent from the project site. Furthermore, it was determined that the Project Site does not provide suitable habitat for any of the other special-status wildlife species known to occur in the area.

The project site is not located within federally designated Critical Habitat. The closest Critical Habitat designation is located approximately 0.75 mile west of the project site for Southwestern willow flycatcher (*Empidonax traillii extimus*), along the Mojave River. No impacts to federally designated Critical Habitat will occur from implementation of the proposed project.

The special-status wildlife species observed on-site or determined to have a moderate or higher potential to occur on-site are described in further detail below.

Loggerhead Shrike (and Nesting Migratory Birds)

Loggerhead shrike is a year-round resident of the Mojave Desert and is designated by the CDFW as a Species of Special Concern. Loggerhead shrike was observed during the habitat assessment and is assumed to be present on-site. In order to ensure compliance with the Migratory Bird Treaty Act (MBTA) and Fish and Game Code, clearance and removal of any trees, shrubs, or any other potential nesting habitat in undisturbed areas should be conducted outside the avian nesting season. Nesting birds are protected pursuant to the MBTA and California Fish and Game. As such, prior to ground distributing activities a nesting bird clearance survey shall be conducted in accordance with Mitigation Measure BIO-2 to ensure that less than significant impacts occur:

Mitigation Measure BIO-2:

If new disturbance activities occur between February 1st and August 31st, a clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during clearing. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the clearance survey, mining activities should be limited to an area outside of a 300-foot buffer around the active nest. For listed and raptor species, this buffer should be expanded to 500 feet. A biological monitor should be present to delineate the boundaries of the buffer area and monitor the active nest to ensure that nesting behavior is not adversely affected by mining activities. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, mining activities within the buffer area can occur.

Burrowing Owl

Burrowing owl is currently designated as a California Species of Special Concern. The species is considered a grassland specialist which is distributed throughout western North America. The creosote bush scrub plant community within and adjacent to the Project Site is dominated by low-growing open vegetation that allows for line-of-sight observation favored by burrowing owl. Multiple large burrows

that have the potential to provide suitable nesting habitat for burrowing owls were observed throughout the Project Site. Despite a systematic search of all suitable burrows and open habitats with low-growing vegetation, no burrowing owls or signs were observed during the habitat assessment. As stated by ELMT, it should also be noted that the nearest recorded occurrence for burrowing owl was documented in 2013 approximately six miles southwest of the Project Site. Therefore, it was determined that burrowing owl has a low to moderate potential to occur within the Project Site. The following mitigation measure is required to ensure that less than significant impacts occur:

Mitigation Measure BIO-3:

In order to comply with statewide burrowing owl guidelines published by the CDFW in 2012, a focused survey for burrowing owl may need to be conducted if new ground disturbing activities are to occur during the breeding season (February 15 to July 15). If burrowing owl are found to occupy the Project Site at the time of the focused surveys, a relocation plan will need to be written, approved, and implemented prior to project activities occurring in the area occupied. If no burrowing owl or burrowing owl sign are found during the focused surveys, prior to new ground disturbing activities, two burrowing owl clearance surveys shall be conducted, first at least 14 days prior to ground disturbing activities and again within 24 hours of the start of ground disturbing activities to ensure burrowing owl remain absent from the Project Site.

Desert Tortoise

Throughout the majority of the Mojave Desert, desert tortoises occur most commonly on gentle sloping soils characterized by an even mix of sand and gravel and sparsely vegetated low-growing vegetation where there is abundant inter-shrub space. Typical habitat for desert tortoise has been characterized as creosote bush scrub below 5,500 feet in elevation with a high diversity of perennial and ephemeral plants. The undeveloped portions of the Project Site are dominated by creosote bush scrub plant communities that have the potential to provide suitable habitat for desert tortoise. During the original field investigation several potential desert tortoise burrows and signs were observed. Therefore, a desert tortoise focused presence/absence survey was conducted in the fall 2018. Nine live desert tortoises were observed during the focused survey. Although presence absence surveys are not designed to determine population densities, the data can be used to infer potential number of desert tortoises occupying the Project Site. An estimated 26 desert tortoises are assumed to occupy the site and therefore the following mitigation measure shall be implemented to ensure that less than significant impacts occur:

Mitigation Measure BIO-4:

Given the known presence of desert tortoise and the potential to impact this species through direct mortality of individuals, as well as loss of occupied habitat, appropriate avoidance and minimization measures and/or an incidental take permit(s) will be prepared and processed through the USFWS and CDFW under the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA).

With implementation of Mitigation Measures BIO-1 through BIO-4, listed above, the Proposed Project is not anticipated to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

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 (CDFW) or US Fish and Wildlife Service (FWS)?

There are no riparian habitats and no other sensitive natural communities located on the Project site. Implementation of the Proposed Project would not result in impacts to riparian habitat or to other sensitive natural communities in the vicinity. Therefore, no impacts are identified or anticipated, and no mitigation measures are 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?

ELMT Consulting (ELMT) prepared the *Delineation of State and Federal Jurisdictional Waters* report for CalPortland's Oro Grande Quarries Revised Reclamation Plan Project (March 2021). The jurisdictional delineation documents the regulatory authority of the U.S. Army Corps of Engineers (Corps), the Regional Water Quality Control Board (Regional Board), and the California Department of Fish and Wildlife (CDFW) pursuant to Section 401 and 404 of the Federal Clean Water Act (CWA), the California Porter-Cologne Water Quality Control Act, and Sections 1600 *et. seq.* of the California Fish and Game Code.

Numerous unnamed ephemeral drainage features were observed within the boundaries of the project site during the field delineation. The onsite drainages are located at the top of the watershed, originating on the steep slopes along the eastern, northern, and southeastern boundaries of the site All of the onsite drainage features generally flow in an east to west direction across the project site in direct response to precipitation, and do not support riparian vegetation. No surface water was observed during the field investigations and no fish, amphibians, or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish or amphibian species were observed on or immediately adjacent to the Project Site.

All of the onsite drainage features, after flowing offsite, eventually infiltrate east of National Trails Highway and the existing railroad that parallels the highway. The National Trails Highway and railroad have greatly reduced if not eliminated the onsite drainage features connectivity to the Mojave River, located approximately 0.75 mile west of the project site. As a result, the onsite drainage features do not have a surface hydrologic connection to downstream waters of the United States and will not be considered jurisdictional by the Corps. However, the onsite drainages will fall under the regulatory authority of the Regional Board as waters of the State, and, potentially, CDFW as jurisdictional streambed.

The onsite drainage features exhibit characteristics consistent with the Regional Board's methodology and would be considered jurisdictional waters of the State. Likewise, even though there will be no impact to existing fish and wildlife resources, the onsite drainage features exhibit characteristics consistent with CDFW's methodology and would be considered CDFW streambed. The Regional Board and CDFW streambed areas and lengths are the same. Approximately 8.31 acre (54,927 linear feet) of Regional Board waters of the State and CDFW streambed jurisdiction were mapped within the boundary of the project site. Approximately 7.03 acre (46,274 liner feet) of potential impacts will occur within Regional Board waters of the State and CDFW jurisdictional streambed.

Potential impacts to on-site Regional Board waters of the State and CDFW jurisdiction streambed will likely require a Regional Board Report of Waste Discharge permit prior to project implementation and a CDFW Section 1602 Streambed Alteration Agreement.

Therefore, the following mitigation measure shall be implemented to ensure that less than significant impacts occur:

Mitigation Measure BIO-5:

The formal jurisdictional delineation shall be forwarded to the Regional Board and CDFW for their review, and if onsite drainages are determined to be Regional Board waters of the State and/or CDFW jurisdictional streambed, regulatory permits will need to be obtained through the Regional Board and/or CDFW prior to initiating new mining within an area and appropriate protective measures implemented and compensation provided.

The following are general protective measures that may be required to be determined by the agencies:

- *Worker environmental awareness program;*
- *Avoidance of waters of the State and jurisdictional streambeds as possible;*
- *Demarcation of jurisdictional streambeds to prevent unnecessary impacts;*
- *Avoiding impacts to undisturbed areas and to wildlife and sensitive species through pre-clearance surveys, establishing buffer areas, and temporary fencing;*
- *Implementation of BMPs to prevent erosion and sediment discharge;*
- *Invasive weed control;*
- *Maintaining areas free of trash, debris, hazardous materials, and spills; and*
- *Compensation as applicable to be determined which may include a combination of on-site and/or off-site compensation and/or re-habitation.*

With adherence to the regulatory permitting requirements including mitigation and compensation as applicable, the Proposed Project is not anticipated to have a significant effect on any waters of the State.

Less than Significant with Mitigation

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?*

Habitat linkages provide links between larger undeveloped 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.

According to the San Bernardino County Policy Plan, the Project Site has not been identified as occurring within a Wildlife Corridor or Linkage.[1] Although partially constrained by existing mining facilities, the community of Oro Grande, and National Trails Highway to the west, the open and natural habitats within the undeveloped portions of the Project Site, and surrounding the Project Site to the north, south and east have the potential to allow for wildlife to move from the Project Site into the undeveloped areas surrounding the Project Site.

[1] County of San Bernardino. Policy Plan web maps. NR-2 “Parks and Open Space Resources.”

Major open space areas and wildlife corridors documented in the vicinity of the Project Site include the Mojave River located approximately 0.75-mile west of the Project Site. The Mojave River provides north to south movement opportunities through the Mojave Desert and surrounding communities. The Project Site, however, is separated from this identified regional wildlife corridor/linkage by National Trails Highway and existing development. There are no riparian corridors, creeks, or useful patches of stepping-stone habitat within the Project Site or connecting the Project Site to the Mojave River. As such, implementation of the Proposed Project is not expected to impact wildlife movement opportunities or prevent the Mojave River from continuing to function as a wildlife corridor and impacts to wildlife corridors or linkages are not expected to occur.

Project implementation will continue to allow wildlife movement across portions of the site and within adjoining large blocks of habitat. Due to the lack of any identified impacts to wildlife movement, migratory corridors or linkages, or native wildlife nurseries, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

With implementation of the Amended Plan, including revegetation, and adherence to the San Bernardino County Development Code, the Proposed Project is not anticipated to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan. Therefore, impacts to any local, regional, or state habitat conservation plans are not expected to occur from development of the Proposed Project. No impacts would occur, and no mitigation measures are required.

No Impact

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☒	☐

b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

SUBSTANTIATION: *(Check if the project is located in the Cultural ☐ or Paleontological ☐ Resources overlays or cite results of cultural resource review): San* ***Bernardino Countywide Policy Plan, 2020; CRM Tech "Historical/Archaeological Resources Survey Report"; submitted Project Materials***

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

CRM TECH performed a cultural resources study for the Proposed Project area of approximately 1,081 acres to determine potential cultural resource impacts. The project area consists of noncontiguous tracts of land in the rugged hills surrounding the existing mining area to the northeast of the community of Oro Grande. In order to identify resources, CRM TECH conducted a historical/ archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out an intensive-level field survey. The ground surface in the entire proposed project area was examined for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years ago or older).

A modern building housing communication equipment for the plant is the only standing structure within project boundaries. Most of the proposed project area remains in a relatively natural state, but existing disturbances are widespread due to the proximity of the quarry. The terrain in the project area is characterized by a mixture of gullies, washes, terraces, large hills, and steep slopes. Developing desert pavement, a surface layer of closely packed or cemented rocks and gravels, was noted on the terraces and along the ridges, while alluvial soils cover much of the northern half of the project area. The sparse vegetation growth in the project area includes creosote bush, Mojave yucca, and other common desert grasses and brushes.

During the field surveys, 39 previously unknown cultural resources were identified and recorded within the proposed project area, including 19 archaeological sites, 2 built-environment objects, and 18 isolates (i.e., localities with fewer than three artifacts). Of these, 11 sites and 8 isolates are of prehistoric (i.e., Native American) origin. The isolates all consist of lithic artifacts made from locally available source materials. Eleven of the prehistoric sites mainly consist of rock circles and are discussed under Section b below.

Eight sites, ten of the isolates, and the two objects date to the historic period, all of them representing remnants of mining-related activities, primarily refuse items. The ten historic-period isolates include rusted cans, a glass shard, a nail dump, and a crucible. The isolates, whether of prehistoric or historical origin, by definition do not constitute archaeological sites due to the lack of contextual integrity, according to guidelines set forth by the California Office of Historic Preservation. As such, the 18 isolates recorded within the project area are not considered potential "historical resources," and require no further consideration in the CEQA-compliance process.

The historic-period sites and objects recorded during this study occur within the context of the long history of mining in the Oro Grande area but do not demonstrate a specific association, let alone a close association, with persons or events of recognized historic significance. In the absence of an exceptional quantity or quality of the artifacts, they do not hold the potential for any important archaeological data, and what little data potential they may have is largely exhausted through their

recordation into the California Historical Resources Inventory. Therefore, they do not constitute "historical resources" under CEQA provisions and less than significant adverse impacts are expected.

Less Than Significant Impact

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

The eleven rock circle sites recorded during the study are an undetermined resource due to the limited amount of previous research completed on similar features in the Mojave Desert region, related to the nature, function, and interpretation of the rock circles. In light of the possibility of subsurface cultural deposits at these prehistoric sites, the archaeological data potential of these sites cannot be determined on the basis of surface observations alone. Further archaeological investigations, including subsurface excavations and supplementary background research, will be necessary to adequately evaluate the significance of these sites.

A Phase II archaeological testing and evaluation program is recommended to be implemented prior to the commencement of any ground-disturbing activities on any of the 11 prehistoric sites that may be impacted by the proposed project. Therefore, Mitigation Measure CR-1 is required. In addition, Mitigation Measure CR-2, as a supplement to Mitigation Measure CR-1, and Mitigation Measure TCR-1 in Section XVIII, Tribal Cultural Resources below, shall also be implemented per the request of the San Manuel Band of Mission Indians.

Mitigation Measure CR-1:

A Phase II archaeological testing and evaluation program shall be implemented prior to the commencement of any ground-disturbing activities on any of the 11 prehistoric sites that may be impacted by the proposed project. The testing program should consist of, at a minimum, subsurface excavations within and adjacent to the rock circles without disturbing the features themselves, further recordation of a selected sample of rock circles, literary research, ethnographic consultation with the appropriate Tribe(s), preparation of a final report to document the findings, and permanent curation of recovered artifacts at an appropriate facility. Further recommendations regarding the final treatment of the sites will be formulated and presented on the basis of the results of the testing program.

Mitigation Measure CR-2:

Archaeological Monitoring, Testing, and Treatment
A Monitoring, Testing, and Treatment Plan that is reflective of the project mitigation (under "Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring, Testing, and Treatment Plan, which will be prepared in cooperation with the SMBMI and incorporate guidelines below and within Mitigation Measure TCR-1.

Monitoring Guidance Summary. Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all initial ground-disturbing activities that occur within each phase of excavation of the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, new and expanded stockpiling, fence/gate

removal and installation, drainage removal and installation, and archaeological work). A sufficient number of archaeological monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage.

Testing Guidance Summary. A Testing Plan shall be created by the archaeologist and submitted to the SMBMI and the Lead Agency for review at least 10 business days prior to implementation, so as to provide time to review/modify the Plan, if needed. The Plan shall outline the protocol of presence/absence testing. At least one archaeologist with at least 3 years of regional experience in archaeology and a Tribal monitor representing the SMBMI shall conduct subsurface archaeological testing on the project site via the employ of a number of applicable subsurface investigative methods, including shovel test probes, remote sensing, and/or deep testing via controlled units or trenching of appropriate landscapes, with a sample size of at least 25% of the area of concern dug and dry-sifted through 1/8-inch mesh screens, prior to any ground-disturbing activity.

Treatment Guidance Summary. A Treatment Plan shall be created detailing that 1) no collection of artifacts or excavation of features shall occur during testing, and 2) all discovered resources shall be properly recorded and reburied in situ. If the results of testing, as approved by SMBMI, are positive, then SMBMI and the Lead Agency shall, in good faith, consult concerning appropriate treatment of the finding(s), guidance for which is outlined in TCR-1. If the results of testing, as approved by SMBMI, are negative, then SMBMI will conclude consultation unless any discoveries are made during project implementation. Any and all discoveries made during project implementation shall be subject to the Treatment Plan outlined within the Monitoring, Testing, and Monitoring Plan, as well as the treatment guidelines within TCR-1.

Less than Significant with Mitigation

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

Ground-disturbing activities, particularly mining below grade, could potentially disturb human remains interred outside of a formal cemetery. Field surveys conducted as part of the Cultural Resource Assessment did not encounter any evidence of human remains. The Project Site is not located on or near a known cemetery, and no human remains are anticipated to be disturbed during mining operations. However, the potential exists that human remains may be unearthed during implementation of the Proposed Project. Therefore, Mitigation Measure CR-3 / TCR-2, defined below and in Section XVIII, shall be implemented to ensure that less than significant impacts occur regarding human remains occur.

Mitigation Measure CR-3 / TCR-2

Inadvertent Discoveries of Human Remains/Funerary Objects
In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify SMBMI, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources

Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*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: San Bernardino Countywide Policy Plan 2020; submitted materials

California is one of the lowest per capita energy users in the United States, ranked 48th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration [EIA] 2018). California consumed 292,039 gigawatt-hours (GWh) of electricity and 2,110,829 million cubic feet of natural gas in 2017 (California Energy Commission [CEC] 2019; EIA 2018). In addition, Californians consume approximately 18.5 billion gallons of motor vehicle fuels per year (Federal Highway Administration 2019). The single largest end-use sector for energy

consumption in California is transportation (39.8 percent), followed by industry (23.7 percent), commercial (18.9 percent), and residential (17.7 percent) (EIA 2018).

Most of California's electricity is generated in-state with approximately 30 percent imported from the Northwest and Southwest in 2017. In addition, approximately 30 percent of California's electricity supply comes from renewable energy sources such as wind, solar photovoltaic, geothermal, and biomass (CEC 2018). Adopted on September 10, 2018, SB 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline, which is sourced almost exclusively from in-state refineries. Gasoline is the most used transportation fuel in California with 15.3 billion gallons sold in 2019 and is used by light-duty cars, pickup trucks, and sport utility vehicles (California Department of Tax and Fee Administration 2018). Diesel is the second most used fuel in California with 3.14 billion gallons sold in 2019 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2020). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including CO2 and NOX. The transportation sector is the single largest source of GHG emissions in California, accounting for 40 percent of all inventoried emissions in 2018 (California Air Resources Board [CARB] 2020).

Building Energy Efficiency Standards

The CEC adopted Title 24, Part 6, of the California Code of Regulations; Energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. Title 24 (now called the Building Energy Efficiency Standards) ensures building designs conserve energy by requiring the use of new energy efficiency technologies and methods into new developments. Currently, the CEC Title 24 2019 Building Energy Efficiency Standards are in effect to be updated in 2022. The Building Energy Efficiency Standards state that nonresidential buildings will use about 30 percent less energy compared to the 2016 standards due mainly to lighting upgrades.

Senate Bill 350

Senate Bill (SB) 350 (de Leon) was signed into law in October 2015 and established new clean energy, clean air, and greenhouse gas reduction goals for 2030. SB 350 establishes periodic increases to the California Renewables Portfolio Standard (RPS) Program with the target to increase the amount of electricity generated per year from eligible renewable energy resources to an amount that equals at least 33% of the total electricity sold annually to retail customers, by December 31, 2020. The SB 350 specifically calls for the quantities of eligible renewable energy resources to be procured for all other compliance periods reflecting reasonable progress in each of the intervening years to ensure that the procurement of electricity products from eligible renewable energy resources achieves 40 percent by December 31, 2024, 45 percent by December 31, 2027, and 50 percent by December 31, 2030.

Senate Bill 100

Senate Bill 100 (SB 100) was signed into law September 2018 and increased the goal of the California RPS Program to achieve at least 50 percent renewable resources by 2026, 60 percent

renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

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

Energy use would be primarily fuel consumption to operate heavy equipment and trucks during mining, loading, and trucking operations. The current energy consumption from equipment and vehicles, including truck trips to and from the cement plant is approximately 375,000 gallons of diesel fuel per year. No electricity or natural gas consumption is used onsite or is proposed.

Diesel fuel use would increase by about 175,000 gallons per year with the proposed increase in production to approximately 550,000 gallons of diesel fuel per year. In comparison, County retail sales of diesel fuel was about 159 million gallons in 2019 with a state-wide total of taxable diesel fuel usage of over 3 billion gallons in 2019 (California Energy Commission 2019 Annual Report (CEC-A15; September 2020). The CEC estimates that retail sales account for about 47.2% of the total diesel sales; 52.8% is non-retail sales. Therefore total diesel sales in the County are estimated to be around 337 million gallons/year and 6.6 billion gallons/year statewide.

Energy use would be typical of similar-sized long-term construction-type and mining projects in the region. In the interest of cost efficiency, operations are not anticipated to utilize fuel in a manner that is wasteful or unnecessary. In addition, since the limestone ore is transported directly to the adjacent cement plant, long distance transport of limestone is eliminated. In addition, all off-road and on-road equipment and trucks will meet CalPortland's fleet averaging requirements and compliance with MDAQMD rules and CARB's Off-Road Diesel Vehicle regulations. Therefore, project impacts would not result in a potential impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and less than significant energy impacts would occur.

Less Than Significant Impact

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

As stated, the Proposed Project would not require implementation of new or expanded electric power or natural gas facilities as it will not be using electricity, natural gas, or any other energy resources. Therefore, the Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
VII. GEOLOGY AND SOILS - Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) 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):* ***San Bernardino Countywide Policy Plan 2020; submitted Materials***

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

The Project Site is not located within, or in the immediate vicinity of, an Alquist Priolo Earthquake Fault Zone.[2] The Alquist Priolo Earthquake Fault located nearest to the Project Site is the Helendale Fault, which is located approximately six miles northeast of the Project Site. Therefore, the Proposed Project is not anticipated to expose people or structures to potential substantial adverse effects,

[2] County of San Bernardino. Policy Plan web maps. HZ-1 "Earthquake Fault Zones"

including the risk of loss, injury, or death involving the rupture of a known earthquake fault. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

ii) Strong seismic ground shaking?

Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. As referenced, the Alquist Priolo Earthquake Fault located nearest to the Project Site is the Helendale Fault, which is located approximately six miles northeast of the Project Site. The Project Site, however, supports the existing Oro Grande Quarries and does not contain habitable structures and no such structures are proposed. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

The Project Site is not located in an area susceptible to liquefaction.[3] Therefore, no impact is identified or anticipated, and no mitigation measures are required.

No Impact

iv) Landslides?

The Project Site is not located in an area susceptible to landslides.[4] Additionally, the Slope Stability Investigation Report prepared by Terracon for the Proposed Project calculated slope stability for potential failure geometries in rock benches for the Sparkhule, Original Canyon, and Superior quarries (and for the highest overburden slope). Based on geologic field observations and results of the slope stability analysis, it is Terracon's opinion that the proposed rock and stockpile reclamation slopes are feasible with respect to slope stability from a geotechnical standpoint. Additionally, as stated, the Proposed Project does not contain habitable structures and no such structures are proposed. Therefore, implementation of the Proposed Project is not anticipated to cause potential substantial adverse effects directly or indirectly, including the risk of loss, injury, or death involving landslides. No significant adverse 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?*

As outlined by the Amended Plan, control of erosion and sedimentation will involve limiting surface disturbance, diverting runoff, and stabilizing disturbed areas. The quarries and overburden stockpiles will be developed as needed to limit surface disturbances. Surface disturbance areas which will be subject to potential erosion and sediment loss will be limited through long-range planning, effective-design practices, phased development of expansion areas, sequencing of soil removal, and reclamation of disturbed areas.

[3] County of San Bernardino. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards"
[4] County of San Bernardino. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards"

For the overall area, including the quarries, the overburden stockpiles, and haul/access roads, erosion and sediment loss and transport will be controlled using localized drainage and sediment control measures. These measures will include construction of temporary diversion and collection ditches, berms, or catchment basins; placement of erosion control materials or straw bales; and other appropriate measures individually or in combination. Soil and alluvium stockpiles will be stabilized through establishment of a temporary vegetative cover if they are designed for storage periods exceeding one year and/or are covered with larger rock material.

The site will be visually inspected after major precipitation events to determine if any substantial erosion is evident such as sheet, rill or gully erosion or any surficial instability. Appropriate erosion control measures as listed above will be implemented where erosion is observed. In active quarry areas, drainage control generally will not be a significant concern since essentially all disturbed area drainage will be retained within the basin created by the quarry excavation.

Long-term stabilization, or reclamation, will generally involve grading or reshaping disturbed areas, establishing effective drainage, placement of soil and alluvium, and revegetation. Surface stabilization of quarry areas will consist of removal of loose rocks from highwall areas, and soil/alluvium replacement and revegetation of quarry bench surfaces. Following reclamation, the majority of surface runoff from quarry areas will be retained in the quarry limits where it will either infiltrate or evaporate.

All operations on-site will comply with the SWPPP to be updated periodically with mine site development and employ storm water BMPs. With adherence to the SWPPP, the Proposed Project is not anticipated to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on- or off-site. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not located in an area susceptible to landslides or liquefaction.[5] Additionally, as concluded by Terracon, the proposed rock and stockpile reclamation slopes are feasible with respect to slope stability from a geotechnical standpoint. Reclamation of the mine will be undertaken at the completion of mining operations. The excavated quarries and reclamation will result in a series of reclaimed benches that will vary per quarry. Furthermore, the Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not expose people or structures to substantial risks due to unstable soil. No significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

[5] County of San Bernardino. Policy Plan web maps. HZ-2 “Liquefaction and Landslide Hazards”

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

The Proposed Project does not include construction of habitable structures or permanent facilities; therefore, implementation would not create substantial risks of life or property due to expansive soils. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Septic tanks and/or alternative wastewater systems are not proposed as part of the Proposed Project. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Countywide Policy Plan shows most of the site as a Mesozoic Metavolcanic geologic unit which includes the high-grade metamorphosed limestone and marble resources mined and exposed at the site. These formations have no sensitivity for fossil preservation due to the heat and pressure that form these geologic units that destroy any fossils that may have been in the rock.

Some of the quarry expansion areas are overlain with older alluvium that could have the potential to yield paleontological resources, Therefore, the following mitigation measure shall be implemented to ensure that less than significant impacts occur:

Mitigation Measure GEO-1

Should fossil specimens be encountered during site preparation and excavation activities, a qualified paleontologist shall monitor and oversee excavations within these fossil-sensitive areas to ensure paleontological specimens are identified, recovered, analyzed, reported, and curated in accordance with CEQA and the San Bernardino County policies and guidelines.

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

	Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
VIII.	**GREENHOUSE GAS EMISSIONS -** Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

***SUBSTANTIATION:* San Bernardino Countywide Policy Plan, 2020; AQ & GHG Assessment 2020; Submitted Project Materials**

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?

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

In September 2011, San Bernardino County adopted the Emissions Reduction Plan (GHG Plan), which outlines a strategy to use energy more efficiently, harness renewable energy to power buildings, enhance access to sustainable transportation modes, and recycle waste. The 2015 update of the GHG Emissions Development Review Process updates the language the performance standard bringing it up to date with current code, and improves upon the menu of options within the screening tables proportioning point values to more accurately account for expected GHG reductions and revised the descriptions of the energy efficiency related options to better describe the physical improvements that would be made in choosing that option. The GHG Plan has the following specific goals:

- Reduce emissions from activities over which the County has jurisdictional and operational control to 15% below 2007 levels by 2020, consistent with the target reductions of the AB 32 Scoping Plan.
- Provide estimated GHG reductions associated with the County's existing sustainability efforts and integrate the County's sustainability efforts into the discrete actions of the Emissions Reduction Plan.
- Provide a list of discrete actions that would reduce GHG emissions.
- Approve a GHG reduction plan that satisfies the requirements of Section 15183.5 of the CEQA Guidelines, so that compliance with the GHG reduction plan can be used in appropriate situations to determine the significance of a project's effects related to GHG emissions, thus providing streamlined CEQA analysis of future projects that are consistent with the approved GHG reduction plan.

However, specific requirements for mining projects to reduce emissions of GHGs have not been adopted and so the Amended Plan would not conflict with the County's Greenhouse Gas Reduction Plan.

GHG is inherently a cumulative issue, because no single project would be expected to result in a measurable change in global climate. The cumulative nature of GHG is considered by agencies in adopting significance thresholds and adopted significance thresholds represents levels at which a project is considered cumulatively significant.

The GHG emissions were calculated (*Air Quality and GHG Assessment,* Lilburn Corp. 2020) and compared to the MDAQMD's 100,000 $MTCO_2e$ screening threshold to determine if potentially significant to anticipated global warming. GHG emissions were estimated using the following models: CARB - SCAQMD's Off-road Model - Mobile Source Emission Factors (http://www.aqmd.gov/ceqa/handbook/offroad/offroad.html); Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (CARB EMFAC 2017); and U.S. EPA Office of Transportation and Air Quality. These factors are state-wide factors and are appropriate for the Proposed Project.

Annual existing operational GHG emissions amount to approximately 5,708 $MTCO_2e$, and for the Future Operations approximately 8,685 $MTCO_2e$ based on 3.1 mtpy transported to the cement plant crusher. This results in an increase of approximately 2,977 $MTCO_2e$ per year.

As compared to the Existing Baseline Conditions, the Future Operations would increase the amount of GHG emitted by 2,977 $MTCO_2e$ per year. Table 6 shows that GHG emissions associated with operation of the Proposed Project are not anticipated to exceed the quantitative significance CEQA thresholds of either 100,000 $MTCO_2e$ (MDAQMD threshold) or 10,000 $MTCO_2e$ (SCAQMD threshold). Therefore, the Proposed Project would not generate GHG emissions that may have a cumulative considerable or significant effect on the environment. Additionally, the Proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Table 6
Greenhouse Gases Annual Emissions ($MTCO_2e$)
Existing Baseline Conditions
Compared to the Future Operations

	Existing Baseline Conditions		**Future Operations**	
Sources	**CO_2**	**CH_4**	**CO_2**	**CH_4**
On-site Diesel Equipment	5,615	7.4	8,557	11.23
On-site Aggregate Trucks	86	0.01	127	0.01
Total Per Year	5,701	7.4	8,674	11.24
Total $MTCO_2e$	**5,708**		**8,685**	
Change	**----**		**+2,977**	
MDAQMD GHG Screening Threshold ($MTCO_2e$)			100,000	
Exceeds Threshold?			No	
SCAQMD Industrial GHG Screening Thresholds ($MTCO_2e$)			10,000	
Exceeds Threshold?			No	

Source: Oro Grande Quarries Air Quality Assessment, 2020
CO_2e factors: CH_4 x 25

Less Than Significant Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant Impact with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
IX. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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 loss, injury or death involving wildland fires?	☐	☐	☐	☒

SUBSTANTIATION: ***San Bernardino Countywide Policy Plan, 2020; Submitted Project Materials***

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?

No hazardous materials will be used on-site with the exception of fuels and oils for and in mobile equipment and small generators for portable plants. Scheduled equipment maintenance will take place at an off-site location. Minor or emergency repairs and re-fueling with portable maintenance/fuel trucks will be conducted at the quarries with appropriate safeguards. Any used oil generated at the mine site will be collected and transported for off-site recycling or disposal by approved methods and by properly trained and licensed personnel. There is a possibility that mobile equipment used on the mine site may leak or spill fuel or oil.

CalPortland has prepared a Hazardous Materials Business Plan (HMBP) for the cement plant and mine site that addresses the hazardous materials stored and used at these facilities. The HMBP describes methods and procedures to minimize the potential for hazardous material and waste releases including an emergency response and contingency and spill response procedures.

CalPortland has prepared a Spill Prevention Control and Countermeasure (SPCC) Plan for the cement plant and the mine site. The SPCC is designed to minimize the potential for spills or releases of oil and fuel and outlines procedures to be followed in the event of a spill. As such, any spillage of fuel, oil, grease, or hazardous materials will be cleaned up in a proper and legally acceptable manner.

Blasting operations are conducted onsite. Blasting involve drilling along the mining face, placement of charges, and detonation of the charges by a blaster licensed through the BATF&E for handling explosive materials. The transporting, handling, storage, and use of explosive materials, blasting agents, and blasting equipment are directed and supervised by a qualified blasting contractor properly trained and licensed in accordance with all Federal, State, and local agencies and regulations. The blasting contractor and the explosive delivery company employees must be properly trained in accordance with CAL-OSHA and MSHA requirements and possess current blasting licenses and applicable insurance. CalPortland and its contractors currently hold applicable licenses and permits for on-site blasting operations.

Blasting currently takes place approximately 8 to 9 times per month. Blasting would likely increase to up to about 12 blasts/month depending on the development phase of the various quarries. Blasting activities shall take place between the hours of 8:00 a.m. and 2:00 p.m. on weekdays (Monday through Friday). No blasting shall be allowed after dark or on weekends and Federal holidays.

Blasting shall only be conducted by a licensed blaster under the Office of Surface Mining (OSM) Blasting Performance standards. A blast design is required if conducted within 1,000 feet of any building used as a dwelling, public building, school, church, or community or institutional building outside the permit area and pre-blasting surveys are required for all residents or owners of dwellings or other structures located within 0.5-mile of the permit area. However, no such dwellings or residents exist within these distances of potential blasting operations.

The existing and future quarries' expansions are located approximately 1.0 to 1.5 miles mile from residences to the southwest in Oro Grande or along National Trails Highway to the west. Blasting has occurred in these quarries for over 100 years with no adverse impact on people or structures. As such, the Proposed Project is not anticipated to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, with compliance with existing Federal, State, and local agencies and regulations, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

No existing or proposed schools occur within one-quarter mile of the Project Site. The nearest school is Mojave River Academy, located approximately 0.5-mile southwest of the Project Site. 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 known proposed school. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site was not found on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system as reviewed on November 26, 2019. As described in Section IX(b), the operator would comply with all applicable federal and State safety rules and regulations regarding hazardous materials. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is located approximately two miles northeast of the Southern California Logistics Airport. The Project Site is located within a Low-Altitude/High Speed Military Airspace (AR4).[6] An aviation easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4.There are no buildings planned for the ongoing operations. If planned in the future, an application for an aviation easement would be required. The Proposed Project would not result in a safety hazard related to airport land uses for people residing or working in the area. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. Vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of the Proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No impacts are identified or are anticipated, and no mitigation measures would occur.

No Impact

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

The Project Site is not located within a High or Very High Fire Severity Zone.[7] Additionally, the Proposed Project does not include construction of habitable structures or permanent facilities and therefore implementation would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

[6] County of San Bernardino. Policy Plan web maps. HZ-9 "Airport Safety and Planning."
[7] County of San Bernardino. Policy Plan web maps. HZ-5 Fire Hazard Severity Zones"

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
X.	**HYDROLOGY AND WATER QUALITY -** Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☒	☐	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such 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 off-site;	☐	☐	☒	☐
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff; or	☐	☐	☒	☐
	iv) impede or redirect flood flows?	☐	☐	☐	☒
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or substantial groundwater management plan?	☐	☐	☐	☒

SUBSTANTIATION: ***San Bernardino Countywide Policy Plan 2020*; *submitted Project Materials***

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

All operations on-site comply with a NPDES General Permit for Storm Water Discharges associated with industrial activities and employ storm water BMPs during construction, operations, and temporary cessation of operations. NPDES goals are to eliminate unauthorized non-storm water discharges and to monitor storm water discharges requirements. Any surface water monitoring would be through this requirement as needed. Mandatory compliance with the Proposed Project's SWPPP and with NPDES Permit requirements, would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site.

CalPortland has a SWPPP and Monitoring Implementation Plan that covers the mine site and the cement plant (WDID No. 6B36I026262). The SWPPP 1) identifies and evaluates all sources of

pollutants that may affect the quality of industrial storm water discharges and authorized non-storm water discharges; 2) identifies and describes the minimum and advanced BMPs implemented to reduce or prevent pollutants in industrial storm water discharges; and 3) describes the storm water monitoring plan. The SWPPP includes BMPs and procedures for good housekeeping, preventive maintenance, spill and leak prevention and response, material and waste management, employee training, and monitoring implementation.

Per the discussion under Biological Resources, Section IV(c) above, the onsite drainage features exhibit characteristics consistent with the Regional Board's methodology and would be considered jurisdictional waters of the State. The Regional Board waters of the State as defined by the referenced jurisdictional delineation within the boundary of the project site are approximately 8.31 acre (54,927 linear feet) Approximately 7.03 acre (46,274 liner feet) of potential impacts will occur within Regional Board waters of the State.

Potential impacts to on-site waters of the State will likely require a Regional Board Report of Waste Discharge permit prior to disturbance of those areas. Therefore, the following mitigation measure applies as included in Section IV and shall be implemented to ensure that less than significant impacts occur:

Mitigation Measure BIO-5:

The formal jurisdictional delineation shall be forwarded to the Regional Board and CDFW for their review, and if onsite drainages are determined to be Regional Board waters of the State and/or CDFW jurisdictional streambed, regulatory permits will need to be obtained through the Regional Board and/or CDFW prior to initiating new mining within an area and appropriate protective measures implemented and compensation provided.

The following are general protective measures that may be required to be determined by the agencies:

- *Worker environmental awareness program;*
- *Avoidance of waters of the State and jurisdictional streambeds as possible;*
- *Demarcation of jurisdictional streambeds to prevent unnecessary impacts;*
- *Avoiding impacts to undisturbed areas and to wildlife and sensitive species through pre-clearance surveys, establishing buffer areas, and temporary fencing;*
- *Implementation of BMPs to prevent erosion and sediment discharge;*
- *Invasive weed control;*
- *Maintaining areas free of trash, debris, hazardous materials, and spills; and*
- *Compensation as applicable to be determined which may include a combination of on-site and/or off-site compensation and/or re-habitation.*

With adherence to the regulatory permitting requirements including mitigation and compensation as applicable, the Proposed Project is not anticipated to have a significant effect on any waters of the State. Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise degrade surface or ground water quality. Less than significant impacts are identified or are anticipated, and mitigation measures are required.

Less than Significant with Mitigation

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

Groundwater from pit de-watering form onsite wells is the water source for on-site dust suppression at the quarries, overburden stockpiles, haul roads, and on occasion when portable crusher/screen plants are used on-site. Currently, one 8,000 and one 9,000-gallon water trucks are used for dust control. Typically, 7 to 8 truckloads of water are sprayed on-site per day, four to six days a week depending on active operations and weather conditions. This equates to approximately 63,000 to 72,000 gallons per day or about 52 acre-feet (AF)/year. This amount is not expected to change with the Amended Plan. Note that the use of approved dust palliatives on roads and active mine areas and infrequent wet weather, contribute to reducing the amount of water needed to control dust.

Water used in the mine area to control dust is primarily obtained from the Sparkhule Well No. 1 de-watering well recently drilled in 2015. A second de-watering well designated Sparkhule Well No. 2 will be drilled to the northwest in Phase II as needed to maintain de-watering of the quarry and to supply dust control water. In addition, the mine water trucks may fill-up from the 500,000-gallon water supply tank on the plant site.

The MWA is a State Water Project contractor, a regional groundwater management agency, and serves as Watermaster for the adjudicated Mojave Basin in which CalPortland's wells are located. CalPortland's Oro Grande Plant (industrial) including the mine site, has a free production allowance of 1,545 AF/year for its wells (26th Annual Report of the Mojave Basin Watermaster for Water Year 2018-2019; May 1, 2020). Verified water production in water year 2018-2019 per this report was 598 AF. The Amended Plan is not expected to substantially increase water. The current water use of about 52 AF/year is within the available free production allowance for the Oro Grande Plant. In addition, CalPortland holds a 2019 – 2020 free production allowance of 483 AF/year for agricultural uses; in 2018-2019 none of this allowance was used. The agriculture allowance can be transferred to industrial uses.

Therefore, sufficient water supplies are anticipated to be available for the Proposed Project and implementation of the Proposed Project is not anticipated to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would**:***

i) Result in substantial erosion or siltation on- or off-site;

All operations and reclamation on-site will comply with the SWPPP to be updated periodically with mine site development and employ storm water BMPs. Long-term stabilization, or reclamation, will generally involve grading or reshaping disturbed areas, establishing effective drainage, placement of soil and alluvium, and revegetation. Surface stabilization of quarry areas will consist of removal of loose rocks from highwall areas, and soil/alluvium replacement and revegetation of quarry bench surfaces. Following reclamation, the majority of surface runoff from quarry areas will be retained in the quarry limits where it will either infiltrate or evaporate.

With adherence to the Reclamation Plan and the SWPPP, the Proposed Project is not anticipated to substantially alter the existing drainage pattern of the site or area, including through the alteration of

the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on- or off-site. 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;

Control of surface run-off, drainage, erosion, and sedimentation of the operations will involve limiting surface disturbance, diverting runoff, and stabilizing disturbed areas. The quarries and overburden stockpiles will be developed as needed to limit surface disturbances. Surface disturbance areas which will be subject to potential erosion and sediment loss will be limited through long-range planning, effective-design practices, phased development of expansion areas, sequencing of soil removal, and reclamation of disturbed areas. All operations on-site will comply with the SWPPP to be updated periodically with mine site development and employ storm water BMPs. The SWPPP describes the general site topography, storm drainage system, drainage inlets, its respective drainage areas, and discharge locations. The site does not discharge process or mine drainage water in the storm drainage system.

The site slopes generally from east to west. The elevation of the project site ranges from 4,000 to 2,625 feet amsl. Surface drainage at the site currently flows towards to the Mojave River. Stormwater is conveyed through a storm drain system to various onsite detention basins. For the overall area, including the quarries, the overburden stockpiles, and haul/access roads, erosion and sediment loss and transport will be controlled using localized drainage and sediment control measures. These measures will include construction of temporary diversion and collection ditches, berms, or catchment basins; placement of erosion control materials or straw bales; and other appropriate measures individually or in combination. Soil and alluvium stockpiles will be stabilized through establishment of a temporary vegetative cover if they are designed for storage periods exceeding one-year and/or covered with larger rock material.

Within the quarries, run-off from on-site precipitation will be allowed to flow into the quarry. The quarries' benching will be graded slightly toward the quarry wall to limit over the bench rim run-off and to provide some moisture for revegetation. A safety berm six feet high and 20 feet wide will be constructed around the Original Canyon and Sparkhule quarries which will also serve to restrict any run-on from flowing down the quarry slopes.

The overburden stockpile slopes will be developed at a slope of 1.5H:1V with 40-foot benches at 100-foot vertical lifts to reduce potential run-off and to enhance revegetation. The slopes will be benched as developed and graded at final reclamation to 2H:1V slopes with 20-foot benches to create more natural surfaces to blend into the hills to the north and east and to create islands and pockets to place salvaged soil. The tops of the overburden stockpiles will be designed with inward drainage with an up to 10-foot deep depression to catch precipitation which will percolate and evaporate and avoid runoff down the stockpile slopes or haul roads and potential erosion.

Long-term stabilization, or reclamation, will generally involve grading or reshaping disturbed areas, establishing effective drainage, placement of soil and alluvium, and revegetation. Following

reclamation, the majority of surface runoff from quarry areas will be retained in the quarry limits where it will either infiltrate or evaporate and other site run-off will be returned to natural drainages.

With implementation of project design features above and the SWPPP, the Proposed Project is not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Impede or redirect flood flows?

The Project Site is neither located within a 100-year floodplain nor within a 500-year floodplain.[8] Additionally, surface drainage at the Project Site currently flows towards to the Mojave River and stormwater is conveyed through a storm drain system to one of seven detention basins located on- and off-site. The site does not discharge process or mine drainage water in the storm drainage system. No substantial changes to the existing stormwater drainages are expected. As such the Proposed Project is not anticipated to substantially alter the existing drainage pattern of the site or area in a manner which would impede or redirect flood flows.

No Impact

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

The Project Site is neither located within a 100-year floodplain nor within a 500-year floodplain.[9] In addition, it is not located within a dam inundation area.[10] Tsunamis are large waves generated in open bodies of water by fault displacement of major ground movement. Due to the inland location of the Project Site, tsunamis are not considered to be a risk. Seiches are standing waves generated in enclosed bodies of water in response to ground shaking. The Project Site is not located in the immediate vicinity of a large body of water or water storage facility and therefore impacts from potential seiches are not anticipated. Therefore, the Proposed Project is not anticipated to risk release of pollutants due to project inundation. No impacts are identified or are 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?*

As described in Section X(a), above, implementation of the SWPPP and with NPDES Permit requirements, would ensure that implementation of the Proposed Project would not conflict with or obstruct implementation of a water quality control plan or substantial groundwater management plan. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Therefore, a potentially significant impact is identified or anticipated, and a mitigation measure is required.

[8] County of San Bernardino. Draft EIR for the Countywide Policy Plan. Figure 5.9-3 "Flood Hazard Zones."
[9] County of San Bernardino. County Policy Plan web maps. HZ-4" Flood Hazards"
[10] County of San Bernardino. County Policy Plan web maps. HZ-3 Dam and Basin Hazards.

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

SUBSTANTIATION: ***San Bernardino Countywide Policy Plan 2020; submitted Project Materials***

a) Physically divide an established community?

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

The Project Site is located approximately five miles north of Victorville and in the community of Oro Grande. This area has a long history of mining activity since before the 1900s. The first cement plant was constructed about 1910 and since 1942 the plant has been an active producer of cement. The limestone quarries have been mined since around 1942 and the Sparkhule Quarry was developed and put into production around 1955. Since then it has been the major source of limestone for the present-day cement plant. Original Canyon and Mack's Peak quarries were developed and have operated from 1968 and 1974 respectively as an alternate source of high carbonate stone to Shay-Klondike.

The Countywide Policy Plan (November 2020) Land Use Category (LUC) for the site is mostly General Industrial (GI) with a zoning district of Regional Industrial (IR); Resource/Land Management (RLM) with a zoning district of Resource Conservation (RC) in the northeastern quarter; and Rural Living (RL) land use category and zoning in the northwest quarter of the site.

The surrounding uses are as follows:

- North: Land Use Category (LUC) and zoning - RL; Vacant, desert lands.
- East: LUC – RLM; Zoning – RC.; Vacant, desert lands. Hilly terrain with isolated mines.
- South: LUC – GI and RLM; Zoning - IR and RC. Vacant, desert lands. An aggregate mine operated by others is located adjacent to Shay-Klondike Quarry to the southeast.
- West: LUC – GI, Medium Density Residential (MDR) in Community of Oro Grande to southwest, and RL to west along National Trails Highway. Zoning IR; multiple residential (RM); and RC. Vacant, desert lands to immediate west. Oro Grande Cement Plant to southwest; rural housing in Community of Oro Grande to southwest and along National Trails Hwy; and Mojave River further west.

The total permitted Oro Grande Reclamation Plan area is approximately 971 acres, of which approximately 850 acres are either mostly disturbed or will be disturbed and approximately 121 acres consist of buffers and undisturbed areas. The Amended Plan will add approximately 315 acres to be disturbed and approximately 366 acres of undisturbed lands (buffer areas and internal pockets of land). The total Reclamation Plan area therefore totals approximately 1,652 acres with approximately 1,165 acres with mining activities.

The expansion areas are all logical extensions of vested mining activities based on geologic exploration in support of the Oro Grande Cement Plant. The main expansion areas are to the northwest of the existing quarries and are generally undulating hills sloping east to west with typical desert vegetation. The San Bernardino Countywide Plan demonstrates that the Project Site occurs principally within the IR zoning within RL to the northwest and RC to the northeast. As outlined by the San Bernardino County Development Code, the Proposed Project is not located in an urbanized area and the proposed activities are acceptable uses within the IR, RL, and RC zoning districts with obtainment of a Reclamation Plan. The site is a vested mining operation with the right to logically expand its operations with an updated Reclamation Plan. Therefore, with obtainment of an Amended Reclamation Plan, the Proposed Project would not physically divide an established community and would not cause a significant impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding, or mitigating an environmental effect. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XII.	**MINERAL RESOURCES** - Would the project:				
a)	Result in the loss of availability of a known mineral resource that 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):* ***San Bernardino Countywide Policy Plan 2020; 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?

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 Proposed Project would result in the expansion of the existing Oro Grande Quarries within land that is privately-owned by CalPortland and vested for mining operations. Implementation of the Amended Plan will assure CalPortland that its Oro Grande Cement Plant will have the raw limestone resources needed to meet future market demand. As such, the Proposed Project would allow the Project Applicant to continue to meet the regional market demand for products derived from mineral resources that have been mined for over 100 years. Therefore, the Proposed Project would result in adding to the availability of a known mineral resource that is of value to the region and residents and would not result in the loss of, but the continued use of a locally important mineral resource recovery site. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XIII.	**NOISE** - Would the project result in:				
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of 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 of 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 General Plan Noise Element ☐):* ***San Bernardino Countywide Policy Plan 2020; submitted Project Materials***

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

The Proposed Project consists of the expansion of existing vested and historical mining activities at the Oro Grande Quarries. Typical noise producing mining activities associated with operation of construction-type equipment and haul trucks at the Oro Grande Quarries include excavations, material hauling, and blasting. The existing and future excavation operations and blasting take place in the same quarries and overburden locations.

The Project Site is an existing operating mine mostly in an area with a Land Use Category (LUC) of General Industrial and Regional Industrial zoning and existing industrial and mining uses. Surrounding land uses include the Oro Grande Cement Plant, railroad lines, and the National Trails Highway to the west, which all produce varying amounts of background noise levels. Scattered rural residences are located along National Trails Highway one to two miles west of the site with vacant lands to the north, east and southeast. Some mining and overburden stockpiling will be within about one mile of rural residences along National Trails Highway, about 0.25 to 0.5 miles closer than existing operations.

Noise is produced from the on-site equipment and trucks and operations are required to conform to applicable noise control regulations as outlined in Section 83.01.080, Noise, of the San Bernardino County Development Code. However, due to the over one mile distance to the nearest homes and the existing background noise conditions related to the railroad lines, National Trails Highway, and the adjacent cement plant, no discernable increase in noise is expected from the ongoing mining operations.

Blasting shall only be conducted by a licensed blaster. A blast design is required to ensure noise and vibration from a particular blast do not affect any receptor (such as a dwelling, public building, or school) within 1,000 feet. Pre-blasting surveys are required for dwellings located within 1/2 mile of the permit area. No noise receptors, dwellings or residences exist within these distances to blasting operations.

Therefore, with adherence to the Development Code, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Blasting operations involve drilling along the mining face, placement of charges, and detonation of the charges by a blaster licensed through the BATF&E for handling explosive materials. The transporting, handling, storage, and use of explosive materials, blasting agents, and blasting equipment shall be directed and supervised by a qualified blasting contractor properly trained and licensed in accordance with all Federal, State, and local agencies and regulations.

Drilling is currently conducted 7 days a week, 10 hours/day with depths between 33 and 43 feet depending if developing a 30 or 40-foot vertical bench. Blasting currently takes place approximately 8 to 9 times per month. Blasting would likely increase to up to about 12 blasts/month depending on the development phase of the various quarries. Blasting activities shall take place between the hours of 8:00 a.m. and 2:00 p.m. on weekdays (Monday through Friday). No blasting shall be allowed after dark or on weekends and Federal holidays.

Blasting on-site generates noise and vibration. However, as stated in Section IX(a), above, blasting shall only be conducted by a licensed blaster under the OSM Blasting Performance standards. The blasting contractor and the explosive delivery company employees must be properly trained in accordance with CAL-OSHA and MSHA requirements and possess current blasting licenses and applicable insurance. CalPortland and its contractors currently hold applicable licenses and permits for on-site operations. A blast design is required to ensure noise and vibration from a particular blast do not affect any receptor within 1,000 feet and pre-blasting surveys are required for dwellings located within 1/2 mile of the permit area. No noise receptors, dwellings or residences exist within these distances to blasting operations.

Additionally, blasting has occurred at the quarries for over 100 years with no adverse impact on people or structures; therefore implementation of the Proposed Project is not anticipated to cause a significant increase in potential impacts related to the generation of noise and groundborne vibration associated with blasting.

Furthermore, operations are required to comply with applicable noise and vibration control regulations as outlined in Section 83.01.080, Noise and Section 83.01.090, Vibration, of the County Development Code. Outlying receptors may notify the County if being affected by noise levels which may require noise monitoring to determine if the mining operations are producing noise levels that exceed the County noise standards. If so, measures to reduce noise would need to be determined by the County and the operator. Therefore, with adherence to the Development Code, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is located approximately two miles northeast of the Southern California Logistics Airport. As demonstrated by San Bernardino County Hazard Overlay Maps EH30 B – Victorville and EH22 B – Helendale, the Project Site is not located within the Southern California Logistics Airport Safety Review Area. Therefore, implementation of the Proposed Project would not expose people residing or working in the project area to excessive noise levels from an airport. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XIV. POPULATION AND HOUSING - Would the project:				
a) Induce substantial 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: San Bernardino Countywide Policy Plan 2020; submitted Project Materials

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 does not include new or substantial new employment that may induce unplanned growth. The existing mining and plant operations provide needed employment opportunities for the surrounding community and the Proposed Project would ensure continued employment opportunities. Based on the availability of a local work force, it is anticipated that the ongoing employment generated by the Proposed Project would be filled from the local area and would not result in substantial growth that was not already anticipated in the Countywide Policy Plan. The Proposed Project is a long-term vested mine site within a General Industrial Land Use Category and Regional Industrial Zoning District. Therefore no significant impacts are identified or are anticipated related to population growth, and no mitigation measures are required.

No Impact

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

The Project Site consists of a total of 13 parcels within privately-held lands owned by CalPortland. The expansion areas are all logical extensions of mining activities based on geologic exploration in support of the Oro Grande Cement Plant. The main expansion areas are to the west of the existing quarries and are generally undulating hills sloping east to west with typical desert vegetation. No residential

development exists in these areas. As such, the Proposed Project would not displace substantial numbers of existing people or housing units or require the construction of replacement housing. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*

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: San Bernardino 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 Site currently receives fire protection services from the San Bernardino County Fire Department. The San Bernardino County Fire Department Stations located nearest to the Project Site are Stations #322 and #4, which are approximately seven miles southwest and eight miles north of the Project Site, respectively. According to San Bernardino County Hazard Overlay Maps EH30 B – Victorville and EH22 B – Helendale, the Project Site is not located within a Fire Safety Area. The Plant and Quarries are currently served by the County Fire Department and no significant changes to current operations are proposed that would require the need for additional service. Therefore, the Proposed Project is anticipated to receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Police Protection?

The Project Site is located in the service area of the San Bernardino County Sheriff's Department. The San Bernardino County Sheriff's Department Station located nearest to the Project Site is the Victor Valley Station which is approximately 5.5 miles southwest of the Project Site. To ensure public safety, access to the Oro Grande Quarries is limited to employees and authorized personnel. Access is gained through the Oro Grande Cement Plant with controlled access and 24-hour security, gates, and signs. No significant changes to current operations are proposed that would require the need for additional service. Therefore, the Proposed Project is anticipated to receive adequate police protection services and would not result in the need for new or physically altered police protection or facilities. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Schools?

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

No Impact

Parks?

The Proposed Project does not include any type of residential use or other land use that would generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. Employees are anticipated to come from the local labor pool and implementation of the Proposed Project would not result in an increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

The Proposed Project is not expected to result in demand for other public facilities/services, such as libraries, community recreation centers, and/or animal shelters. As such, implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

SUBSTANTIATION: San Bernardino Countywide Policy Plan 2020; 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 would occur or be accelerated?*

Implementation of the Proposed Project does not include the development of residential or other land uses that would cause a substantial increase in the use of existing neighborhood and regional parks or other recreational facilities. Substantial physical deterioration of existing local recreational facilities is not anticipated as a result of the Proposed Project. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, 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: San Bernardino Countywide Policy Plan 2020; submitted Project Materials

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

Regional access to the Project Site is, and will continue to be from National Trails Highway, which is designated as a "Major Divided Highway" by the San Bernardino County Policy Plan Roadway Network Map. The Oro Grande Quarries supply over 3 million tons/year of cement-grade limestone directly to the adjacent cement plant. No cement grade limestone is shipped off-site. Broken limestone ore is loaded by loaders at the quarries into off-road haul trucks for transport to the primary crusher located just to the southwest part of the mine site boundary within the cement plant area.

Varying amounts of rock, gravel, and non-spec material that would otherwise be deposited into on-site overburden stockpiles are crushed and screened on-site for use as construction aggregate to be used either on-site or for sale to market. The construction materials is shipped off-site in 25-ton trucks, up to 5 days/week with an average of 52 trucks/day or about 6 to 7 trucks per hour. These trucks utilize the cement plant access onto National Trails Highway. In the future, it is expected that construction material trucking could increase to approximately 80 trucks/day, 28 truck trips/day, or 10 trucks/hour, an increase of 3 to 4 trucks per hour.

As such, implementation of the Proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, the Proposed Project is a conditionally acceptable use within the RL, IR, and RC zones and therefore would produce traffic that is already anticipated by the County. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As stated above, the Proposed Project is anticipated to increase off-site truck traffic of approximately 28 truck trip/day based on an increase in producing construction materials to be shipped directly off-site. Based on current trips generated by the project operations, the number of estimated trips are increased by 56 trip ends per day with 7 AM peak hour trips and zero PM peak hour trips. Pursuant to the County of San Bernardino's Transportation Impact Study Guidelines (July 9, 2019), additional traffic analysis is not necessary as the Project is anticipated to generate fewer than 100 peak hour trips. Additionally, since implementation of the Amended Plan will assure CalPortland that the raw limestone resources needed to meet future market demand, the Proposed Project would reduce the number of trips, transportation costs and fuel usage that would occur if material was transported from more distant material sources. Therefore, in accordance with CEQA Guidelines section 15064.3, subdivision (b), implementation of the Proposed Project would allow the local need for construction material to be met while producing a minimal number of vehicles

miles traveled. Less than significant impacts are identified or are 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 does not involve any road development or design features that could substantially increase hazards due to a geometric design feature or incompatible uses. As stated, access to the Oro Grande Quarries is limited to employees and authorized personnel. Access is gained through the Oro Grande Cement Plant with controlled access and 24-hour security, gates, and signs. Therefore, the Proposed Project would not substantially increase hazards due to a design feature or incompatible uses. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

d) *Result in inadequate emergency access?*

Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. Vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resources, as defined in the Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

SUBSTANTIATION: ***San Bernardino Countywide Policy Plan 2020; CRM Tech "Historical/Archaeological Resources Survey Report"***

i) California Assembly Bill (AB-52) related to Tribal Cultural Resources (TCRs), requires the Lead Agency to notify California Native American tribes to conduct consultation for all projects. On January 27, 2021, the County of San Bernardino mailed notifications pursuant to AB-52 to the following Tribes:

- AhaMakav Cultural Society
- San Gabriel Band of Mission Indians
- Colorado River Indian Tribes
- Twenty-Nine Palms Band of Mission Indians
- Morongo Band of Mission Indians
- San Manuel Band of Mission Indians
- Soboba Band of Luiseno Indians
- Gabrieleno Band of Mission Indians - Kizh Nation

The San Manuel Band of Mission Indians (SMBMI) responded via email to the County on February 25, 2021. Subsequent consultations between the County and the SMBMI culminated in a set of mitigation measures which are included under Section V, Cultural Resources and Section XVIII, Tribal Cultural Resources, below.

*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**;***

As concluded in Section V(a) above, the Cultural Resources Report determined that no significant historical resources will be impacted by the Proposed Project. The historic-period sites and objects recorded during the cultural study occur within the context of the long history of mining in the Oro Grande area but do not demonstrate a specific association, let alone a close association, with persons or events of recognized historic significance. No additional mitigation measures are required.

Less Than Significant Impact

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

The eleven rock circle sites recorded during the cultural resource study are an undetermined resource due to the limited amount of previous research completed on similar features in the Mojave Desert region, related to the nature, function, and interpretation of the rock circles. In light of the possibility of subsurface cultural deposits at these prehistoric sites, the archaeological data potential of these sites cannot be determined on the basis of surface observations alone. Further archaeological investigations, including subsurface excavations and supplementary background research, will be necessary to adequately evaluate the significance of these sites.

A Phase II archaeological testing and evaluation program is recommended to be implemented prior to the commencement of any ground-disturbing activities on any of the 11 prehistoric sites that may be impacted by the proposed project. In March 2021, consultations between the County and the SMBMI culminated in a set of mitigation measures to be implemented. Mitigation measures CR-1, CR-2, CR-3 / TR-2 included in Section V and TCr-1 and CR-3 / TCR-2 are listed below. Therefore, the following mitigation measure is required:

Mitigation Measure TCR-1

Tribal Monitoring
Due to the heightened cultural sensitivity of the proposed project area, Tribal monitors representing the San Manuel Band of Mission Indians shall be present for all initial ground-disturbing activities that occur within each phase of excavation in the proposed project area. A sufficient number of Tribal monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring, Testing, and Treatment Plan that is reflective of the project mitigation (under "Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist, as detailed within CR-2, and submitted to the Lead Agency for dissemination to the SMBMI Cultural Resources Department. Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring, Testing, and Treatment Plan.

Treatment of Cultural Resources
If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied in situ. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the SMBMI, the archaeologist/applicant, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance (or other appropriate treatment) of the discovered resource, and the potential need for construction monitoring during project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by the applicant and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for

the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the Lead Agency and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the Lead Agency, and SMBMI.

Ground-disturbing activities, particularly mining below grade, could potentially disturb human remains interred outside of a formal cemetery. Field surveys conducted as part of the Cultural Resource Assessment did not encounter any evidence of human remains. The Project Site is not located on or near a known cemetery, and no human remains are anticipated to be disturbed during mining operations. However, the potential exists that human remains may be unearthed during implementation of the Proposed Project. Therefore, Mitigation Measure CR-3 / TR-2, defined below, shall be implemented to ensure that less than significant impacts regarding human remains occur.

Mitigation Measure CR-3 / TCR-2

Inadvertent Discoveries of Human Remains/Funerary Objects
In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify SMBMI, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Less than Significant with Mitigation

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

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

SUBSTANTIATION: ***San Bernardino Countywide Policy Plan 2020; submitted Project Materials***

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?*

Existing utilities and utility service at the site would continue to be used for activities associated with the Amended Plan. Therefore, the Proposed Project would not 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. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Water is only used for dust suppression at the quarries, overburden stockpiles, haul roads, and on occasion for water spray systems when portable crusher/screening plants are used on-site. Currently, one 8,000 and one 9,000-gallon water trucks are used for dust control. Typically, 7 to 8 truckloads of water are sprayed on-site per day, four to six days a week depending on active operations and weather conditions. This equates to approximately 63,000 to 72,000 gallons per day or about 52 acre-feet (AF)/year. This amount is not expected to change with the Amended Plan. Note that the use of approved dust palliatives on roads and active mine areas and infrequent wet weather, contribute to reducing the amount of water needed to control dust.

Water used in the mine area to control dust is primarily obtained from the Sparkhule Well No. 1 de-watering well recently drilled in 2015. A second de-watering well designated Sparkhule Well No. 2 will be drilled to the northwest in Phase II as needed to maintain de-watering of the quarry and to supply dust control water. In addition, the mine water trucks may fill-up from the 500,000-gallon water supply tank on the plant site.

Bottled drinking water for employees at the mining area is brought to the site as necessary.

The MWA is a State Water Project contractor, a regional groundwater management agency, and serves as Watermaster for the adjudicated Mojave Basin in which CalPortland's wells are located. CalPortland's Oro Grande Plant (industrial) including the mine site, has a free production allowance of 1,545 AF/year for its wells (26th Annual Report of the Mojave Basin Watermaster for Water Year 2018-2019; May 1, 2020). Verified water production in water year 2018-2019 per this report was 598 AF. The Amended Plan is not expected to substantially increase water. The current water use of about 52 AF/year is within the available free production allowance for the Oro Grande Plant. In addition, CalPortland holds a 2019 – 2020 free production allowance of 483 AF/year for agricultural uses; in 2018-2019 none of this allowance was used. The agriculture allowance can be transferred to industrial uses.

Therefore, sufficient water supplies are anticipated to be available for the Proposed Project. No significant adverse impacts are identified or are 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?*

Portable toilets are used on-site and no wastewater will be produced from implementation of the Proposed Project. No sewer service is provided to the site. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project would not result in a significant increase of solid waste generation in comparison to the existing conditions as the proposed activities are not typically associated with the production of refuse. Mining activities will result in the production of overburden and waste rock; however, this naturally occurring rock material will be deposited in overburden stockpile sites as detailed in the Amended Plan. Minimal refuse produced by employees on-site shall be disposed into approved trash bins and removed by the operator or a commercial vendor as necessary. Therefore, no significant adverse impacts are identified, and no mitigation measures are required.

No Impact

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

In accordance with existing conditions, the Proposed Project shall continue to comply with federal, State, and local statutes and regulations related to solid waste. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XX.	**WILDFIRE:** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

SUBSTANTIATION: San Bernardino Countywide Policy Plan 2020; submitted Project Materials

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

Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. Vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, implementation of the Proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impacts are identified or are anticipated, and no mitigation measures would occur.

No Impact

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

The Project Site is located within a local responsibility area and federal responsibility area.[11] The Project Site is not located within a High or Very High Fire Severity Zone.[12] Additionally, the Proposed Project does not include construction of habitable structures or permanent facilities and therefore, implementation would not expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project will not require the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Therefore, the Proposed Project is not anticipated to require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary ongoing impacts to the environment. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not located in an area likely to become unstable as a result of on- or off-site landslide, or within a 100-year and 500-year floodplain, dam inundation area, or fire hazard severity zone.[13] All operations on-site will comply with the SWPPP to be updated periodically with mine site development and employ storm water BMPs.

Furthermore, the Proposed Project does not include construction of habitable structures or permanent facilities and, therefore, implementation would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or

[11] County of San Bernardino. Policy Plan web maps. HZ-6 “Fire Responsibility Areas”
[12] County of San Bernardino. Policy Plan web maps. HZ-5 “Fire Hazard Severity Zones”
[13] County of San Bernardino. Policy Plan web maps: HZ-2, HZ-4, HZ-3, and HZ-5.

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

Less Than Significant Impact

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

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE:**				
a)	Does the project have the potential to 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, 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?	☐	☐	☒	☐

SUBSTANTIATION:

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

The results of the Initial Study show that there are potentially significant impacts to Biological and Cultural / Paleontological Resources including jurisdictional waters of the State. These impacts will be reduced to less than significant levels after incorporation of mitigation measures and compliance with existing rules and regulations. Therefore, the Proposed Project will not substantially degrade the quality of the environment and impacts to habitat, wildlife populations, plant and animal communities, rare and endangered species, jurisdictional waters of the State or important examples of the major periods of California history or prehistory; no additional mitigation is warranted. The County contacted local Native American Tribal representatives and the San Manuel Band of Mission Indians requested that additional mitigation measures be implemented. These are included in Sections V and XVIII. Potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

Less than Significant with Mitigation

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

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

> (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.

The Proposed Project is a revision of the existing Reclamation Plan for the Oro Grande operations. The Project Site has a long history of mining activity since before the 1900s. The first cement plant was constructed about 1910 and since 1942 the plant has been an active producer of cement with active limestone quarries. Since then it has been the major source of limestone for the present-day cement plant.

The expansion areas are all logical extensions of vested mining activities based on geologic exploration in support of the Oro Grande Cement Plant. The San Bernardino Countywide Policy Plan (November 2020) demonstrates that the Project Site occurs principally within the IR zoning within RL to the northwest and RC to the northeast. As outlined by the San Bernardino County Development Code, the Proposed Project is an acceptable use within the IR, RL, and RC zoning districts with obtainment of a Reclamation Plan. The site is a vested mining operation with the right to logically expand its operations with an updated Reclamation Plan.

As evaluated herein, impacts associated with the Proposed Project would not be considered individually adverse or unfavorable with mitigation. Therefore, with obtainment of an Amended Reclamation Plan and implementation of existing rules and regulations and the mitigation measures included in this document, no cumulative considerable impacts are identified or anticipated.

Less than Significant with Mitigation

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

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable with mitigation in terms of any adverse effects upon the region, the local community, or its inhabitants. The proposed project will be required to meet the conditions of approval, rules and regulations, and mitigation measures for the project to be implemented. It is anticipated that all such conditions of approval, rules and regulations, and mitigation measures will further ensure that no potential for significant adverse impacts will be introduced by

ongoing and planned mining and reclamation activities as allowed by the project approval. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, potentially significant impacts are identified or anticipated, and mitigation measures are required to reduce impacts to less than significant.

GENERAL REFERENCES

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