

Lorelei H. Oviatt, AICP, Director
2700 "M" Street, Suite 100
Bakersfield, CA 93301-2323
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Email: planning@kerncounty.com
Web Address: <http://kernplanning.com/>



**PLANNING AND NATURAL
RESOURCES DEPARTMENT**

Planning
Community Development
Administrative Operations

NOTICE OF PREPARATION

DATE: November 4, 2021

TO: See Attached Mailing List

FROM: Kern County Planning and Natural
Resources Department
Attn: Randall Cates
2700 "M" Street, Suite 100
Bakersfield, CA 93301
(661) 862-8612; CatesR@kerncounty.com

**SUBJECT: NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT
(EIR) FOR THE GEM HILL QUARRY PROJECT BY CALPORTALND COMPANY**

The Kern County Planning and Natural Resources Department as Lead Agency (per CEQA Guidelines Section 15052) has determined that preparation of an Environmental Impact Report (per CEQA Guidelines Section 15161) is necessary for the proposed project identified below. The Planning and Natural Resources Department solicits the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR prepared by our agency when considering your permit or other approval of the project.

You are invited to view the NOP and submit written comments regarding the scope and content of the environmental information in connection with the proposed project should you wish to do so. Due to the limits mandated by State law, your response must be received by **December 6, 2021 at 5:00 p.m.** Comments can be submitted to the Kern County Planning and Natural Resources Department at the address shown above or to CatesR@kerncounty.com. In addition, comments can be submitted at a scoping meeting that will be held at the Kern County Planning and Natural Resources Department on **Friday, November 18, 2021 at 1:30 p.m.** at the address shown above.

PROJECT TITLE: Gem Hill Quarry Project by CalPortland Company (PP21404); PLN20-01417; CUP 45, Map 214.

PROJECT LOCATION: West side of Mojave Tropico Road, approximately two miles south of Backus Road; approximately four miles northwest of the unincorporated community of Rosamond; also being located within portions of Sections 25, 26, 35 and 36 of Township 10 North, Range 13 West, San Bernardino Base and Meridian (SBBM), County of Kern, State of California.

PROJECT DESCRIPTION:

The project proponent has submitted: (a) a Conditional Use Permit (CUP 45, Map 214) application, to allow a surface mining operation and development of a reclamation plan on 82 acres of an approximately 210-acre reclamation plan boundary, which would utilize a 0.75-acre primary access road outside of such reclamation plan boundary to provide access to/from Mojave Tropico Road.

Access to the site would be obtained via two access roads to Mojave Tropico Road, specifically the aforementioned access road and a secondary access road to the north thereof. The project proponent proposes to employ open pit, multibench, and drill and blast mining techniques to mine naturally occurring pozzolan (volcanic tuff), which is used in the production of cement. No crushing or processing of mined material would occur onsite.

The life of the operation is proposed to be 30 years. Annual mineral production is estimated to be 500,000 tons, and the maximum total mineral production is estimated to be 15,000,000 million tons. The total anticipated production of mine waste (overburden) is estimated to be 600,000 tons, which would be disposed in two onsite overburden stockpiles. The proposed maximum depth of excavation is 300 feet below original grade. No phasing of mining is proposed.

Maximum operational inter-bench slopes (also referred to as bench face slopes) for the quarry will be 0.25:1 (horizontal:vertical (H:V)) with overall slopes of 1:1 (H:V). Maximum final reclaimed inter-bench slopes for the quarry will be 0.25:1 (H:V). Overall final reclaimed slopes for the quarry will be a maximum of 1:1 (H:V).

Maximum operational slopes for the overburden stockpiles will be 1.5:1 (H:V). Maximum and overall final reclaimed slopes for the overburden stockpiles will be 2:1 (H:V).

Operations would typically be conducted between 7:00 a.m. and 7:00 p.m., Monday through Saturday, with the understanding that additional shifts or longer/alternative hours may be required due to operational constraints. As proposed, there would be a maximum of 20 employees onsite at any one time. These 20 employees would include haul truck drivers, who would haul overburden onsite (from the quarry to the overburden stockpiles), as well as hauling naturally occurring pozzolan (volcanic tuff) offsite to clients.

Document can be viewed online at: <https://kernplanning.com/planning/notices-of-preparation/>

Signature: 

Name: Randall Cates, Planner III

Gem Hill Quarry Project
CUP 45, Map 214 PP21404
I:\Planning\WORKGRPS\WP\LABEL
S\Gem Hill Quarry.docx
cc **09/13/2021**

Inyo County Planning Dept
P.O. Drawer "L"
Independence, CA 93526

Kings County Planning Agency
1400 West Lacey Blvd, Bldg 6
Hanford, CA 93230

Los Angeles Co Reg Planning Dept
320 West Temple Street
Los Angeles, CA 90012

San Bernardino Co Planning Dept
385 North Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

San Luis Obispo Co Planning Dept
Planning and Building
976 Osos Street
San Luis Obispo, CA 93408

Santa Barbara Co Resource Mgt Dept
123 East Anapamu Street
Santa Barbara, CA 93101

Tulare County Planning & Dev Dept
5961 South Mooney Boulevard
Visalia, CA 93291

Ventura County RMA Planning Div
800 South Victoria Avenue, L1740
Ventura, CA 93009-1740

U.S. Bureau of Land Management
Ridgecrest Field Office
300 South Richmond Road
Ridgecrest, CA 93555

China Lake Naval Weapons Center
Tim Fox, RLA - Comm Plans & Liaison
429 E Bowen, Building 981
Mail Stop 4001
China Lake, CA 93555

Edwards AFB, Mission Sustainability
Liaison
412 TW, Bldg 2750, Ste 117-14
195 East Popson Avenue
Edwards AFB, CA 93524

U.S. Fish & Wildlife Service
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262

Eastern Kern Resource Cons Dist
300 South Richmond Road
Ridgecrest, CA 93555-4436

Environmental Protection Agency
Region IX Office
75 Hawthorn Street
San Francisco, CA 94105

U.S. Dept of Agriculture/NRCS
5080 California Avenue, Ste 150
Bakersfield, CA 93309-0711

U.S. Postal Service
Address Management Systems
28201 Franklin Parkway
Santa Clarita, CA 91383-9321

So. San Joaquin Valley Arch Info Ctr
California State University of Bkfd
9001 Stockdale Highway
Bakersfield, CA 93311

Caltrans/Dist 6
Planning/Land Bank Bldg.
P.O. Box 12616
Fresno, CA 93778

Caltrans/Dist 9
Planning Department
500 South Main Street
Bishop, CA 93514

State Clearinghouse
Office of Planning and Research
1400 - 10th Street, Room 222
Sacramento, CA 95814

State Dept of Conservation
Director's Office
801 "K" Street, MS 24-01
Sacramento, CA 95814-3528

State Dept of Conservation
Geologic Energy Management Division
4800 Stockdale Highway, Ste 108
Bakersfield, CA 93309

Office of the State Geologist
Headquarters
801 "K" Street, MS 12-30
Sacramento, CA 95814

State Dept of Conservation
Office of Land Conservation
801 "K" Street, MS 18-01
Sacramento, CA 95814

State Dept of Conservation
Office of Mine Reclamation
801 "K" Street MS 09-06
Sacramento, CA 95814-3529

State Dept of Conservation
Div Recycling Cert. Sec.
801 "K" Street, MS 19-01
Sacramento, CA 95814

State Mining and Geology Board
801 K Street, MS 20-15
Sacramento, CA 95814

California State University
Bakersfield - Library
9001 Stockdale Highway
Bakersfield, CA 93309

California Fish & Wildlife
1234 East Shaw Avenue
Fresno, CA 93710

California Regional Water Quality
Control Board/Lahontan Region
15095 Amargosa Road - Bld 2, Suite 210
Victorville, CA 92392

State Lands Commission
100 Howe Avenue, Ste 100-South
Sacramento, CA 95825-8202

Kern County Administrative Officer

Kern County Public Works Department/
Building & Development/Floodplain

Kern County Public Works Department/
Building & Development/Survey

Kern County
Env Health Services Department

Kern County Fire Dept
David Witt, Fire Chief

Kern County Fire Dept
Cary Wright, Fire Marshall

Kern County Library/Beale
Local History Room

Kern County Library/Beale
Andie Sullivan

Kern County Library
Wanda Kirk/Rosamond Branch
3611 Rosamond Boulevard
Rosamond, CA 93560

Kern County Parks & Recreation

Kern County Sheriff's Dept
Administration

Kern County Public Works Department/
Building & Development/Development
Review

Kern County Public Works
Department/Operations &
Maintenance/Regulatory Monitoring &
Reporting

Kern County Public Works Department/
Building & Development/Code
Compliance

Southern Kern Unified School Dist
P.O. Box CC
Rosamond, CA 93560

Kern County Superintendent of Schools
Attention School District Facility Services
1300 - 17th Street
Bakersfield, CA 93301

Antelope Valley-East Kern
Water Agency
6500 West Avenue N
Palmdale, CA 93551

Kern County Water Agency
P.O. Box 58
Bakersfield, CA 93302-0058

East Kern Air Pollution
Control District

Adams, Broadwell, Joseph & Cardozo
Attention: Janet M. Laurain
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

U.S. Air Force
Attn: David Bell/AFCEC CZPW
Western Regional/Leg Branch
510 Hickam Avenue, Bld 250-A
Travis AFD, CA 94535-2729

U.S. Army
Attn: Philip Crosbie, Chief
Strategic Plans, S3, NTC
P.O. Box 10172
Fort Irwin, CA 92310

U.S. Army
Attn: Tim Kilgannon, Reg 9 Coord
Office of Strategic Integration
721 - 19th Street, Room 427
Denver, CO 80202

U.S. Navy
Attn: Steve Chung, Plans & Liaison Officer
1220 Pacific Highway
San Diego, CA 92132-5190

U.S. Marine Corps
Command Gen MCIWEST-MCB CamPen
Attn: A/CS, G7
Box 555010, Bldg 1160, Rm 280
Camp Pendleton, CA 92055-5246

AT&T California
OSP Engineering/Right-of-Way
4901 Ashe Road
Bakersfield, CA 93313

Kern Audubon Society
Attn: Frank Bedard, Chairman
4124 Chardonnay Drive
Bakersfield, CA 93306

Center on Race, Poverty
& the Environment
Attn: Marissa Alexander
1999 Harrison Street – Suite 650
San Francisco, CA 94612

Center on Race, Poverty
& the Environmental/
CA Rural Legal Assistance Foundation
1012 Jefferson Street
Delano, CA 93215

Defenders of Wildlife/
Kim Delfino, California Dir
980 - 9th Street, Suite 1730
Sacramento, CA 95814

Mojave Chamber of Commerce
P.O. Box 935
Mojave, CA 93502

Native American Heritage Council
of Kern County
Attn: Gene Albitre
3401 Aslin Street
Bakersfield, CA 93312

Sierra Club/Kern Kaweah Chapter
P.O. Box 3357
Bakersfield, CA 93385

Southern California Edison
Planning Dept.
421 West "J" Street
Tehachapi, CA 93561

Chumash Council of Bakersfield
2421 "O" Street
Bakersfield, CA 93301-2441

David Laughing Horse Robinson
P.O. Box 20849
Bakersfield, CA 93390

Kern Valley Indian Council
Attn: Robert Robinson, Chairperson
P.O. Box 401
Weldon, CA 93283

Kern Valley Indian Council
Historic Preservation Office
P.O. Box 401
Weldon, CA 93283

Santa Rosa Rancheria
Ruben Barrios, Chairperson
P.O. Box 8
Lemoore, CA 93245

Tejon Indian Tribe
Kathy Morgan, Chairperson
1731 Hasti-acres Drive, Suite 108
Bakersfield, CA 93309

Kitanemuk & Yowlumne Tejon Indians
Chairperson
115 Radio Street
Bakersfield, CA 93305

Tubatulabals of Kern County
Attn: Robert Gomez, Chairperson
P.O. Box 226
Lake Isabella, CA 93240

Tule River Indian Tribe
Neal Peyron, Chairperson
P.O. Box 589
Porterville, CA 93258

Joyce LoBasso
P.O. Box 6003
Bakersfield, CA 93386

LIUNA
Attn: Danny Zaragoza
2201 "H" Street
Bakersfield, CA 93301

Southern California Edison
Third Party Environmental Review
2244 Walnut Grove, Ave, GO-1 Quad 2C
Rosemead, CA 91770

Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612

Randy Collins
State Lands Commission
100 Howe Avenue, Ste 100-South
Sacramento, CA 95825-8202

Cynthia Herzog
State Lands Commission
100 Howe Avenue, Ste 100-South
Sacramento, CA 95825-8202

City of Arvin
P.O. Box 548
Arvin, CA 93203

Bakersfield City Planning Dept
1715 Chester Avenue
Bakersfield, CA 93301

Bakersfield City Public Works Dept
1501 Truxtun Avenue
Bakersfield, CA 93301

California City Planning Dept
21000 Hacienda Blvd.
California City, CA 93515

Delano City Planning Dept
P.O. Box 3010
Delano, CA 93216

City of Maricopa
P.O. Box 548
Maricopa, CA 93252

City of McFarland
401 West Kern Avenue
McFarland, CA 93250

City of Ridgecrest
100 West California Avenue
Ridgecrest, CA 93255

City of Shafter
336 Pacific Avenue
Shafter, CA 93263

City of Taft
Planning & Building
209 East Kern Street
Taft, CA 93268

City of Tehachapi
Attn: John Schlosser
115 South Robinson Street
Tehachapi, CA 93561-1722

City of Wasco
764 E Street
Wasco, CA 93280

CalPortland Company
Attn. Desirea Haggard
2025 E. Financial Way
Glendora, CA 91741-4692

Lilburn Corporation
Attn. Marty Derus
1905 Business Center Drive
San Bernardino, CA 92408

Harrison, Temblador Hungerford &
Johnson
Attn. Adam Guernsey
2801 T Street
Sacramento, CA 95816

Benchmark Resources
Attn. Bob Delp
2515 East Bidwell Street
Folsom, CA 95630

California Native American Heritage
Commission
1550 Harbor Boulevard
West Sacramento, CA 95691

State Air Resources Board
Stationary Resource Division
P.O. Box 2815
Sacramento, CA 95812

California Highway Patrol
Planning & Analysis Division
P.O. Box 942898
Sacramento, CA 94298-0001

MSHA/District Office
2060 Peabody Road, Suite 610
Vacaville, CA 95687

MSHA/Field Office
2070 Peabody Road, Suite 710
Vacaville, CA 95687

MSHA/Field Office
720 Carnegie Drive, Bld A, Ste 100
San Bernardino, CA 92408

State Department of Industrial Relations
CAL/OSHA – Mining & Tunneling
Attn. Marcie Goodman
1367 East Lassen Avenue, Ste B-4
Chico, CA 95973

State Department of Industrial Relations
CAL/OSHA – Mining & Tunneling
Attn: Doug Patterson
2424 Arden Way, Suite 125
Sacramento, CA 95825

State Department of Industrial Relations
CAL/OSHA – Mining & Tunneling
Attn. John Leahy
2424 Arden Way, Suite 125
Sacramento, CA 95825

Lorelei H. Oviatt, AICP, Director
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Bakersfield, CA 93301-2323
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Email: planning@kerncounty.com
Web Address: <http://kernplanning.com/>



**PLANNING AND NATURAL
RESOURCES DEPARTMENT**

Planning
Community Development
Administrative Operations

DATE: November 4, 2021

TO: Surrounding Property Owners within
1,000 Feet of Project Boundary; and,
Interested Parties

FROM: Kern County Planning and Natural
Resources Department
2700 "M" Street, Suite 100
Bakersfield, CA 93301

RE: **Notice of Preparation of a Draft Environmental Impact Report – Gem Hill Quarry Project by CalPortland Company (PP21404)**

Dear Sir or Madam:

The Kern County Planning and Natural Resources Department has determined that preparation of an Environmental Impact Report (EIR) is necessary for the project identified below. The purpose of this letter is to notify surrounding property owners within 1,000 feet of the project boundaries of this determination. A copy of the Initial Study/Notice of Preparation (IS/NOP) prepared for this project is available for viewing at the following Kern County website:

<https://kernplanning.com/planning/notices-of-preparation/>

The IS/NOP is also available for review at the Planning and Natural Resources Department, located at 2700 "M" Street, Suite 100, Bakersfield, CA 93301. The purpose of the IS/NOP is to describe the proposed project, specify the project location, and to identify the potential environmental impacts of the project so that Responsible Agencies and interested persons can provide a meaningful response related to potential environmental concerns that should be analyzed in the Environmental Impact Report.

You are invited to view the IS/NOP and submit written comments regarding this project should you wish to do so. Due to the limits mandated by State law, your response must be received by **December 6, 2021 at 5 p.m.** Comments can be submitted to the Kern County Planning and Natural Resources Department, Attn. Randall Cates, at the address shown above or to CatesR@kerncounty.com

A scoping meeting that will be held at the Kern County Planning and Natural Resources Department on **November 18, 2021 at 1:30 p.m.** at the address shown above.

Please be advised that any comments received after the dates listed above will still be included in the public record for this project and made available to decision makers when this project is scheduled for consideration at a public hearing. Please also be advised that you will receive an additional notice in the mail once a public hearing date is scheduled for this project. You will also be provided additional opportunities to submit comments at that time.

PROJECT TITLE: Gem Hill Quarry Project by CalPortland Company (PP21404); PLN20-01417; CUP 45, Map 214.

PROJECT LOCATION: West side of Mojave Tropico Road, approximately two miles south of Backus Road; approximately four miles northwest of the unincorporated community of Rosamond; also being located within portions of Sections 25, 26, 35 and 36 of Township 10 North, Range 13 West, San Bernardino Base and Meridian (SBBM), County of Kern, State of California.

PROJECT DESCRIPTION: The project proponent has submitted: (a) a Conditional Use Permit (CUP 45, Map 214) application, to allow a surface mining operation and development of a reclamation plan on 82 acres of an approximately 210-acre reclamation plan boundary, which would utilize a 0.75-acre primary access road outside of such reclamation plan boundary to provide access to/from Mojave Tropico Road.

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The life of the operation is proposed to be 30 years. Annual mineral production is estimated to be 500,000 tons, and the maximum total mineral production is estimated to be 15,000,000 million tons. The total anticipated production of mine waste (overburden) is estimated to be 600,000 tons, which would be disposed in two onsite overburden stockpiles. The proposed maximum depth of excavation is 300 feet below original grade. No phasing of mining is proposed.

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Operations would typically be conducted between 7:00 a.m. and 7:00 p.m., Monday through Saturday, with the understanding that additional shifts or longer/alternative hours may be required due to operational constraints. As proposed, there would be a maximum of 20 employees onsite at any one time. These 20 employees would include haul truck drivers, who would haul overburden onsite (from the quarry to the overburden stockpiles), as well as hauling naturally occurring pozzolan (volcanic tuff) offsite to clients.

Should you have any questions regarding this project, or the Initial Study/Notice of Preparation, please feel free to contact me at (661) 862-8612 or CatesR@kerncounty.com.

Sincerely,



Randall Cates, Planner III
Advanced Planning Division

Attachment: Figure 1 - Site Vicinity
Figure 4 - Proposed Mine Plan

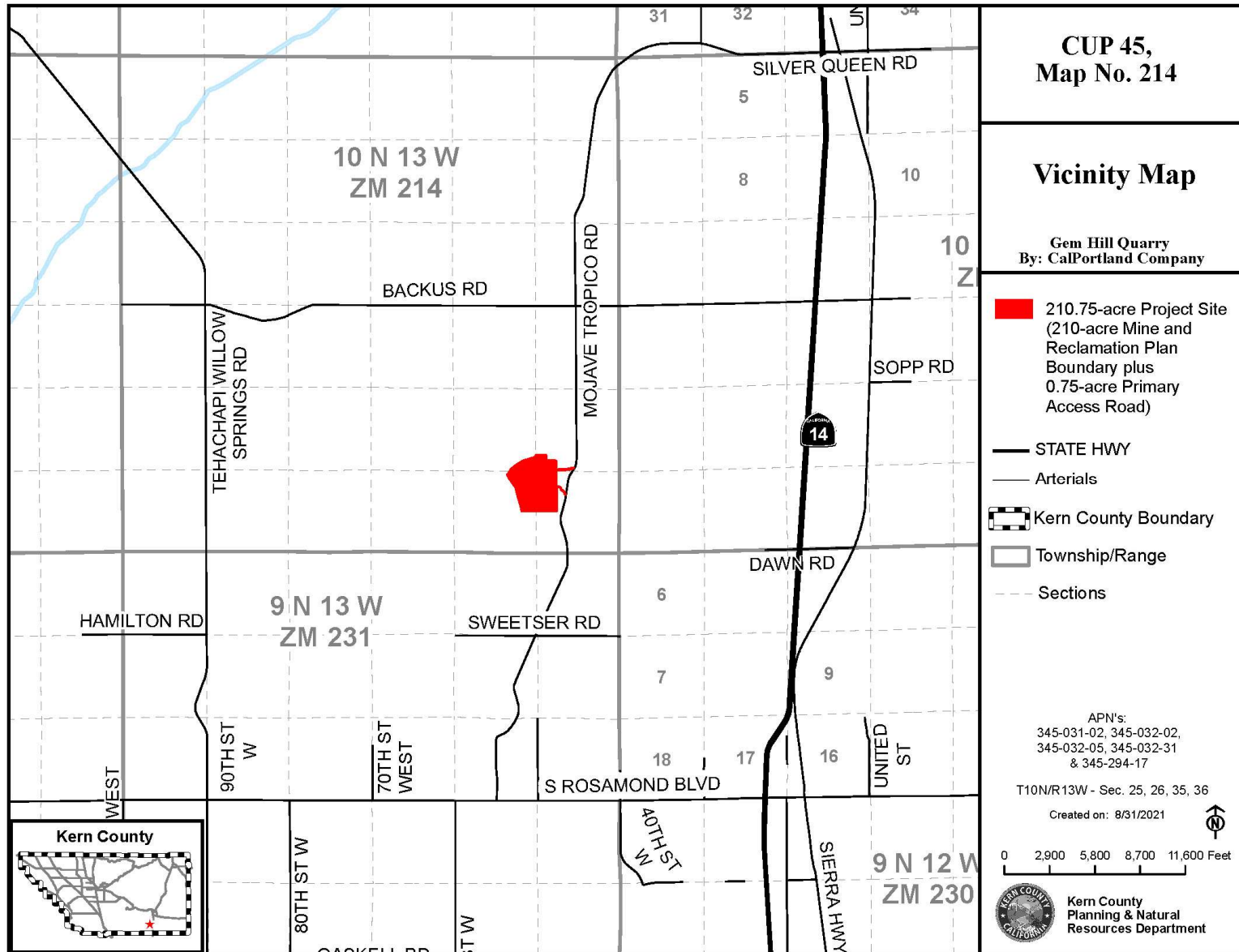


Figure 1: Site Vicinity



KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT GEM HILL QUARRY PROJECT

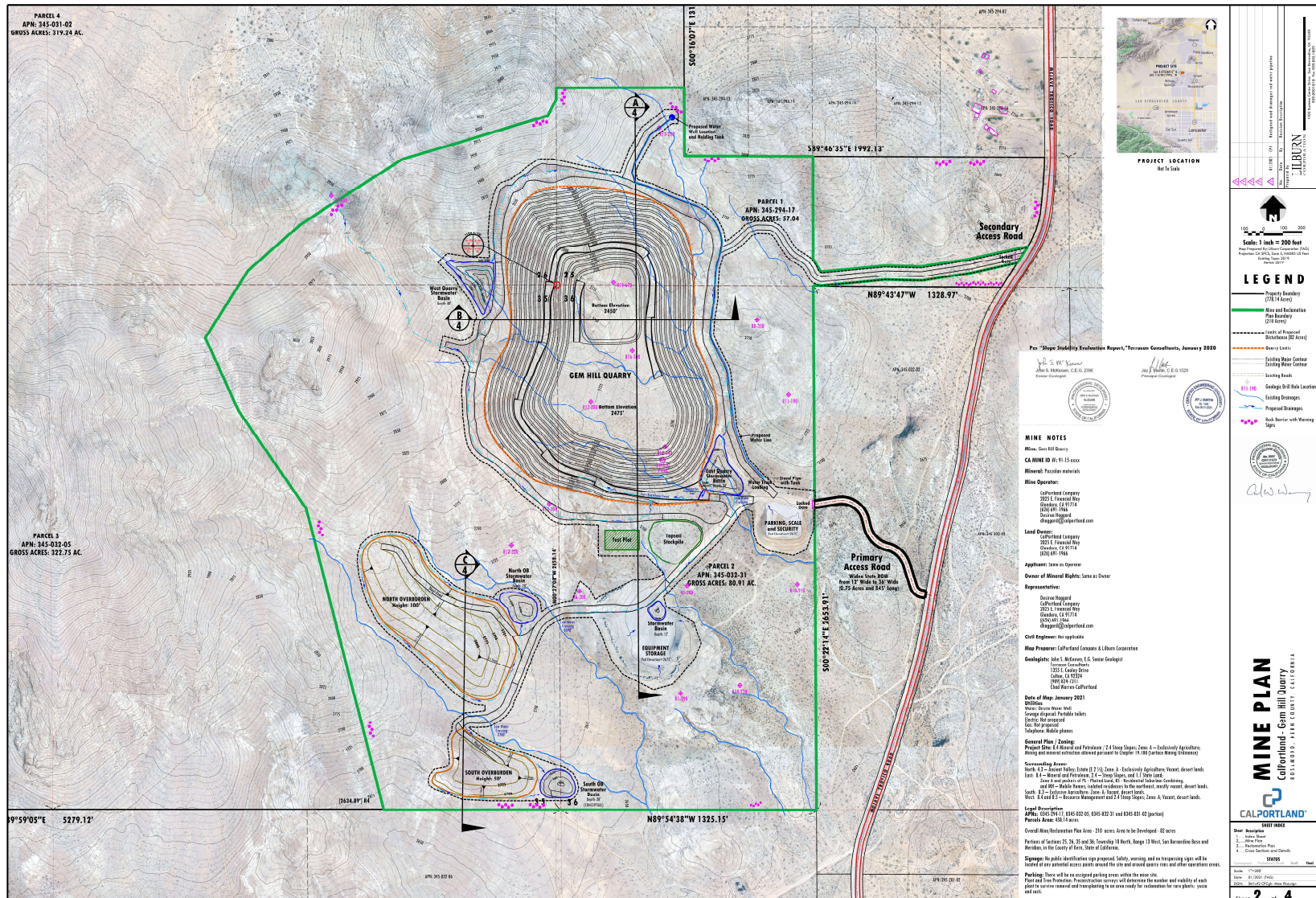


Figure 4: Proposed Mine Plan

Gem Hill Quarry Project
CUP 45, Map 214 PP21404
I:\Planning\WORKGRPS\WP\LABEL
S\Gem Hill Quarry.docx
cc 09/13/2021

345 293 10 00 9
AEK GLOBAL INV LLC
4603 HURFORD TR
ENCINO CA 91436-3345

345 272 27 00 6
AMIROVA ELVIRA R
11340 SIR FRANCIS DRAKE DR
LA MESA CA 91941-7268

345 272 04 00 9
ACHIVIDA HILARION M & L A
1703 WEST AVE 0-4
PALMDALE CA 93551

345 272 05 00 2
ANDRADA GERARDO E SR &
ARSENIA
35751 GATEWAY DR UNIT L-1226
*

345 272 18 00 0
AQUINO ABRAHAM F JR & MELINDA
2475 GOLFCREST LOOP
CHULA VISTA CA 91915-1411

345 272 02 00 3
ANA PROPERTIES LLC
P O BOX 1510
LA MIRADA CA 90637

345 262 31 00 4
ARSENAULT MICHAEL G & KAREN E
PO BOX 505
BEDFORD MA 01730-3005

345 272 26 00 3
BACHINI MIGUEL & VIOLETA ET AL
25827 LONDON PL
STEVENSON RANCH CA 91381-1281

345 262 03 00 3
ARMSTRONG GARY K & ANNIE S TR
2226 WOODCREST LN
CARSON CITY NV 89701-5441

345 262 26 00 0
BATSEL BRIANNA L
6036 E BUTTERFIELD LN
ANAHEIM CA 92807

345 291 14 00 7
BROWN PAUL
P O BOX 1734
ROSAMOND CA 93560

345 262 11 00 6
BARTL LEE A & JACKIE S
605 LURLINE PL
SANTA ROSA CA 95405-5263

345 294 01 00 0
CALPORTLAND CO
10655 PARK RUN DR STE 275
LAS VEGAS NV 89144

345 293 27 00 9
CANTU ROBERT LEE
P O BOX 1344
ROSAMOND CA 93560

345 031 02 00 6
CALPORTLAND CO
2025 E FINANCIAL WY
GLENDDORA CA 91741-4692

345 272 03 00 6
CAMPBELL DENNIS J
13655 ESPLANADE AV
SANTA ANA CA 92705-2635

345 294 10 00 6
CASTER BETTY LOU
18531 OAKMOOR ST
CANYON COUNTRY CA 91351-2934

345 262 04 00 6
CARTER WAYNE R
910 N HINDEMAN ST
SISTERS OR 97759-3128

345 294 16 00 4
CASH CARL L & TORCHY R
7167 MOJAVE TROPICO RD
MOJAVE CA 93501-7211

345 294 06 00 5
CHENG WILLIE T
1590 ROSECRANS AV STE D213
MANHATTAN BEACH CA 90266-3716

345 294 13 00 5
CASTER FAMILY TRUST
18531 OAKMOOR ST
CANYON COUNTRY CA 91351

345 031 06 00 8
CHEN REALTY CO INC
PO BOX 361213
BIRMINGHAM AL 35236-1213

345 262 09 00 1 **INC**
DE GUZMAN WARLITO & JOSEPHINE
919-A ONGPIN ST
*

345 272 28 00 9
CRUMPACKER TRUST
2687 SAUSALITO AV
CARLSBAD CA 92010-7903

345 272 23 00 4
DALUMPINES RENATO &
EVANGELINE TRUST
14049 BURTON ST
PANORAMA CITY CA 91402-4202

345 262 22 00 8
EAGLE DESERT VISTA CORP
PO BOX 2470
VICTORVILLE CA 92393

345 032 36 00 2
DE MONTE FAMILY REVOCABLE
TRUST 1990
2423 NICKLAUS DR
SANTA MARIA CA 93455-1524

345 291 15 00 0
DIAZ ROGELIO S
9479 VISTA DR
SPRING VALLEY CA 91977

345 262 02 00 0
FLORES TERESITA N
4712 QUANTANA CT
LAS VEGAS NV 89102

345 262 10 00 3
ESTIVA ANITA B
1128 E JAY ST
CARSON CA 90745-3520

345 262 32 00 7
FORECAST LAND CORP
PO BOX 36
WOODLAND HILLS CA 91365-0036

345 272 11 00 9
GARDNER NANCY TRUST
2274 SHANNON LN
WALNUT CREEK CA 94598-1230

345 032 10 00 6
GORJIYAN FARAHNAZ
4004 PACHECO DR
SHERMAN OAKS CA 91403-4421

345 282 02 00 6
HUR FAMILY TRUST
18744 VINTAGE ST
NORTHRIDGE CA 91324-1528

345 272 15 00 1
JULIAN DELORES D TR
5554 ROSAMOND BL
ROSAMOND CA 93560

345 282 07 00 1
KIM MATTHEW & DWIGHT
1112 N SCREENLAND DR
BURBANK CA 91505-2503

345 281 02 00 9
KUPERS JEFFREY B
PO BOX 666
HEALDSBURG CA 95448-0666

345 272 25 00 0
LAND DREAM LP
3104 E CAMELBACK RD 2104
PHOENIX AZ 85016

345 272 19 00 3
MACALALAD LYDIA B
PO BOX 250913
GLENDALE CA 91225-0913

345 272 01 00 0
FIRST BAPTIST CHR-LA CRESCENTA
4441 LA CRESCENTA AV
LA CRESCENTA CA 91214

345 294 05 00 2
FRANCIA FEDERICO & MILAGROS TR
3823 STAFFORD SPRINGS WY
FAIRFIELD CA 94533

345 272 10 00 6
GERALDE JEREMIAS JR & FE
44550 SANDHURST LN
LANCASTER CA 93536-6467

345 291 16 00 3
GREEN FAMILY TR
3086 GRAVE ST
VENTURA CA 93003

345 262 18 00 7
HUSEBY LEIGH J REVOCABLE
LIVING TRUST
2518 S 279TH PL
FEDERAL WAY WA 98003-6938

345 262 15 00 8
KAZEROUNI YVONNE
320 THE VILLAGE 104
REDONDO BEACH CA 90277

345 281 06 00 1
KNIGHT JAMES E
5 CINNAMON LN
RANCHO PLS VERD CA 90275

345 281 04 00 5
KUPERS LAWRENCE B
605 DALE DR
SILVER SPRING MD 20910

345 272 21 00 8
LEDWELL RUSSELL A
16810 RANGER CT
MORGAN HILL CA 95037-3827

345 272 24 00 7
MC LYMAN FAMILY TRUST
P O BOX 3703
IDYLLWILD CA 92549

345 272 17 00 7
GALL CHARLES P & PALMIRA L
1201 YALE PL APT 508
MINNEAPOLIS MN 55403

345 262 07 00 5
GOMEZ LORI NICKEL
PO BOX 73
DUNCANS MILLS CA 95430-0073

345 272 16 00 4
HORTON MILDRED I
2050 W DUNLAP AV # B158
PHOENIX AZ 85021

345 262 29 00 9
JOHNSON BERKELEY N
940 ALSTON RD
SANTA BARBARA CA 93108

345 282 01 00 3
KEASLER KAHN ANN REVOCABLE
LIVING TRUST
1112 OXFORD HILLS DR
MARYVILLE TN 37803

345 272 20 00 5
KUIDA MINORU & MACHIKO TR
1632 RAMONA DR
NEWBURY PARK CA 91320-3459

345 262 21 00 5
LAGRIMAS DEMPSEY & FLODELIZA
ET AL
1706 MULFORD ST
EVANSTON IL 60202-3243

345 294 22 00 1
LICO MICHAEL & KAREN ELENA
6328 NW MIDTOWNE LN
HUNTSVILLE AL 35806-1796

345 272 29 00 2
MILES JOHN & LINDA REVOCABLE
TRUST
355 BAY FOREST DR
NAPLES FL 34110

345 281 03 00 2
NARDI ANTHONY V & CHRISTINE
44022 FENNER AV
LANCASTER CA 93536

345 293 06 00 8
MOORES PHILLIP
7288 MOJAVE TROPICO RD
MOJAVE CA 93501-7283

345 294 07 00 8
MULLIGAN THOMAS C
80 LYME RD APT 245
HANOVER NH 03755-1246

345 294 02 00 3
PABST FAMILY TR
7862 MARIN LN
VENTURA CA 93004

345 032 06 00 5
NEWMAN GORDON W & LINDA L
27050 SANTA CLARITA RD
SAUGUS CA 91350-1558

345 281 19 00 9
OAK INVS LLC
P O BOX 2016
BEVERLY HILLS CA 90213

345 272 22 00 1
PARSONS CHARLOTTE E
9241 W BROWARD BL # 3302
PLANTATION FL 33324

345 272 30 00 4
PADILLA ALICIA HERNANDEZ
38015 65TH STREET E SP D 3
PALMDALE CA 93552

345 294 15 00 1
PANTELE FAMILY TRUST
1847 S STARFIRE AV
CORONA CA 92879-2935

345 281 07 00 4
PLANK CHARLES E
3524 GRAND AV U 206
DES MOINES IA 50312-4315

345 262 16 00 1
PATTON FAMILY TRUST
1135 EASTSIDE LN
COLEVILLE CA 96107

345 272 06 00 5
PETERSON LOIS C & CHARLES T
16 ROCKLEDGE AV APT 5A1
OSSINING NY 10562

345 262 17 00 4
REDKEY APRIL ANN
116 ELMWOOD RD
LUNENBURG MA 01462-1465

345 272 08 00 1
PORNILLOSA GREGORIO L JR ET AL
12321 ALLIN ST
CULVER CITY CA 90230-5808

345 262 05 00 9
POSERIO ARNULFO F
314 E BUFFALO AV
SANTA ANA CA 92706-2950

345 262 06 00 2
SHER EDELLE
3800 KAMEHAMEHA RD APT 6
PRINCEVILLE HI 96722-5328

345 262 08 00 8
RICHARD ADOLPH DAVIS INC
P O BOX 935
RANCHO MIRAGE CA 92270

345 294 20 00 5
SANTOS DAVID C
4978 MONTAIR AV
LAKEWOOD CA 90712

345 294 18 00 0
STARLING LELAND & DARLINE TRS
2932 MAUDE ST
RIVERSIDE CA 92506-4418

345 272 07 00 8
SIERRA SANTIAGO V & ELMA A
6534 BROOK HOLLOW CI
STOCKTON CA 95219-2437

345 262 01 00 7
SMITH TIMOTHY E & LOURIE A
2675 DONEGAL AV
S SAN FRANCISCO CA 94080-5311

345 262 13 00 2
TALBOTT SYLVIA R
546 JUDI DR
MISSOULA MT 59802

345 272 09 00 4
THUDIUM ANNETTE ET AL
1220 HAMPEL ST
OAKLAND CA 94602-1112

345 294 12 00 2
TONG NHIEM & LY-HUONG P
PO BOX 2411
LA HABRA CA 90632-2411

345 262 23 00 1
TOPPETA MICHAEL
PO BOX 875
TEHACHAPI CA 93581-0875

345 282 06 00 8
TRAN TRAC NGOC & TRUONG THINH
THI
418 PATRICK LN
HERNDON VA 20170

345 032 02 00 3 **INC**
U S A
*
*

345 294 08 00 1
US TR IRREV TR
711 N PRISCILLA LN
BURBANK CA 91505-3139

345 293 26 00 6
VELARDE FAMILY TRUST
3837 W MORGAN LN
QUEEN CREEK AZ 85142-3107

345 272 14 00 8
VELA TR
18767 LAMSON RD
CASTRO VALLEY CA 94546-2100

345 293 23 00 7
VELARDE FAMILY TRUST
29117 THOUSAND OAKS BL U A
AGOURA HILLS CA 91301-5705

345 262 25 00 7
WHEELER W & V LIVING TRUST
1154 CHEATGRASS DR
DAYTON NV 89403-6322

345 272 12 00 2
VIDAL TEOFILO U
3640 E AVENUE H9
LANCASTER CA 93535-2272

345 272 32 00 0
WALTERS BUD TRUST
RR2 2050 RD 150
LAKIN KS 67860

345 262 27 00 3
STEPHENSON DOUGLAS & PAGE
2359 W 100TH ST
ROSAMOND CA 93560-7011

345 262 19 00 0
STRONG RUSSELL G TR
3128 PATTIZ AV
LONG BEACH CA 90808

345 272 32 00 0
WALTERS BUD TRUST
RR2 2050 RD 150
LAKIN KS 67860

345 262 30 00 1
WOOD ROBBIN RENEE
214 MAIN ST APT 430
EL SEGUNDO CA 90245-3803

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: Gem Hill Quarry Project by CalPortland Company (PP21404)

Lead Agency: Kern County Planning and Natural Resources Department Contact Person: Randall Cates
Mailing Address: 2700 "M" Street Suite 100 Phone: 661-862-8612
City: Bakersfield Zip: 93301-2323 County: Kern

Project Location: County: Kern City/Nearest Community: Rosamond

Cross Streets: The project site is located on the west side of Mojave Tropico Road, approximately two miles south of Backus Road; approximately four miles northwest of the unincorporated community of Rosamond; also being located within portions of Sections 25, 26, 35 and 36 of Township 10 North, Range 13 West, San Bernardino Base and Meridian (SBBM), County of Kern, State of California.

Lat. / Long.: 34° 55' 19.57488" N / 118° 13' 15.75640" W Total Acres: 210.75 acres (210-acre reclamation plan boundary plus .75-acre primary access road)

Assessor's Parcel No.: portion of 345-032-02 (primary access road); portions of APN 345-031-02, APN 345-032-05 and APN 345-294-17, all of 345-032-31 Section: portions of Sections 25, 26, 35 and 36

Twp.: 10N Range: 13W Base: SBB&M

Within 2 Miles: State Hwy #: N/A Waterways: multiple ephemeral drainage features
Airports: N/A Railways: N/A Schools: N/A

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other _____
 Mit Neg Dec Other _____ FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.)
 Other _____

Development Type:

Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral: naturally occurring pozzolan (volcanic tuff)
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational _____ Waste Treatment: Type _____ MGD _____
 Recreational _____ Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other Energy, Greenhouse Gas Emissions, Tribal Cultural Resources, Wildfire

Present Land Use/Zoning/General Plan Designation:

- Undeveloped / Zoning: A (Exclusive Agriculture) / Kern County General Plan: 8.3 (Extensive Agriculture), 8.4 (Mineral and Petroleum), 8.4/2.4 (Mineral and Petroleum – Steep Slope), 8.5/2.4 (Resource Management – Steep Slope)

Project Description: *(please use a separate page if necessary)*

The project proponent has submitted: (a) a Conditional Use Permit (CUP 45, Map 214) application, to allow a surface mining operation and development of a reclamation plan on 82 acres of an approximately 210-acre reclamation plan boundary, which would utilize a 0.75-acre primary access road outside of such reclamation plan boundary to provide access to/from Mojave Tropico Road.

Access to the site would be obtained via two access roads to Mojave Tropico Road, specifically the aforementioned access road and a secondary access road to the north thereof. The project proponent proposes to employ open pit, multibench, and drill and blast mining techniques to mine naturally occurring pozzolan (volcanic tuff), which is used in the production of cement. No crushing or processing of mined material would occur onsite.

The life of the operation is proposed to be 30 years. Annual mineral production is estimated to be 500,000 tons, and the maximum total mineral production is estimated to be 15,000,000 million tons. The total anticipated production of mine waste (overburden) is estimated to be 600,000 tons, which would be disposed in two onsite overburden stockpiles. The proposed maximum depth of excavation is 300 feet below original grade. No phasing of mining is proposed.

Maximum operational inter-bench slopes (also referred to as bench face slopes) for the quarry will be 0.25:1 (horizontal:vertical (H:V)) with overall slopes of 1:1 (H:V). Maximum final reclaimed inter-bench slopes for the quarry will be 0.25:1 (H:V). Overall final reclaimed slopes for the quarry will be a maximum of 1:1 (H:V).

Maximum operational slopes for the overburden stockpiles will be 1.5:1 (H:V). Maximum and overall final reclaimed slopes for the overburden stockpiles will be 2:1 (H:V).

Operations would typically be conducted between 7:00 a.m. and 7:00 p.m., Monday through Saturday, with the understanding that additional shifts or longer/alternative hours may be required due to operational constraints. As proposed, there would be a maximum of 20 employees onsite at any one time. These 20 employees would include haul truck drivers, who would haul overburden onsite (from the quarry to the overburden stockpiles), as well as hauling naturally occurring pozzolan (volcanic tuff) offsite to clients.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | | | |
|---------------------------------------|--|---------------------------------------|--|
| <input checked="" type="checkbox"/> S | Air Resources Board | <input type="checkbox"/> | Office of Emergency Services |
| <input type="checkbox"/> | Boating & Waterways, Department of | <input type="checkbox"/> | Office of Historic Preservation |
| <input checked="" type="checkbox"/> S | California Highway Patrol | <input type="checkbox"/> | Office of Public School Construction |
| <input type="checkbox"/> | CalFire | <input type="checkbox"/> | Parks & Recreation |
| <input checked="" type="checkbox"/> S | Caltrans District # <u>6 & 9</u> | <input type="checkbox"/> | Pesticide Regulation, Department of |
| <input type="checkbox"/> | Caltrans Division of Aeronautics | <input type="checkbox"/> | Public Utilities Commission |
| <input type="checkbox"/> | Caltrans Planning (Headquarters) | <input checked="" type="checkbox"/> S | Regional WQCB # <u>Lahontan</u> |
| <input type="checkbox"/> | Central Valley Flood Protection Board | <input type="checkbox"/> | Resources Agency |
| <input type="checkbox"/> | Coachella Valley Mountains Conservancy | <input type="checkbox"/> | S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> | Coastal Commission | <input type="checkbox"/> | San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> | Colorado River Board | <input type="checkbox"/> | San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> S | Conservation, Department of | <input type="checkbox"/> | Santa Monica Mountains Conservancy |
| <input type="checkbox"/> | Corrections, Department of | <input checked="" type="checkbox"/> S | State Lands Commission |
| <input type="checkbox"/> | Delta Protection Commission | <input type="checkbox"/> | SWRCB: Clean Water Grants |
| <input type="checkbox"/> | Education, Department of | <input type="checkbox"/> | SWRCB: Water Quality |
| <input type="checkbox"/> | Energy Commission | <input type="checkbox"/> | SWRCB: Water Rights |
| <input checked="" type="checkbox"/> S | Fish & Game Region # <u>Fresno</u> | <input type="checkbox"/> | Tahoe Regional Planning Agency |
| <input type="checkbox"/> | Food & Agriculture, Department of | <input type="checkbox"/> | Toxic Substances Control, Department of |
| <input type="checkbox"/> | General Services, Department of | <input type="checkbox"/> | Water Resources, Department of |
| <input type="checkbox"/> | Health Services, Department of | | |

_____ Housing & Community Development
_____ Integrated Waste Management Board
S Native American Heritage Commission

S Other So. San Joaquin Arch. Info. Ctr.
S Other CalGEM - Bakersfield
_____ Other _____

Local Public Review Period (to be filled in by lead agency)

Starting Date November 4, 2021 Ending Date December 6, 2021

Lead Agency (Complete if applicable):

Consulting Firm: _____ Applicant: _____
Address: _____ Address: _____
City/State/Zip: _____ City/State/Zip: _____
Contact: _____ Phone: _____
Phone: _____

Signature of Lead Agency Representative: _____ **Date:** October 28, 2021

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

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INITIAL STUDY/NOTICE OF PREPARATION

Gem Hill Quarry Project
by CalPortland Company

Conditional Use Permit No. 45, Map 214

(PP21404 / PLN20-01417)

LEAD AGENCY:



2700 M Street, Suite 100
Bakersfield, CA 93301-2370

Contact: Mr. Randall Cates
(661) 862-8612
CatesR@kerncounty.com

November 2021

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1. PROJECT DESCRIPTION

1.1 Project Location

The proposed Gem Hill Quarry Project (proposed project) is located in an unincorporated area of the southeastern part of Kern County, approximately four miles northwest of the unincorporated community of Rosamond, and ten miles southwest of Mojave, California. The project site is within the area mapped on United States Geological Survey (USGS) 7.5-minute Soledad Mountain quadrangle and is a portion of Sections 25, 26, 35 and 36, Township 10 North (T10N), Range 13 West (R13W), San Bernardino Base and Meridian (SBB&M). The project site is approximately 210.75 acres and is within portions of parcels identified as Kern County Assessor's Parcel Numbers (APNs) 345-294-17, 345-032-05, 345-032-31, 345-031-02 and 345-032-02. The proposed project would utilize an access road that crosses lands administered by the California State Lands Commission (CSLC) within APN 345-032-02. Figure 1, *Site Vicinity*, illustrates the project location, Figure 2, *Project Boundary and Parcels*, illustrates the project site boundary and parcels, and Figure 3, *Aerial Photograph Map*, illustrates the 210-acre mine and reclamation plan boundary and the 82-acre limits of proposed reclamation overlaid on an aerial photograph.

The project site is accessible from Mojave-Tropico Road via an existing primary access road with a length of 845 feet as illustrated on Figure 4, *Proposed Mine Plan*, which illustrates the proposed mine plan. The primary access road is 24 feet wide with a 6-foot shoulder on either side (for a surface disturbance width of 36 feet) and would serve as the main ingress and egress for the proposed project. The primary access road is located on Assessor's Parcel Number (APN) 345-032-02, which is administered by the CSLC, and the project proponent would maintain a lease with CSLC for use of the primary access road. A secondary access road approximately 0.3 mile in length and 24 feet wide with a 6-foot shoulder on either side (for a surface disturbance width of 36 feet), on land owned by the project proponent, would be developed at the northeast portion of the project site to provide secondary access to Mojave-Tropico Road, as illustrated on Figure 4, *Proposed Mine Plan*.

1.2 Environmental Setting

The project site is located approximately four miles northwest of the unincorporated community of Rosamond, and primarily consists of undeveloped land, with several dirt access roads that traverse the site and two recently graded pad areas. The local terrain is variable across the site, with high topographic relief including areas of steep slopes and areas with more gently sloping alluvial fan deposits. No groundwater, gas, oil, or other wells are present on the site. Site elevations range from approximately 2,620 to 3,050 feet above mean sea level (amsl) and the site generally slopes downward from northwest to southeast. The northwestern portion of the site includes steeper topography that slopes downward to more gentle slopes and level areas in the southeast portion of the site. The steeper slopes of the project site are barren or support minimal vegetation with more level areas at slope bottoms supporting moderately denser vegetation cover. Creosote bush scrub represents the predominant vegetation cover throughout the site.

Residences nearest to the site are to the northeast, with the nearest approximately 900 feet from the northeast corner of the site. Additional residences are located 1 mile and further to the south, southeast, and southwest, and the unincorporated community of Rosamond is about 4 miles to the southeast of the site. A solar photovoltaic power generating facility is located about 1 mile southwest of the project site.

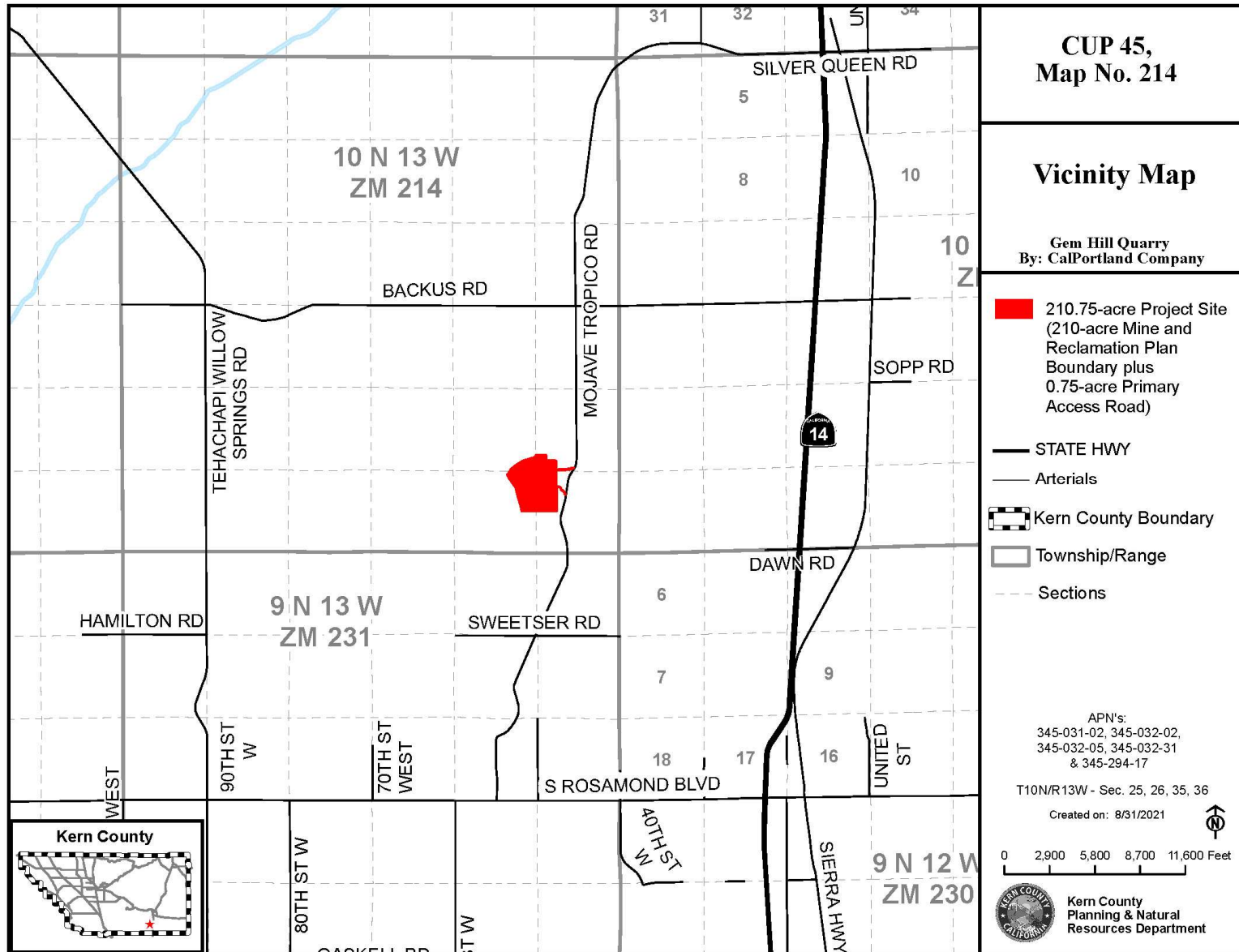


Figure 1: Site Vicinity

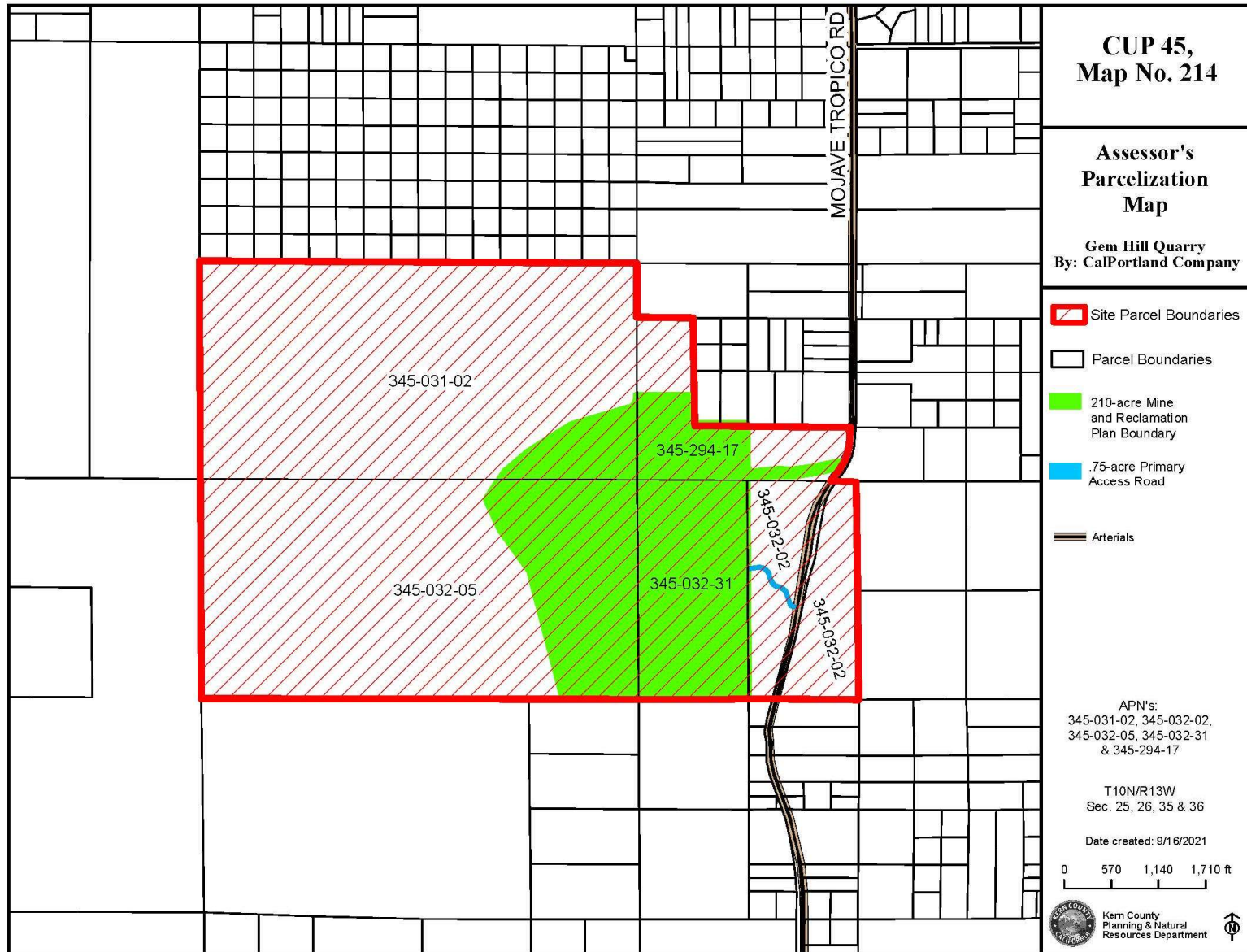


Figure 2: Project Boundary and Parcels

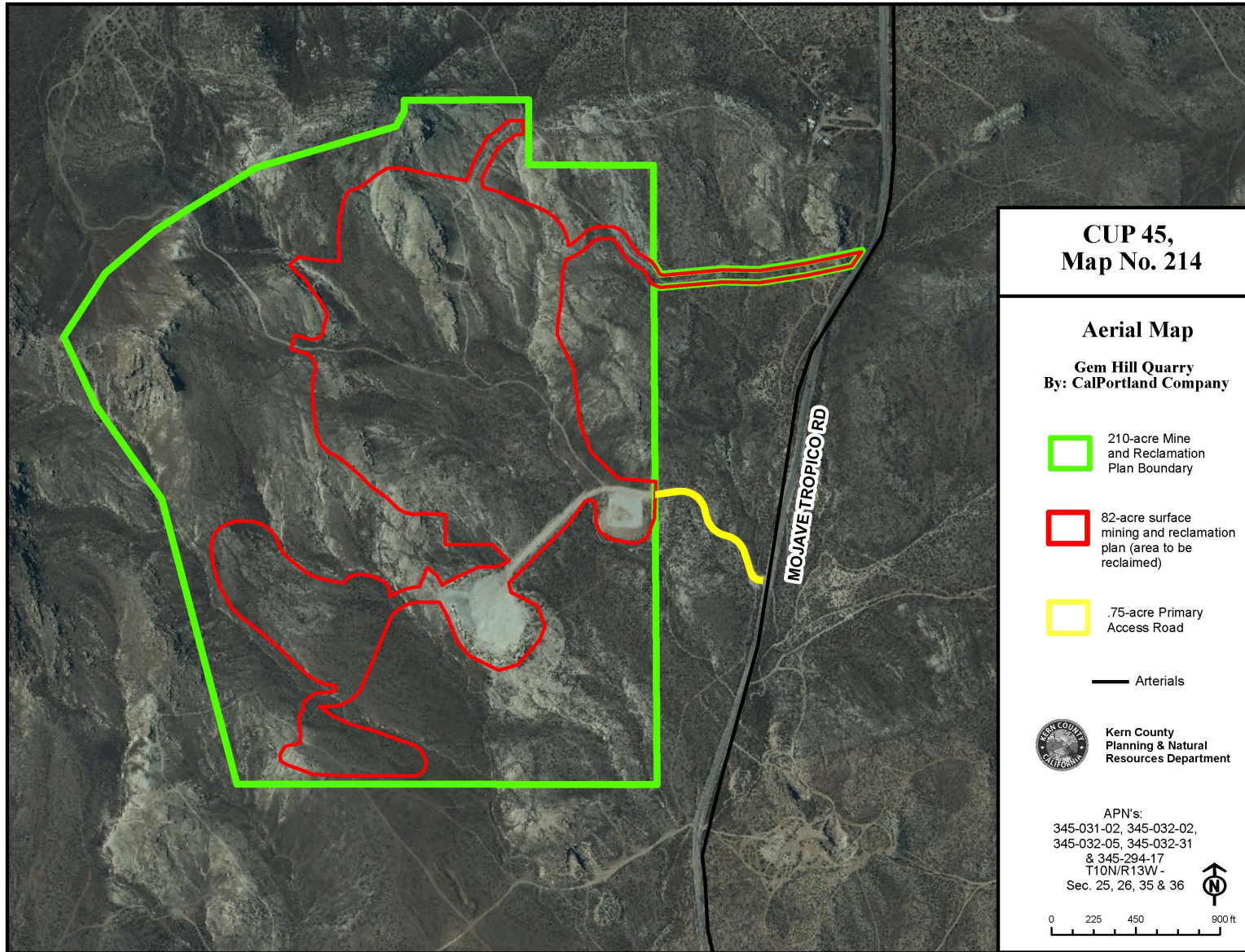


Figure 3: Aerial Photograph Map



Table 1, *Project Site and Surrounding Land Uses, General Plan Designations and Zoning*, tabulates the existing land uses, zoning classifications, and General Plan map code designations for the project site and surrounding areas. Figure 5, *Kern County General Plan Map Code Designations*, and Figure 6, *Kern County Zoning Classifications*, illustrate the existing map code designations and zoning classifications, respectively, of the project site and surrounding areas.

Table 1. Project Site and Surrounding Land Uses, General Plan Designations and Zoning			
Location	Existing Land Use	Existing Zoning Classifications	Existing General Plan Map Code Designations
Project site	Undeveloped	A (Exclusive Agriculture)	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)
North	Undeveloped	A (Exclusive Agriculture), PL RS MH (Platted Lands, Residential Suburban Combining, Mobilehome Combining)	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay), 4.3 - Specific Plan Required (Ancient Valley Specific Plan)
South	Undeveloped	A (Exclusive Agriculture)	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 1.1 – State or Federal land
East	Undeveloped; dispersed residences 900 to 4,000 feet to the northeast	A (Exclusive Agriculture), PL RS MH (Platted Land, Residential Suburban Combining, Mobilehome Combining)	8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)
West	Undeveloped	A – Exclusive Agriculture	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)

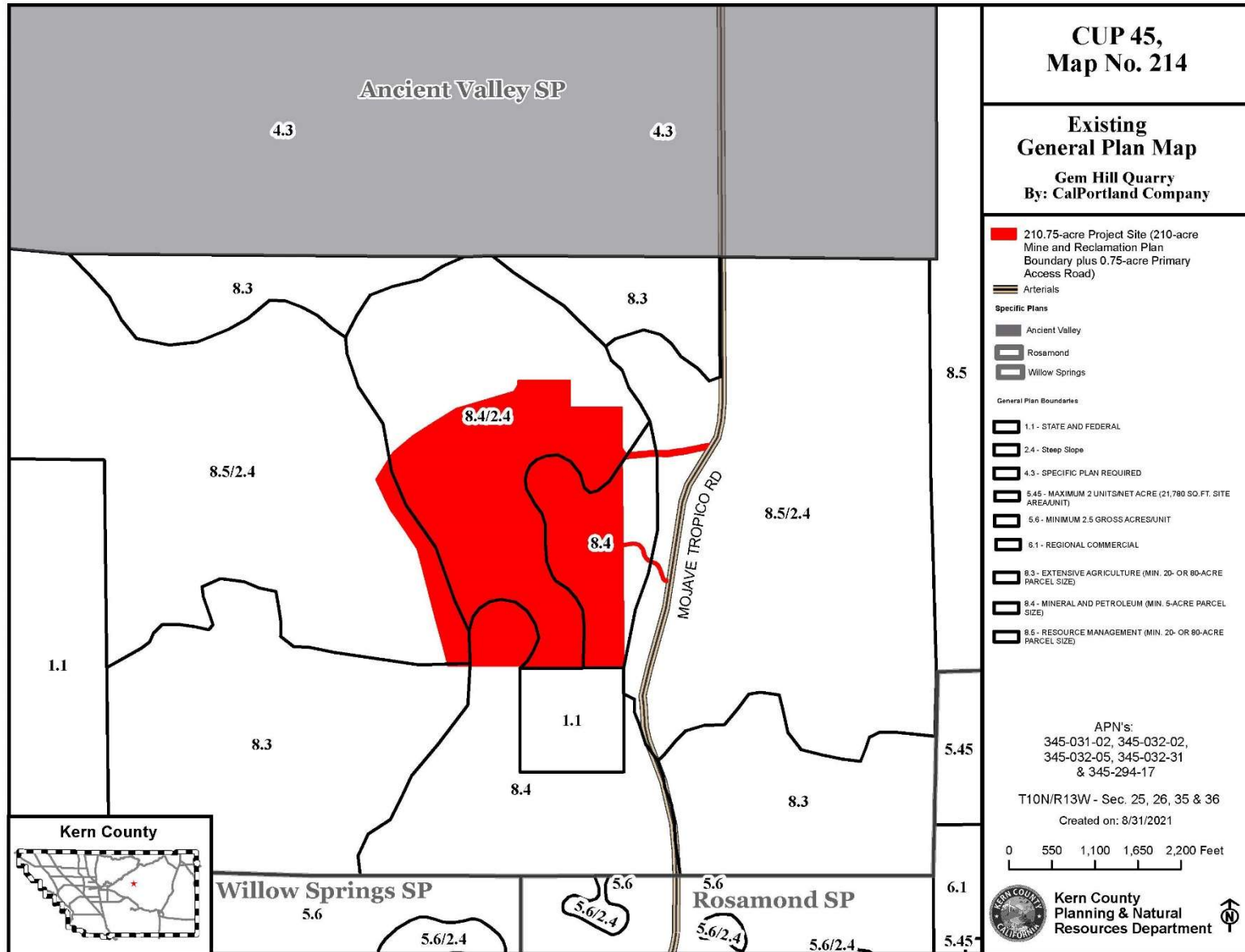


Figure 5: Kern County General Plan Land Use Designations

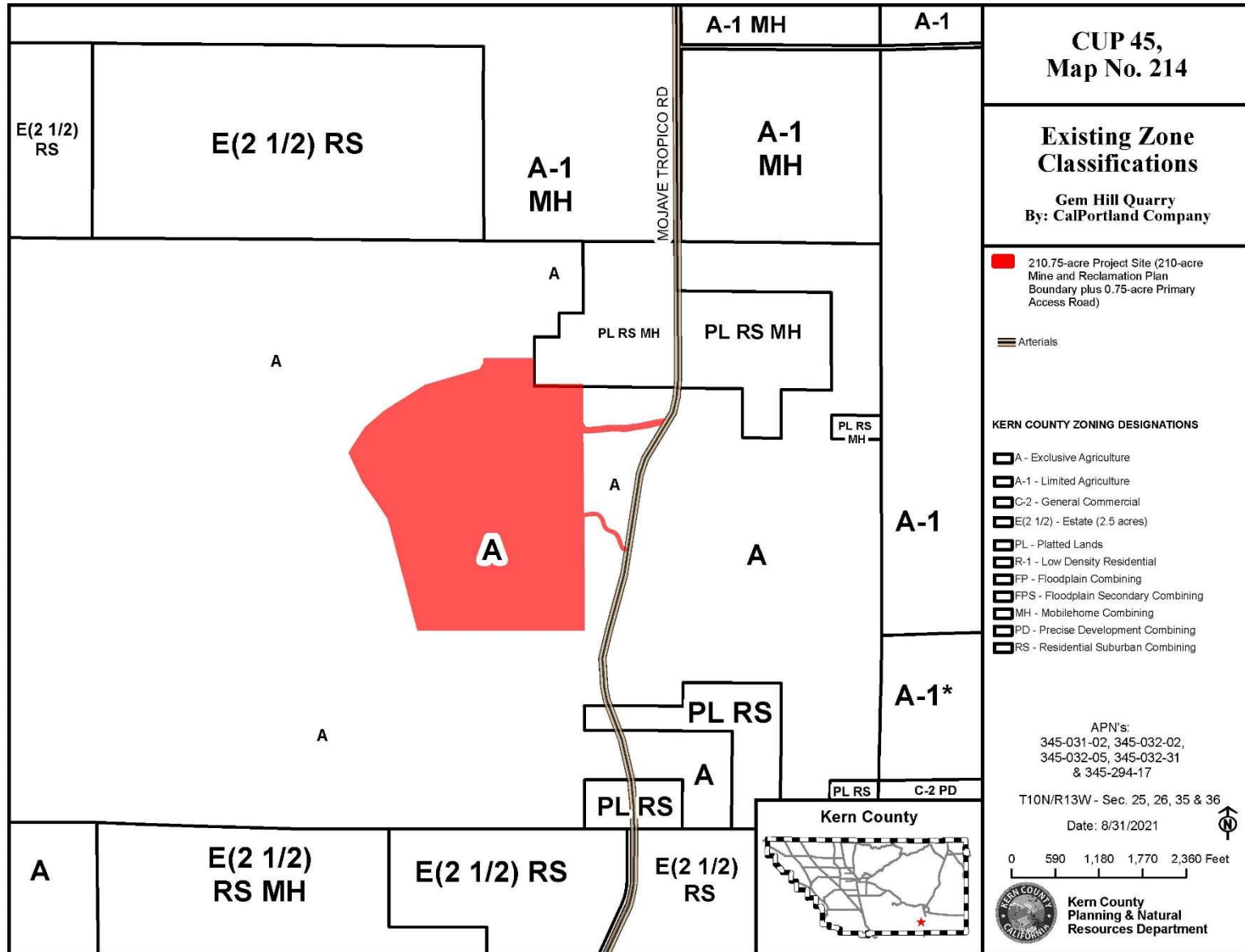


Figure 6: Kern County Zoning Classifications



Table 2, *Project Parcels Ownership and General Plan Map Code Designations*, lists the APNs, ownership, and General Plan Map Code designations for the individual parcels within which the project site is located. Figure 2, *Project Boundary and Parcels*, illustrates the parcels that comprise the project site.

Table 2. Project Parcels Ownership and General Plan Map Code Designations		
APN	Owner	Existing General Plan Map Code Designations
345-294-17	CalPortland	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)
345-032-05	CalPortland	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)
345-032-31	CalPortland	8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay)
345-031-02	CalPortland	8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)
345-032-02	State of California (administered by State Lands Commission)	8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay)

The project site is located in a mostly undeveloped portion of the western Antelope Valley. The western Antelope Valley includes portions of the southeast corner of Kern County and portions of northern Los Angeles County. The Antelope Valley is formed by the Tehachapi Mountains to the northwest and San Gabriel Mountains to the southwest. The region in which the project site is located consists of open flatlands intermixed with hills with sparse creosote bush vegetation. Land uses in the vicinity of the project site include dispersed rural residences and ranches, agricultural fields to the west, and renewable energy facilities to the southwest through northwest. Clay, silver, and gold mining have been conducted at various locations in the area since the 1890s with gold mining continuing at the Soledad Mountain Golden Queen Mine located approximately 5 miles north of the project site. The historic Tropic Gold Mine is located approximately 3 miles southwest of the project site. The Mojave Cement Plant and Quarry, owned and operated by the project proponent, CalPortland, are located approximately 10 miles northwest of the project site. Other active and inactive mine sites are also in the vicinity.



The steeper slopes of the project site are barren or support minimal vegetation cover (less than 5 percent) while the flatland areas at the bottom of the slopes support denser vegetation cover (less than 30 percent). Creosote bush scrub is the dominant plant community. It is an open scrub plant community characterized by sparse, evenly spaced plants and dominated by creosote bush (*Larrea tridentata*). Several unnamed ephemeral drainage features are present within the project site. The drainages are located at the top of the watershed, originating on the steep slopes along the western northwestern boundary of the site and generally flow to the southeast.

The project site is in the northwestern portion of the Mojave Desert Air Basin (MDAB), which encompasses the desert portion of San Bernardino County and Los Angeles County, the Palo Verde Valley in eastern Riverside County, and the southeastern portion of Kern County. The desert climate is characterized by hot, dry summers and cold, dry winters. The inland position of the MDAB lacks the cooling effects of the Pacific Ocean, while the presence of the mountains that separate the MDAB from the ocean remove much of the atmospheric moisture before reaching the MDAB. Therefore, the region is relatively dry with little precipitation in the summer or winter. Summer high temperatures reach over 100 degrees Fahrenheit (°F) and averages in the mid to upper 90s with lows in the upper 60s to low 70s. Extreme highs reach over 110° F. Winter highs average in the 60s with lows in the 30s. About 65 percent of the precipitation in the MDAB occurs as rainfall during the winter. The project area receives an average of approximately 6 inches of rain per year.

The Kern County Sheriff's Office (KCSO) provides law enforcement services in the unincorporated areas of the County, including the project area. The Kern County Sheriff substation nearest to the project site is located approximately 3.75-miles south of the project site at 3179 35th Street, Rosamond, with a driving distance of approximately 5.3 miles between the station and project site primary access road intersection with Mojave-Tropico Road. Kern County Fire Department provides fire and emergency services to the unincorporated communities of Kern County, including the project area. The County Fire Station nearest to the project site is Station No. 15 at 3219 35th Street, Rosamond, located approximately 3.75-miles south of the project site with a driving distance of approximately 5.2 miles between the station and project site primary access road intersection with Mojave-Tropico Road.

1.3 Project Site History

The Project site is predominantly undeveloped. In 2019, the property owner and current project proponent obtained a grading permit from Kern County allowing for the construction of an access road and two graded pads on the site totaling an area of 16.2 acres. The road and pad grading was completed in 2019.

1.4 Proposed Project

1.4.1 Project Summary

As discussed in more detail in the following sections, the project proponent is requesting the following discretionary actions from Kern County:

- (a) approval of a Conditional Use Permit (CUP) for an approximately 35-acre quarry with a planned disturbance area of approximately 82 acres, within an approximately 210.75-acre project site boundary (the 210.75 acres includes the .75-acre primary access road which is located on land administered by the CSLC); and
- (b) approval of a reclamation plan for the 210-acre mine and reclamation plan boundary in accordance with the Surface Mining and Reclamation Act (SMARA) of 1975.



The requested CUP would allow for surface mining of an approximately 35-acre quarry, and approval of a reclamation plan for an approximately 210-acre boundary with a planned total disturbance and reclamation area of approximately 82 acres. Reclamation of the site would be conducted in accordance with a reclamation plan that would be subject to approval by Kern County. The proposed reclamation plan provides a detailed discussion of the mining and reclamation proposed for the site. Figure 7, *Proposed Reclamation Plan*, provides a bird's-eye-view illustration of the reclaimed site conditions and Figure 8, *Proposed Reclamation Cross-Sections*, provides cross-section illustrations of reclaimed site conditions.

Maximum operational inter-bench slopes (also referred to as bench face slopes) for the quarry will be 0.25:1 (horizontal:vertical (H:V)) with overall slopes of 1:1 (H:V). Maximum final reclaimed inter-bench slopes for the quarry will be 0.25:1 (H:V). Overall final reclaimed slopes for the quarry will be a maximum of 1:1 (H:V). Maximum operational slopes for the overburden stockpiles will be 1.5:1 (H:V). Maximum and overall final reclaimed slopes for the overburden stockpiles will be 2:1 (H:V).

The project proponent documents that the project has proven/probable reserves of approximately 16 million tons (mt). The project proponent plans to extract up to 15,000,000 tons of volcanic tuff (500,000 tons per year for a mine life of 30 years). Volcanic tuff is a type of volcanic material that can be utilized as a pozzolan to replace a portion of clinker used in the manufacturing of portland cement as well as replace a portion of portland cement in ready-mix concrete. Pozzolan is defined as a cementitious material that increases the long-term strength and improves other material properties of portland cement concrete and reduces emissions of carbon dioxide (CO₂), a greenhouse gas (GHG) that contributes to global warming or climate change, in the production of cement.

The planned operation includes the quarry, two overburden stockpiles, stormwater basins, an equipment storage area, a water well and conveyance pipe, truck scale, and access roads on a proposed disturbance area of approximately 82 acres. Typical mining operations would consist of blasting, dozing and stockpiling the tuff materials for haulage offsite. The material would be loaded onto on-road trucks and hauled to existing cement production facilities based on market demand. The material does not require crushing or processing, therefore, there would be no processing plant operations conducted on-site. Typical hours of operation would be during daylight hours (generally 7:00 a.m. to 7:00 p.m., Monday through Saturday depending on the season), six days per week, depending on market demand, with the understanding that longer or alternative hours may be required due to operational constraints.

An access road (labeled as Primary Access Road on Figure 4, *Proposed Mine Plan*, and Figure 7, *Proposed Reclamation Plan*) at Mojave-Tropico Road would be widened as part of the project and would serve as the main ingress and egress for the proposed project. A secondary access road would be developed north of the primary access road that would also provide access between the project site and Mojave-Tropico Road.

Operations would include approximately 20 full time employees, including about 10 truck drivers that would operate haul trucks for overburden movement within the site and for transport of volcanic tuff to offsite locations. Security gates and signs would be located on both of the access roads.

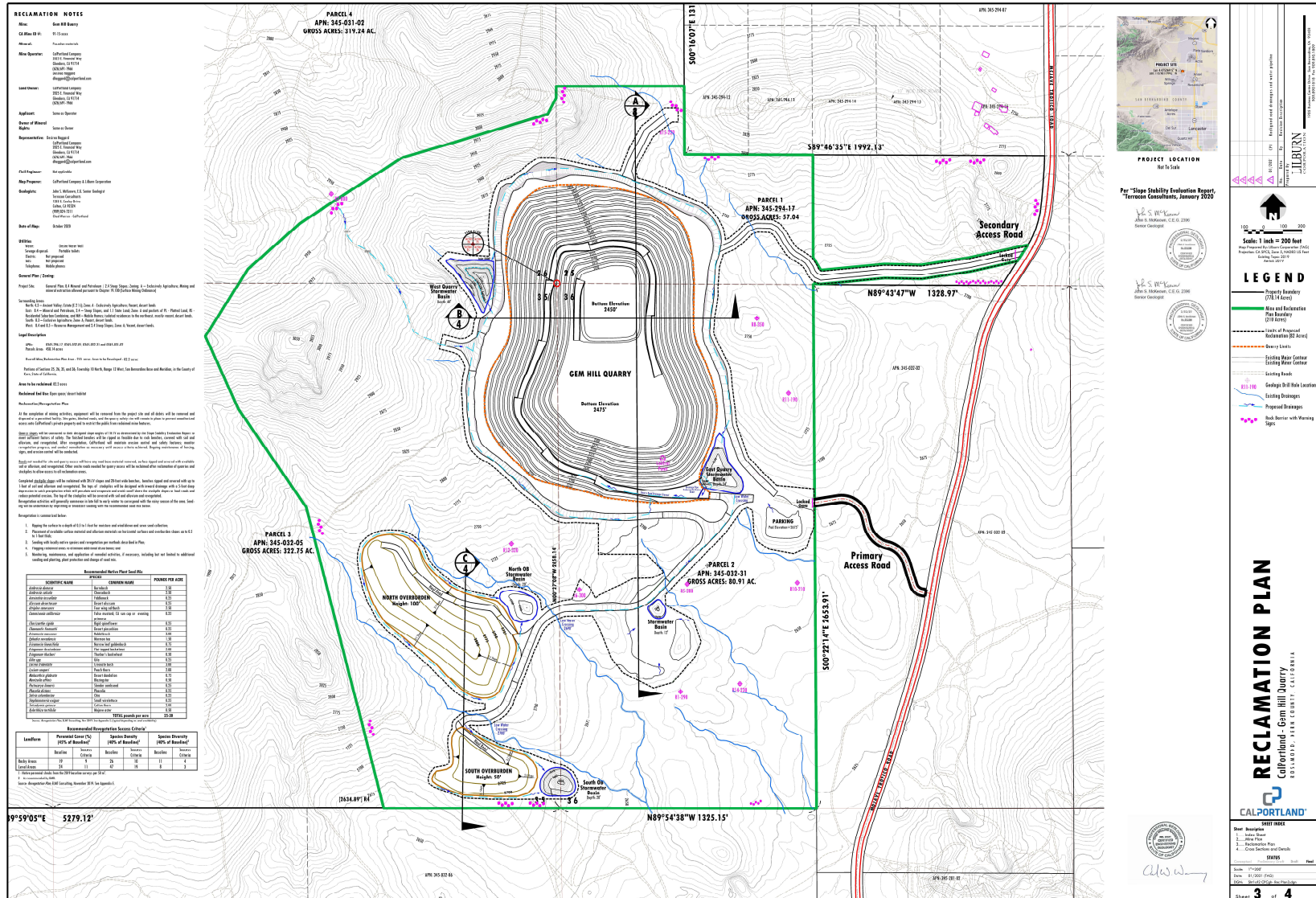


Figure 7: Proposed Reclamation Plan

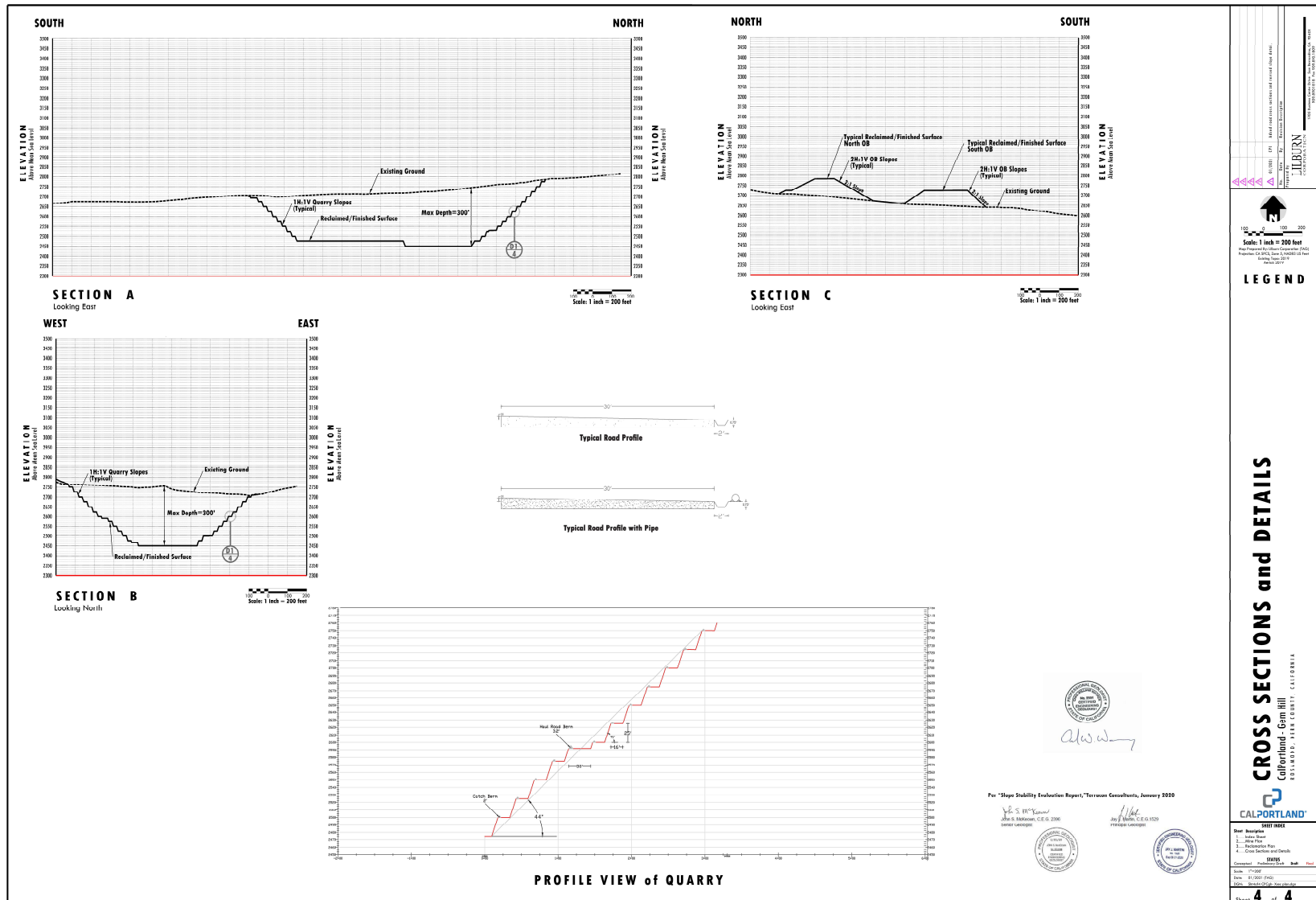


Figure 8: Proposed Reclamation Plan Cross-Sections



Table 3, *Planned Operational Areas*, lists the planned operational and disturbance areas associated with the proposed project.

Table 3. Planned Operational Areas	
Quarry, Overburden, & Ancillary Uses	Total Project Areas (acres)
Quarry	35.3
South Overburden Stockpile	2.7
North Overburden Stockpile	8.5
Topsoil Stockpile	1.0
Test Plot	0.4
Equipment Storage	6.9
Scale/Security Area	1.4
Quarry Stormwater Basins	1.6
Overburden Stormwater Basins	1.0
Access Road on CSLC Land (leased)	0.7
Secondary Access Road	3.9
On-site Roads & Misc. Areas within Plan boundary that may be partially disturbed	18.8
Total	82.2

The project proponent has identified project design and environmental protection measures that have been incorporated into the planned operations and would be implemented to reduce potential environmental impacts, including:

1. Design quarry to minimize drainage, biological, and visual impacts;
2. Maintain all equipment in compliance with air quality regulations;
3. Implement dust control measures at active quarry, stockpile areas, and on roads per Eastern Kern Air Pollution Control District (EKAPCD) regulations;
4. Utilize water for dust control from an on-site well;
5. Implement employee training that will provide information and protection measures for cultural resources; and
6. As areas become available, implement reclamation/revegetation to reduce visual impacts through recontouring, slope reduction, and revegetation with native plant species.

1.4.2 Proposed Mine Plan and Operations

The quarry would be developed as a multi-bench open pit mine. Several working levels within the quarry could be operated at any one time to supply the quality and quantity of material required for use at offsite locations for adding and blending into the cement production process. Table 4, *Planned Surface Disturbance and Estimated Ore and Overburden Production*, lists the surface area, reserves, overburden quantities, annual production range, and proposed duration of operations.

1.4.2.1 Quarry Operations

The proposed project surface mining area is approximately 35 acres of the total 82.2-acre project disturbance area. The quarry would be mined to a maximum depth of approximately 300 feet from 2,725 feet amsl to a floor depth of 2,450 feet amsl. The quarry is designed to avoid mining the ridgelines to the north and west to reduce the potential for visual impacts. A safety berm six feet high and 12 feet wide at its base would be constructed around the quarry rim for operational and public safety purposes.



Proposed Surface Disturbance (detail in Table 2)	82.2 acres
Quarry Surface Area	35.3 acres
Ore Reserves	16.1 million tons
Ore Excavated ¹ (life of mine)	15 million tons
Ore Excavated (annual)	500,000 tons per year
Overburden ² (life of mine)	600,000 tons
Overburden ² (annual)	20,000 tons per year
Proposed Life of Mine Duration	30 years

Source: “Gem Hill Quarry Surface Mining Cup and Reclamation Plan Project Description and Alternatives for CEQA” (CalPortland, January 2021)

Notes:

1. Approximately 1.1 million tons of ore may remain at end of mining. Volumes are estimated based on drilling data, mine design, and computer modeling. Areas rounded to nearest tenth of an acre and tonnage to tenths.
2. Overburden is primarily basalt estimated at 4 percent of total volume or about 0.6 million tons over life of mine.

The quarry would be excavated utilizing conventional open pit methods and would involve drilling and blasting benches 25 feet high with inter bench slopes of 70 degrees. The height of proposed benching is based on the site geology and deposit. The 70-degree inter bench would create a bench offset of approximately 9 feet with a 16-foot-wide horizontal bench sloped slightly towards the back of slope to retain precipitation. The overall slope for operations and reclamation is approximately 45 degrees or 1 horizontal:1 vertical (1H:1V). Quarry haul roads would be 30 feet wide with a grade of 8 percent or less depending on locations and conditions. A slope stability evaluation prepared for the project determined that the proposed quarry slopes (and overburden stockpiles, discussed below) would achieve static factors of safety (FS) in excess of 1.5 and seismic factors of safety at or greater than 1.1.

Blasting would be utilized to loosen material allowing for excavation. Blasting operations would involve drilling along the mining face, placement, and detonation of charges by a blaster licensed through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for handling explosive materials. The transporting, handling, storage, and use of explosive materials, blasting agents, and blasting equipment would be supervised by a qualified and licensed blasting contractor. The blasting contractor and the explosive delivery company would be properly trained and licensed in accordance with all Federal, State, and local regulations and would provide evidence of compliance with the California blasting license program, U.S. Department of Transportation hazardous materials (HAZMAT) Certificate of Registration, California HAZMAT Transportation License, and general liability insurance for explosive transportation. All blasting materials would be brought on-site by a licensed blasting contractor for each blast, and there would be no storage of blasting agents at the project site.

Drilling would typically be conducted as part of normal mining operations approximately 105 days/year, up to 5 days a week, 10 hours/day with depths of 28 feet. Blasting is planned approximately once per week. Typical blasting activities would take place between the hours of 10:00 a.m. and 4:00 p.m. on weekdays (Monday through Friday); however, hours may shift due to safety driven operational constraints.

After blasting, the pozzolan material would be loosened by an excavator and dozer and loaded into on-road haul trucks for transport to existing cement production facilities. No crushing or processing would be conducted on-site. Operations would typically occur during one shift per day during daylight hours (generally 7:00 a.m. to 7:00 p.m. Monday through Saturday depending on the season), 6 days per week. Based on product demand and other market and operational factors, additional shifts or longer or alternative hours could also occur. Up to 20 employees would work on-site, including about 10 truck drivers that would operate haul trucks for material movement within the site and for transport of material to offsite locations.



1.4.2.2 Overburden and Topsoil Management

Overburden is made up of interspersed layers of basalt and some alluvium at the surface of the mining area that would require removal but would not be transported offsite. The estimated life of mine excavation ratio of overburden to pozzolan is approximately 4 percent, which would result in an average of approximately 1 ton of overburden for each 25 tons of pozzolan produced. Overburden would be loaded into haul trucks with 25-ton capacity and transported along interior haul roads to the two overburden stockpiles (as identified and labeled on Figure 4, *Proposed Mine Plan*, and Figure 7, *Proposed Reclamation Plan*) that would be located in the southwestern portion of the project site.

Overburden stockpiling would take place throughout the life of the mine. The proposed South Overburden Stockpile would be developed on approximately 2.7 acres. The South Overburden Stockpile would have a maximum height of approximately 50 feet (approximately 2,725 feet amsl) and a total storage volume of approximately 80,000 cubic yards (cy). The North Overburden Stockpile would be developed as needed on approximately 8.5 acres. The North Overburden Stockpile would have a total estimated volume of up to approximately 350,000 cy and would be developed up to a maximum height of approximately 100 feet (2,800 feet amsl). Both overburden stockpiles would be developed with overburden placed in 25-foot-high lifts, with interface slopes at the angle of repose of 34 degrees (1.5H:1V). The overburden material would be compacted by tractor roll-over. Final slopes for the overburden stockpiles would be completed at 27 degrees (2H:1V) with horizontal bench widths of approximately 20 feet, as illustrated on the cross-section profiles on Figure 8, *Proposed Reclamation Cross-Sections*. A slope stability evaluation prepared for the project determined that the proposed reclaimed overburden slope design would achieve a static factor of safety of 1.78 and seismic factor of safety of 1.17.

In addition to overburden that would be permanently deposited in the overburden stockpiles discussed above, surface alluvium would be salvaged separately and stored in a topsoil stockpile (as identified and labeled on Figure 4, *Proposed Mine Plan*) that would be located south of the quarry. The alluvium would be stored during the mining operation for use in reclamation (discussed further below).

1.4.2.3 Mobile Equipment and Vehicles

Table 5, *Project Operations Equipment and Usage*, lists the anticipated equipment that would be used for onsite operation and transporting material offsite. Table 6, *Vehicles and Average Daily Trips*, lists the anticipated vehicles and average daily trips. Haul trucks and diesel equipment would be required to comply with all applicable requirements of the California Air Resources Board’s (CARB) off-road diesel vehicles regulation to reduce diesel pollutants.

Scheduled equipment maintenance would take place offsite. Minor or emergency repairs and refueling with portable maintenance/fuel trucks would be conducted at the site. Any waste oil generated at the site would be collected and transported for off-site recycling or disposal by approved methods and by properly trained and licensed personnel.

Equipment¹	Typical Number	Typical Days per Year	Purpose
Front-End Loader (CAT 980 typ.)	1	300	Loading of excavated materials into haul trucks at quarry.
Dozer (CAT D8 typ.)	1	150	Mining and stockpiling of pozzolan material. Removal of topsoil and waste rock. Construction and maintenance of roads and quarry benches.



Equipment¹	Typical Number	Typical Days per Year	Purpose
Excavator (CAT 325 typ.)	1	60	Mining and stockpiling of pozzolan material and overburden.
Grader (CAT 140 typ.)	1	60	Removal of topsoil and waste rock. Construction and maintenance of roads.
Drill Rig (PowerROC T25 typ.)	1	130	Drill holes for placement of explosives.
On-Road Haul Trucks (25-ton trucks typ.)	10	300	Transportation of excavated material to various clients (i.e. offsite), and overburden to onsite stockpiles.
Water Truck (4,000 gallons)	1	300	Water spray haul roads, active quarry areas, overburden stockpiles, and general dust control onsite.
Tractor skid steer	1	60	Removal of topsoil and waste rock. Construction and maintenance of roads.
Generator Sets (50 hp typ) (CAT XQ 35 typ)	2	300	Power for water well pump and scale/office trailer.
Ancillary Equipment	Varies	Varies	Maintenance vehicles, bobcat, backhoe, pick-ups, SUVs, etc.

Source: “Application Form for Surface Mining Permit and Reclamation Plan” submitted by CalPortland for the Gem Hill Quarry, accepted by Kern County on May 25, 2021.

Notes

1. Lists typical equipment anticipated for use, specific equipment may change during the life of the project due to replacement of aging equipment and updated equipment and fleet averaging requirements.

Vehicle	Typical Number	Average Daily Trips (ADT) (one way trips)
Vehicles transporting employees to/from the site	20	40
On-road haul trucks	10 trucks (typical) 67 total round trips/day	134
Fuel Truck ¹	1	0.28
Maintenance truck ¹	1	0.28
Portable toilet service ¹	1	0.28
Waste/trash pick-up ¹	1	0.28
Miscellaneous ¹	8	2.29

Source: “Application Form for Surface Mining Permit and Reclamation Plan” submitted by CalPortland for the Gem Hill Quarry, accepted by Kern County on May 25, 2021.

Notes

1. Last five rows total estimated two trucks or vehicles/day for 6 days.



1.4.2.4 Water Use and Supply

A water well and water tank are proposed to be drilled and constructed within the northeast portion of the project site as shown on Figure 4, *Proposed Mine Plan*. The well and tank would provide water for dust suppression within the project site. A 4,000-gallon water truck would be used to apply water for dust control. It is anticipated that up to four truckloads of water per day, six days per week, would be applied for dust control. Based on these rates, water use is estimated to be up to approximately 16,000 gallons per day and approximately 18 acre-feet (AF) per year.

Water produced in the onsite groundwater well would not be used for domestic purposes. Bottled drinking water for workers would be brought to the site as necessary.

No surface water would be used for project operations, and the project would not involve diversions or storage of surface water for water supply.

Portable toilets would be provided for use by employees and would be located at various locations on the site, including at the scale and near locations of active mining. No water or wastewater treatment facilities are needed and no wastewater would be produced as a result of project operations.

1.4.2.5 Dust Control

Dust control measures would be implemented consistent with Eastern Kern Air Pollution Control District (EKAPCD) Rules 401 (limiting visible emissions), 402 (requirements for controlling fugitive dust), 404.1 (limits particulate matter emissions), and 419 (avoid nuisance emissions to people or businesses or property). The dust control measures are required to be in place and operative with an approved Fugitive Dust Emission Control Plan and periodic monitoring by EKAPCD and CalPortland personnel to ensure the regulatory standards are met. The principal dust control measures to be implemented are listed below:

- Water spraying of roads, operational quarry areas, and active overburden stockpiles with dedicated on-site water truck with on-site water well source as needed or an off-site water source;
- Use of approved dust palliatives for roads as appropriate;
- Limiting on-site vehicle speed to 15 mph;
- Use a rumble grate with paved entrance apron to reduce track out;
- Remove any spilled or tracked out material on adjacent portion of Mojave Tropico Road as needed;
- Trucks to be loaded in compliance with California Vehicle Code No. 23114;
- Production shall be scheduled to minimize daily equipment operations and idling equipment and trucks;
- Limit disturbed areas;
- Revegetate areas when complete;
- Trucks in loading queues will have their engines turned off when not in use for more than 5 minutes to reduce idling and vehicle emissions in compliance with Title 13, California Code of Regulations, Section 2485 (Anti-Idling Policy); and
- Surface mining operations, including excavating, shall be suspended during high winds or if dust plumes of 20% opacity impact off-site roads, occupied structures, or neighboring property.

1.4.2.6 Hazardous Materials and Waste

Hazardous materials use on-site would be limited to fuels and oils for mobile equipment operation and for generators used for the well pump and lights. Depending on onsite storage volumes and methods, the project proponent may be required to prepare a Hazardous Materials Business Plan (HMBP) for the project site to



address the hazardous materials used onsite. The HMBP, if required, will be submitted to the Kern County Public Health Services Department, Environmental Health Division (acting Certified Unified Program Agency (CUPA) for the County) for review and approval through the California Environmental Reporting System (CERS). The HMBP, if required, would describe methods and procedures to minimize the potential for hazardous material and waste releases including an emergency response and contingency, spill response procedures, and employee training.

1.4.2.7 Site Access and Safety

Access to the project site would be limited to employees and authorized personnel. Primary access to the site would be from Mojave-Tropico Road via a 0.15-mile-long, 24-foot-wide road with 6-foot-wide shoulders (total width of 36 feet) and covered with Class II base and compacted to greater than 90 percent. The primary access road alignment traverses lands administered by the CSLC (APN 345-032-02) and are leased by the project proponent from the CSLC. A secondary access road 24 feet in width would also be developed to provide secondary access to Mojave-Tropico Road north of the primary access road. The secondary access road would be located within the Project site boundary, as shown on Figure 4, *Proposed Mine Plan*.

Unauthorized access onto the site would be restricted by warning signs and fences, and all legal access roads would have locked gates and signs informing the public that the roads are closed to public access. Quarry areas would have warning signs, and roads not used would be blocked or closed. Safety berms 6 feet high with a base 12 feet wide would be constructed along the quarry rim. Any unauthorized roads would be blocked or closed at the property boundary.

1.4.2.8 Off-Site Materials Transport and Haul Truck Routes

Approximately 75 percent of the pozzolan produced at the site would be transported to the Mojave Cement Plant with the remainder distributed to other cement production facilities. On-road haul trucks with a typical capacity of approximately 25 tons would be used for materials transport. Haul trucks would be loaded at the site and would exit the site on the primary access road to Mojave-Tropico Road, then turn north on Mojave-Tropico Road. From there, the trucks would travel approximately 2.5 miles to Backus Road. From this intersection, approximately 75 percent of the trucks (approximately 5 trucks per hour on average) would travel west on Backus Road for 4.5 miles, northwest on Tehachapi-Willow Springs Road for 8 miles, then east on Oak Creek Road for 3.5 miles to the Mojave Cement Plant entrance for a total of approximately 18.4 miles. An optional route from the quarry to the Mojave Cement Plant during periods of icy road conditions would be to travel north from the Backus Road intersection on State Route 14 for miles, then east on Mono Street for less than 0.1 mile and north on K Street for less than 0.1 mile, then west on Oak Creek Road for 7 miles to the Mojave Plant entrance. The total distance for this route is approximately 20 miles. Haul trucks traveling to other cement production facilities (the remaining approximately 25 percent of the trucks not destined for the Mojave Cement Plant, approximately 2 trucks per hour on average) would travel east on Backus Road for 3 miles to State Route 14, and from there would disperse north or south to other cement production facilities.

An average of approximately 67 truckloads per day would be required to transport material produced at the site to offsite locations (based on annual production volume of 500,000 tons produced during 300 operational days which results in average production of 1,670 tons per day, requiring 67 truckloads at a haul truck capacity of 25 tons). The 67 truckloads per day would require an average of approximately 7 truck trips leaving the site and 7 truck trips returning to the site per hour for ten hours per day.



1.4.2.9 Erosion and Sedimentation Control

Erosion and sedimentation would be controlled during all phases of construction, operation, and reclamation of the site to minimize siltation of lakes and watercourses, as required by the Lahontan Regional Water Quality Control Board (Lahontan RWQCB). Surface runoff and drainage from mining activities would be controlled by berms, stormwater basins, revegetation, or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gullyng, sedimentation, and contamination. Erosion control methods would be designed to handle runoff from not less than the 20-year/1-hour intensity storm event as required by SMARA Section 3706(c)(d) and in accordance with the Kern County *Hydrology Manual*. The project design is intended to reduce stormwater flows onsite as well as to offsite areas and avoid potential flood inundation impacts.

As proposed, control of surface drainage, erosion, and sedimentation of the operations would involve the following primary components:

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

1.4.3 Reclamation

The project proponent proposes to reclaim the site in accordance with a proposed reclamation plan that would be approved as a component of the requested project approvals. The following are identified as objectives of the proposed reclamation plan:

- Eliminate or reduce environmental impacts from mining operations;
- Reclaim in a usable condition for a post-mining end use of open space/habitat;
- Reshape mining features and revegetate disturbed areas to return biological productivity and to minimize aesthetic impacts; and
- Reclaim the site as necessary to eliminate hazards to public health and safety.

More specifically, the reclamation plan would involve the following activities, some of which would be initiated upon and run concurrent with mining:

- Stockpile available surface material and alluvium for use as a seed bed and seed bank in a separate identified stockpile 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;
- 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 a 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.



1.4.3.1 Equipment Removal and Site Reclamation

All equipment and utilities used for mining would be removed following the completion of mining. Internal roads not needed for post-mining site access, reclamation, revegetation and general site monitoring, would be removed and reclaimed. Final reclamation will take place within three years of the termination of mining. Structures, tanks, scrap material, refuse, and surplus materials would be removed, recycled, and/or disposed of at an appropriate landfill site. Excess material piles and disturbed areas would be regraded for positive drainage, scarified, and revegetated.

If required, the onsite water well to be developed as the project operations water supply would be closed or destroyed in accordance with the California Department of Water Resources Bulletin 74-91 as revised in 1988 or the latest revision and with the Kern County Public Health Services Department, Environmental Health Division regulations unless deemed at that time to be useful for continued use or monitoring. The well would be closed in a manner to eliminate potential hazards to the health and safety of people and wildlife.

There are no known portals, shafts, tunnels, or openings on the mine site. If any such features are identified during project operations, they would be either closed, gated and/or otherwise protected from public entry but preserved for bat and other wildlife with County consultation.

1.4.3.2 Quarry Reclamation

Quarry slopes would be contoured to their designed final slope angle of 1H:1V. Finished benches would be approximately 16 feet wide separated vertically by approximately 25-foot-tall, 70-degree slopes, although bench heights could vary slightly based on material encountered during mining and final reclamation contouring. Bench surfaces would be ripped as feasible and surfaced with soil and alluvium, and revegetated (see below for discussion of revegetation). After revegetation, the project proponent would maintain erosion control and safety features, monitor revegetation progress, and conduct remediation as necessary until success criteria achieved. Ongoing maintenance of the safety berm, blocked access routes, signs, and erosion control would be conducted.

1.4.3.3 Overburden Stockpiles Reclamation

Overburden stockpile slopes would be developed with lifts of approximately 25 feet with 2H:1V slopes and 20-foot-wide benches. When a bench or level is completed, the lower final slope would be graded with the intent to create more natural surfaces to blend into or conform with the surrounding hills and topography to the north and west and to create islands and pockets to place salvaged soil. This practice would also enhance the capture of seeds and rainfall to facilitate revegetation and stability. The tops of overburden stockpiles would be designed with inward drainage with a 5-foot-deep depression to catch precipitation which would percolate or evaporate and avoid runoff down the stockpile slopes or haul roads and reduce the potential for erosion. The surfaces of the overburden stockpiles would be covered with soil and alluvium and revegetated.

1.4.3.4 Revegetation

Under existing site conditions, creosote bush scrub plant community occurs throughout the undeveloped/undisturbed portions of the project site. This plant community is homogenous throughout the site with only minor variations in composition associated with changes in landforms: level to gently sloping terrain and rocky slopes. The more dominant species included saltbush, cheesebush, creosote, Mormon tea, and buckwheat. Saltbush, buckwheat, and creosote accounted for most of the site cover.

Prior to an area being cleared or developed for mining or related activities, available surface material and alluvium overburden would be collected for use as a seed bed and bank and stockpiled in separate identified



stockpiles. Stockpiles would be seeded with a native erosion control ground cover or covered with a larger rock material to limit wind and water erosion.

Revegetation for reclamation would involve preparing revegetation sites, seed application, monitoring, and remediation, if needed to achieve revegetation success criteria. Site preparation and revegetation procedures in the proposed reclamation plan include:

- Ripping or scarifying compacted areas including closed roads to a 0.5-foot minimum depth (if possible due to rock benches in the quarry), with surface rills and furrows left to aid in water and wind-blown seed collection;
- Placing alluvium overburden on areas to be seeded to a depth of up to 1-foot to provide a more conducive subsurface for root establishment and grading;
- Shaping or contouring final slopes and benches on the overburden 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;
- Seeding with local native species and revegetation per methods described in Reclamation Plan;
- Staking or flagging reclaimed areas to eliminate additional disturbance;
- Monitoring and maintenance; and
- Application of remedial activities, if necessary, including but not limited to additional seeding and planting, plant protection and change of seed mix.

The seeds to be used for revegetation purposes include species that are either present on the site under existing (pre-mining) conditions or are present in the surrounding area as part of the creosote bush scrub plant community. The proposed seed mix or palette is based on native species in the creosote brush scrub plant community. Proposed plant species and seed application rates (pound per acre) are listed in Table 7, *Proposed Revegetation Plant Seed Mix*. While the shrubs would eventually dominate, the forbs and annuals provide early successional species that stabilize the soil and help shelter slower-growing woody shrubs.

Common Name	Scientific Name	Application Rate (pounds per acre)
Burrobush	<i>Ambrosia dumosa</i>	2.50
Cheesebush	<i>Ambrosia salsola</i>	2.50
Fiddleneck	<i>Amsinckia tessellata</i>	0.25
Desert alyssum	<i>Alyssum desertorum</i>	0.25
Four wing saltbush	<i>Atriplex canescens</i>	2.50
Evening primrose	<i>Cammissonia californica</i>	0.25
Rigid spineflower	<i>Chorizanthe rigida</i>	0.25
Desert pincushion	<i>Chaenaetis fremontii</i>	0.25
Rabbitbrush	<i>Ericameria nauseous</i>	3.00
Mormon tea	<i>Ephedra nevadensis</i>	1.50
Narrow leaf goldenbush	<i>Ericameria linearifolia</i>	0.75
Flat-topped buckwheat	<i>Eriogonum fasciculatum</i>	2.00
Thurber's buckwheat	<i>Eriogonum thurberi</i>	0.50
Gila	<i>Gilia spp.</i>	0.25
Creosote bush	<i>Larrea tridentata</i>	3.00
Peach thorn	<i>Lycium cooperi</i>	2.00
Desert dandelion	<i>Malacothrix glabrata</i>	0.75
Blazingstar	<i>Mentzelia affinis</i>	0.50



Common Name	Scientific Name	Application Rate (pounds per acre)
Slender combseed	<i>Pectocarya linearis</i>	0.25
Phacelia	<i>Phacelia distans</i>	0.25
Chia	<i>Salvia columbariae</i>	0.25
Small wirelettuce	<i>Stephanomeria exigua</i>	0.25
Cotton thorn	<i>Tetradymia spinosa</i>	2.00
Mojave aster	<i>Xylorhiza tortifolia</i>	0.50
TOTAL pounds per acre		25-30

Source: Proposed "Reclamation Plan for Gem Hill Quarry," CalPortland, January 2021.

Invasive species control would be implemented to reduce or eliminate the occurrence of non-native invasive plant species that could invade the site where active and natural revegetation is taking place. Non-native vegetation would be removed using the most efficient method as determined by the site conditions, and could include a combination of manual, mechanical or chemical methods depending on the specific circumstances.

Revegetation test plots would be established during the initial revegetation efforts. The test plots would provide data to be used for assessing successful revegetation. Test plots would involve steep slopes, level to gently sloping area and desert dry wash characteristics and seed application methods including mechanically imprinting and broadcasting would be considered. The revegetation plan identifies success criteria achieving perennial cover, species density, and species diversity of 45, 40, and 40 percent, respectively, of baseline conditions.

1.5 Applicant Project Objectives

The proposed project is intended to achieve the following objectives as identified by the project proponent:

- Provide a reliable, sustainable, local source of high-quality pozzolanic volcanic tuff materials to help reduce CalPortland’s CO₂ emissions by up to 20% by using the resource as a replacement for cement clinker and scarce and undependable supplies of fly ash.
- Provide for maximum annual production of up to 500,000 tons of pozzolanic volcanic tuff materials, which would reduce CalPortland’s CO₂ footprint by as much as 500,000 tons of CO₂ annually.
- Create an environmentally sound project that would balance the recovery of the pozzolanic volcanic tuff resource with the protection of other resources including wildlife habitat, sensitive and special-status species, groundwater, surface water, and air quality.
- Mine in a location that contains sufficient land with surrounding compatible uses.
- Mine in an area in proximity to CalPortland’s cement plants and other users of pozzolanic volcanic tuff, and near the intended market areas, thereby alleviating current and future traffic and associated impacts.
- Provide a final reclamation land surface that is consistent with the proposed end use as open space and the adjacent desert areas.
- Create new and maintain existing levels of employment into the future.



1.6 Proposed Discretionary Actions/Required Approvals

The County as Lead Agency for the Project has discretionary authority over the primary Project proposal. To implement this Project, the Applicant would need to obtain, at a minimum, the following discretionary permits/approvals:

1.6.1 Local

- **Kern County**
 - Certification of an Environmental Impact Report
 - Adoption of a Mitigation Measure Monitoring Program (MMMP)
 - Adoption of CEQA Findings pursuant to State CEQA Guidelines Section 15091
 - Approval of a Conditional Use Permit
 - Approval of a Reclamation Plan
 - Approval of a Water Well Permit
 - Permit for Explosives (Sheriff's Office)

1.6.2 Regional

- **Eastern Kern Air Pollution Control District (EKAPCD)**
 - Fugitive Dust Emission Control Plan

1.6.3 State

- **Lahontan Regional Water Quality Control Board (Lahontan RWQCB)**
 - Waste Discharge Permit, if required
- **California Department of Fish and Wildlife**
 - Lake and Streambed Alteration Agreement, if required
- **State Water Resources Control Board**
 - National Pollutant Discharge Elimination System (NPDES) Construction General Permit and Stormwater Pollution Prevention Plan (SWPPP)
 - NPDES Industrial General Permit and SWPPP *or* Notice of Non-Applicability (NONA)

1.6.4 Federal

- U.S. Fish and Wildlife Service – Approval of appropriate permits



2. KERN COUNTY ENVIRONMENTAL CHECKLIST FORM

2.1 Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “potentially significant impact,” as indicated by the Kern County Environmental Checklist on the following pages.

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

2.2 Determination (To be completed by the Lead Agency)

DETERMINATION. (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will 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 will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT (EIR) is required, but it must analyze only the effects that remain to be addressed.
- I find that 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.

Randall Cates

Signature

Randall Cates

Printed Name

October 28, 2021

Date

Planner III

Title



3. EVALUATION OF ENVIRONMENTAL IMPACTS

- (1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
- (4) Negative Declaration: “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The Lead Agency must describe the mitigation measure and briefly explain how they reduce the effect to a less than significant level.
- (5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration, Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - (a) Earlier Analysis Used. Identify and state where they are available for review.
 - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- (6) Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- (7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (8) The adopted guidelines state “This is only a suggested form, and lead agencies are free to use different formats; however, Lead Agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected. “Kern County has adopted this format and included all questions from Appendix G.
- (9) The explanation of each issue should identify:
 - (a) The significance criteria or threshold, if any, used to evaluate each question; and
 - (b) The mitigation measure identified, if any, to reduce the impact to less than significance.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS.

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In nonurbanized 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 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

- (a) The local terrain is variable across the project site, with high topographic relief including areas of steep slopes and areas with more gently sloping alluvial fan deposits. The area surrounding the project site consists of relatively flat terrain with interspersed mountainous terrain in a rural area of Kern County. The proposed mining area is visible from segments of Mojave-Tropico Road and other areas to the south and southeast of the project site. At the time of preparation of this initial study, the presence or absence of scenic vistas from which the project site may be visible has not been verified. Therefore, this impact is considered potentially significant for the purposes of this initial study and the EIR visual impact evaluation will assess the potential for the project to have substantial adverse effect on a scenic vista.
- (b) The nearest eligible state scenic highway routes are State Routes 14 and 58, with the nearest eligible segments of these roadways both approximately 9.5-miles north of the proposed project. Due to the distance and the southern exposure of the project site, the project site is not visible from the eligible segments of these highways. Thus, no impact would result from damage to scenic resources within a state scenic highway and no further analysis is warranted.
- (c) Implementation of the proposed project would result in new disturbance as a result of a mining operation in an area predominantly undisturbed under existing conditions. The project site currently consists of undeveloped land (with the exception of access roads and two graded pads) and is surrounded by undeveloped land. Views of the project site from offsite areas could be adversely affected by the proposed mining operation and related site activities and disturbance; however, the



degree of this impact has not been determined for this initial study. Therefore, for the purposes of this initial study it is determined that the proposed project could result in the degradation of visual character/quality at the project site or in the surrounding area. This potentially significant impact will be evaluated in the EIR.

- (d) Though the proposed project would operate primarily during daylight hours (7:00 am to 7:00 pm) nighttime lighting for security, safety, and operational purposes could be periodically utilized. Because the proposed project could result in nighttime lighting emitted at the project site, and could result in adverse nighttime views in the surrounding area, further analyses of the project's lighting requirements and the effects of the project's nighttime lighting are warranted. This potentially significant impact will be evaluated in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES.

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 nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 or Farmland Security Zone Contract for any parcel of 100 or more acres (Section 15206(b)(3) Public Resources Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESPONSES:

- (a) The California Department of Conservation (DOC) designates the project site as “Nonagricultural or Natural Vegetation” lands (DOC Online California Important Farmland Finder, accessed by Benchmark Resources, August 9, 2021). No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is designated within the project site. Therefore, construction and/or operation of the proposed project would not result in the conversion of designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a nonagricultural use. No impact would result in this regard and no further analysis is warranted.



- (b) The Kern County Interactive GIS website (<https://kernplanning.com>) (accessed by Benchmark Resources, August 9, 2021) identifies that the project site is zoned Exclusive Agriculture (A) and is within areas that have Kern County General Plan Map Code designations of either 8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 acre Parcel Size) / Steep Slope Overlay), and 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay). According to the Land Use Element of the Kern County General Plan, mineral extraction is an allowable use within the Extensive Agriculture, Mineral and Petroleum, and Resource Management Map Code designations. The site is in the A (Exclusive Agriculture) Zone District; mining is a permitted use in the A Zone District subject to securing a Conditional Use Permit. The project site is not subject to a California Land Conservation Act (Williamson Act) contract. Therefore, the proposed project would not conflict with existing zoning or Williamson Act contracts; thus, no impact would result in this regard and no further analysis is warranted.
- (c-d) No lands within or immediately adjacent to the proposed project are forest land or timberland and none are designated or zoned as forest land or timberland. The proposed project would not result in conflicts with forest or timberland zoning or land designations and the project would not result in the loss of forest land or conversion of forest land to non-forest use. Thus, no further analysis of these issues is warranted.
- (e) The project would not convert existing farmlands to a non-agricultural use and would not convert forest land to a non-forest use. Therefore, no impacts associated with conversion of farmland or forest land would occur and no further analysis is warranted.
- (f) As discussed in item “b”, above, the project site is not subject to a California Land Conservation Act (Williamson Act) contract, nor is the project subject to a Farmland Security Zone Contract. Therefore, the proposed project would not conflict with existing Williamson Act for Farmland Security Zone contracts; thus, no impact would result in this regard and no further analysis is warranted.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY.

Where available, the significance criteria established by the applicable air quality management or air pollution control district shall be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard ? Specifically, would implementation of the project (in a specific location) exceed any of the following adopted thresholds: | | | | |

i. San Joaquin Valley Unified Air Pollution Control District:

Operational and Area Sources

Reactive Organic Gases (ROG) 10 tons per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Oxides of Nitrogen (NO _x) 10 tons per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Particulate Matter (PM ₁₀) 15 tons per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Stationary Sources as determined by District Rules

Severe Nonattainment 25 tons per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Extreme Nonattainment 10 tons per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. (Continued)

ii. Eastern Kern Air Pollution Control District.

Operational and Area Sources

Reactive Organic Gases (ROG) 25 tons per year.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oxides of nitrogen (NO _x) 25 tons per year.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Particulate Matter (PM ₁₀) 15 tons per year.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Stationary Sources - determined by District

<u>Rules</u> 25 tons per year.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESPONSES:

(a) The project site is located entirely within the jurisdiction of the Eastern Kern Air Pollution Control District (EKAPCD), in the Mojave Desert Air Basin (MDAB). San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) thresholds are not applicable to the proposed project, and therefore the project would not result in potential impacts associated with SJVAPCD thresholds.

The MDAB is designated as a nonattainment area for both the state and federal ozone standards and the state particulate matter (PM₁₀) standard. Project construction would generate emissions of reactive organic gases (ROG) and oxides of nitrogen (NO_x), both of which are known as ozone precursors, and PM₁₀ that could result in significant impacts to air quality in the area.

EKAPCD's most recently adopted air quality management plan is its Ozone Air Quality Attainment Plan (AQAP) (EKAPCD 2017). As the proposed project would generate gaseous emissions of ozone precursors (along with PM₁₀), the proposed project could potentially conflict with EKAPCD's Ozone AQAP or thresholds for emissions of other criteria pollutants. Further analysis of the project's air quality impacts is warranted to determine whether the proposed project would have the potential to conflict with or obstruct implementation of EKAPCD's applicable air quality plan for attainment and, if so, to determine the reasonable and feasible mitigation measures that could be imposed. These impacts are potentially significant and will be evaluated in the EIR.

(b) The proposed project is located within the MDAB, which is designated as a nonattainment area for the state and federal ozone standards and the state PM₁₀ standard. As such, the emissions of ozone precursors (ROG and NO_x) and PM₁₀ during construction and operation of the project could result



in cumulatively considerable net increase of these criteria pollutants in the MDAB. Thus, the project's contribution to cumulative air quality impacts in the MDAB could be potentially significant. The project's contribution to construction and operational emissions to the MDAB will be analyzed in the EIR.

- (c) Land uses determined to be "sensitive" to air quality include residential areas, school, convalescent and acute care hospitals, parks and recreational areas, and churches. Project emissions would not occur immediately adjacent to any identified sensitive receptors, however, diesel exhaust and particulate matter emissions associated with project activities would have the potential to adversely affect air quality at offsite sensitive receptor locations. Mitigation Measures for diesel equipment/vehicles and dust control will be evaluated as part of the EIR to avoid or reduce the impacts to onsite workers and sensitive receptors. This impact is considered potentially significant and will be analyzed in the EIR.
- (d) The proposed project would involve the excavation and transport of volcanic tuff and overburden material. Potential odors associated with the project would be limited to exhaust from vehicle and equipment operation and onsite portable toilets. Odors associated with these limited onsite sources would not have the potential to affect a substantial number of people given the limited onsite sources and the separation of the site from surrounding odor-sensitive land uses. Thus, the project would not have the potential to result in significant impacts associated with odors and no further analysis is warranted.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES.

Would the project:

a) 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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESPONSES:

- (a-d) Based on initial review of site conditions, plant species on the project site within the creosote bush scrub community are anticipated to include creosote (*larrea tridentata*), burrobush (*ambrosia dumosa*), california buckwheat (*erigonum fasciculatum*), beavertail (*opuntia basilaris*), chia (*salvia columbariae*), mormon tea (*ephedra nevadensis*), cheesebush (*ambrosia salsola*), matchweed (*gutierrezia californica*), cryptantha (*cryptantha* sp.), blackbush (*coleogyne*



ramosissima), allscale (*atriplex polycarpa*), red brome (*bromus madritensis* ssp. *Rubens*), and mediterranean grass (*schismus* sp.). Initial review also indicates that the project site has low potential to support golden eagle (*Aquila chrysaetos*), burrowing owl (*Athene cunicularia*), desert tortoise (*Gopherus agassizii*), loggerhead shrike (*Lanius ludovicianus*), and American badger (*Toxostoma lecontei*). Additional study will be performed to assess the potential presence of special-status plant and animal species, species listed as either threatened or endangered by either the state or federal government, riparian habitat, and sensitive natural communities and to assess potential impacts of the proposed project on special-status species and their habitat, wetlands habitat, and potential movement corridors. For the purposes of this initial study, impacts to these biological resources are considered potentially significant and will be further evaluated in the EIR.

- (e) The County Zoning Ordinance does not include protections for biological resources that would apply to the proposed project. Additionally, the project site is devoid of trees. Specifically, page 15 of the *Habitat Assessment and Desert Tortoise Presence/Absence Survey* (ELMT Consulting, Inc., October 2020) stipulates in part: “No bat species are expected to occur due to a lack of suitable roosting habitat (i.e., trees, crevices, abandoned structures) within and surrounding the project site. As currently designed, the project would be consistent with the Land Use, Open Space, and Conservation Element of the Kern County General Plan. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur in this regard and no further analysis is warranted in the EIR.
- (f) There are no existing Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan which encompass the project site. Therefore, the proposed project would not have the potential to conflict with a local, regional, or state habitat conservation plan.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES.

Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

- (a-b) A Phase I Historical/Archaeological Resource Survey (CRM TECH, March 6, 2019), Phase II Cultural Resources Investigation (McKenna et al., June 26, 2019), and Addendum Report to the Phase II Cultural Resources Investigation (McKenna et al., January 4, 2020) have been submitted for the project and are undergoing review. Further evaluation in the EIR is warranted to identify potential impacts to historical, archaeological resources and tribal cultural resources and to formulate avoidance or mitigation measures, if applicable.
- (c) The EIR will evaluate the potential for human remains to be encountered during project activities and will identify measures to be implemented if any are encountered.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. ENERGY.

Would the project:

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|----|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) | Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources, during project construction or operation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

- (a) An Energy Utilization Study (Lilburn Corporation, January 2021) has been submitted for the project and is undergoing review. The project’s potential to result in wasteful, inefficient, or unnecessary consumption of energy will be documented in the EIR.
- (b) An Energy Utilization Study (Lilburn Corporation, January 2021) has been submitted for the project and is undergoing review. The project’s potential to conflict with state or local plans for renewable energy or energy efficiency will be documented in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. GEOLOGY AND SOILS.

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic groundshaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (19914), creating substantial risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESPONSES:

- (a) (i) Construction of the project would be subject to applicable ordinances of the Kern County Building Code (Chapter 17.08). Kern County has adopted the California Building Standards Code, 2019 Edition (CCR Title 24), effective January 1, 2020, which imposes substantially the same requirements as the International Building Code (IBC), with some modifications and amendments. The entirety of Kern County is located in a seismic Zone 4, a designation previously used in the Uniform Building Code (UBC) (the predecessor to the IBC) to denote the areas of highest risk to earthquake ground motion. Adherence to all applicable regulations is anticipated to mitigate any potential impacts associated with the project. However, further analysis in the EIR is warranted.
- The project is not crossed by an Alquist-Priolo Special Studies Zone; however, significant seismic activity in the area could adversely affect conditions at the site. A Slope Stability Evaluation Report (Terracon, January 30, 2020) for the proposed project has been submitted and is undergoing review, and potential impacts will be discussed in the EIR.
- (ii) Strong seismic ground shaking could occur at the project site, resulting in damage to structures that are not properly designed to withstand strong ground shaking. The project would potentially be subject to moderate to strong ground shaking from local and regional earthquakes. This potential impact will be evaluated in the EIR.
- (iii) The Slope Stability Evaluation Report (Terracon, January 2020) submitted for the proposed project examines the potential for substantial adverse effects due to seismic-related ground failure, including liquefaction. Related potential impacts will be evaluated in the EIR.
- (iv) The Slope Stability Evaluation Report (Terracon, January 2020) submitted for the proposed project examines the potential for substantial adverse effects due to landslides or slope failure within the project site. Related potential impacts will be evaluated in the EIR.
- (b) Grading associated with construction of project access roads and facilities, excavation associated with mining, and overburden and topsoil stockpiling would occur as a result of the project. These activities could create conditions under which substantial soil erosion could occur if topsoil is not appropriately managed. The handling and reapplication of topsoil will be described in the EIR, and impacts associated with the potential loss of topsoil will be evaluated. These impacts are potentially significant and the potential for increased erosion will be evaluated in the EIR.
- (c) The project would be designed such that it would not degrade the stability of the underlying soils. A Slope Stability Evaluation Report (Terracon, January 2020) submitted for the proposed project examines the stability of the soils, overburden, and mineral resources that underlie the project area and the findings of that report, including slope stability recommendations, will be evaluated in the EIR. These impacts are potentially significant and the potential for degradation of soil stability will be evaluated in the EIR.
- (d) Expansive soils generally result from specific clay minerals that expand when saturated and that shrink when dry. Geotechnical analysis in the form of a Slope Stability Evaluation Report (Terracon, January 2020) submitted for the proposed project will confirm the presence or absence of expansive soils within the project area and those results will be evaluated in the EIR.
- (e) As proposed, sewage requirements for the project will be met by the use of portable toilet(s) that will be serviced by a contractor. As proposed, the project will not include septic systems or wastewater disposal facilities and there would be no impact. Therefore, further evaluation in the EIR is not warranted.
- (f) A paleontological report (McKenna, et al., May 28, 2020) was submitted for the project and is undergoing review. Potential effects on unique paleontological or unique geological resources will



be documented in the EIR. Further evaluation is warranted to identify potential impacts and formulate avoidance or mitigation measures, if applicable.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII GREENHOUSE GAS EMISSIONS.

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

(a-b) Global Climate change is an international phenomenon, and the regulatory background and scientific data are changing rapidly. In 2006, the California state legislature adopted AB 32, the California Global Warming Solutions Act of 2006. Assembly Bill (AB) 32 describes how global climate change would affect the environment in California. The impacts described in AB 32 include changing sea levels, changes in snowpack and availability of potable water, changes in storm flows and flood inundation zones, and other impacts.

As required by AB 32, California Air Resources Board (CARB) determined what the statewide greenhouse gas (GHG) emissions level was in 1990 and approved a statewide GHG emissions limit that is equivalent to that level, which is to be achieved by 2020. CARB approved the 2020 limit on December 6, 2007. CARB’s GHG inventory estimated the 1990 emissions level in California to be 427 million metric tons carbon dioxide equivalent (MMTCO_{2e}). In 2004, the emissions were estimated to be 480 MMTCO_{2e}.

The proposed project would generate GHG emissions from operation of the equipment and vehicles listed in Table 5, *Project Operations Equipment and Usage*, and Table 6, *Vehicles and Average Daily Trips*, above. An Air Quality and Greenhouse Gas Assessment (Lilburn Corporation, November 2020, updated January 2021) has been submitted to analyze GHG emissions associated with the project, which is undergoing review. Impacts related to GHGs and climate associated with project-related GHG emissions, and potential conflicts with any applicable plan or policy relative to GHGs, will be evaluated in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within the adopted Kern County Airport Land Use Compatibility Plan, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX HAZARDS AND HAZARDOUS MATERIALS. (Continued)

h) Would implementation of the project generate vectors (flies, mosquitoes, rodents, etc.) or have a component that includes agricultural waste?

Specifically, would the project exceed the following qualitative threshold:

The presence of domestic flies, mosquitoes, cockroaches, rodents, and/or any other vectors associated with the project is significant when the applicable enforcement agency determines that any of the vectors:

i. Occur as immature stages and adults in numbers considerably in excess of those found in the surrounding environment; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Are associated with design, layout, and management of project operations; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Disseminate widely from the property; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv. Cause detrimental effects on the public health or wellbeing of the majority of the surrounding population.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESPONSES:

(a-b) The use, transport, and disposal of these materials would be subject to existing local, state, and federal regulations that require a hazardous materials management plan (approved by the Kern County Public Health Services Department/Environmental Health Services Division, acting as the Certified Unified Program Agency [CUPA] designee). During the life of the proposed project, there would be some hazardous materials on the project site, such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, other petroleum-based products, and blasting agents. Compliance with all applicable safety standards for the safe handling and use of these materials would be required and the project proponent/operator would be required to develop and implement a spill prevention control and countermeasures plan. Although it is anticipated that compliance with applicable regulations will minimize the potential for creating a significant risk to the public or release of materials to the environment, for the purposes of this initial study, this impact is considered potentially significant. More specific identification of the types of hazardous materials, and their transport, use, and disposal will be provided in the EIR.



- (c) The nearest school to the project site is Tropic Middle School, located approximately 3.5-mile south of the project site. The project would not emit hazardous materials or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Therefore, no impacts would occur, and further analysis is not warranted.
- (d) The project site is not included in a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would result in this regard and no further analysis is warranted.
- (e) The nearest airports and airstrips to the project site are Ancient Valley/Pontius airport/airstrip (approximately 2.8 miles northeast), Lloyds Landing airport/airstrip (approximately 3.5 miles west), and Rosamond Skypark, the nearest asphalt paved landing strip (approximately 3.25 miles south). The project area is not located within two miles of any identified public or private-use airport or airstrip and the site is not within the sphere of influence of any airport as identified by the Kern County Airport Land Use Compatibility Plan (ALUCP). Therefore, there are no anticipated safety hazards or excessive noise which would impact people residing or working in the project area with respect to the proposed project's proximity to an airport or airstrip. Therefore, no impacts would occur, and no further analysis is warranted.
- (f) The project is not anticipated to physically impede the existing emergency response plans, emergency vehicle access, or personnel access to the site. The site is located along Mojave-Tropico Road, which provides access to the site in the event of an emergency. The proposed access road would be gravel surfaced and suitable for emergency vehicle travel, and the proposed secondary access road would also be available for emergency vehicle access. Therefore, no impacts related to impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan is anticipated. Therefore, no impacts would occur, and no further analysis is warranted.
- (g) The project site is located in an area of potential susceptibility to wildfires. The potential for project activities to create a risk of wildland fire ignition and pose risk of exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires will be evaluated in the EIR.
- (h) (i-iv) The proposed project would have the potential to create areas of open water during operations in water containment basins, mining areas, and other areas where stormwater could collect. Reclamation could also result in areas of standing or ponded water. If not drained or otherwise appropriately managed, areas of standing water could create the potential for mosquito habitat. It is anticipated that design and management measures could be implemented to avoid the creation of mosquito habitat. Further evaluation will be provided in the EIR to identify potential impacts and to formulate avoidance or mitigation measures, if applicable.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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X HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in a substantial erosion or siltation on –or off-site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on-or offsite;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impeded or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, seiche zones, risk release of pollutants due to project inundation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESPONSES:

- (a) The project would be subject to County, State, and Federal water quality regulations. Development of the project would result in a significant impact to hydrology and water quality if associated construction activities, operations, or mining areas would create conditions that would result in the violation of any water quality or waste discharge standards. Such violations could occur through



the creation of erosion, sedimentation, and/or polluted runoff, through the accidental release of potentially hazardous materials required during operational activities, or through the discharge of contaminated groundwater during dewatering activities. It is anticipated that appropriate best management practices and compliance with applicable regulations would reduce potential water quality impacts to a less-than-significant level; however, this potential impact will be evaluated fully in the EIR.

- (b) Water utilized on the project site would be obtained from a proposed onsite well. All water used on the project site is proposed to be used for dust control. The water obtained from the onsite well would be stored onsite in a storage tank located near the well, then transported via a proposed water line to a stand pipe and deposited in a water truck. Potential impacts could occur associated with the use of groundwater. Potential impacts could also occur as a result of project ground compaction and potential reduction in groundwater recharge. These potential impacts are considered potentially significant, and will be evaluated in the EIR.
- (c)
 - (i) The proposed project would potentially alter the existing drainage patterns of the site or area. This impact is potentially significant. Evaluation of impacts to existing drainage patterns onsite, as well as the potential for increased erosion and/or siltation, will be evaluated in the EIR.
 - (ii) Ground compaction could increase surface water runoff both within and discharged from the project site, creating an increased potential for flooding. An increase in impervious surfaces (and/or surfaces with reduced permeability as a result of ground compaction) could increase storm water runoff, and the resulting impacts would be potentially significant. Therefore, an evaluation of impacts resulting from the project's potential alteration of drainage patterns of the site will be provided in the EIR.
 - (iii) Ground compaction on soils could increase surface water runoff both within and discharged from the project site and could create the potential to exceed the capacity of stormwater facilities. Therefore, an evaluation of potential flooding-related impacts will be evaluated in the EIR.
 - (iv) Ground compaction on soils could increase surface water runoff both within and discharged from the project site and could create the potential to impede or redirect surface water runoff. Therefore, an evaluation of potential changes to surface water runoff patterns will be evaluated in the EIR.
- (d) The proposed project is not located near an ocean or enclosed body of water and would not be subject to inundation by seiche or tsunami. Mudflows are a type of mass wasting and landslide, where earth and surface materials are rapidly transported downhill under the force of gravity. Mudflow events are caused by a combination of factors, including soil type, precipitation, and slope. Mudflow may be triggered by heavy rainfall that the soil is not able to sufficiently drain or absorb. As a result of this super-saturation, soil and rock materials become unstable and eventually slide away from their existing location. The project site is situated on sloping topography, which may potentially be subject to localized mudflows. As such, further analysis in the EIR is required to identify appropriate mitigation/design measures to address potential mudflows and evaluate their effectiveness.
- (e) Water for the proposed project would be obtained from an on-site well developed as a component of the project. The project's potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan will be evaluated in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. LAND USE AND PLANNING.

Would the project:

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|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

- (a) The project would be developed on land which is currently undeveloped with the exception of access roads and two graded pads. No established communities are located within or adjacent to the project site. Therefore, the project would not have the potential to divide an established community and no further analysis is warranted.
- (b) The project site is zoned A (Exclusive Agriculture), as shown in Figure 6, *Kern County Zoning Classifications*. According to the Kern County Zoning Ordinance, mining and mineral extraction, pursuant to Chapter 19.100 of the Kern County Zoning Ordinance, is a conditionally permitted use. The project site is located within the Kern County General Plan (KCGP) area and has Map Code designations of 8.3 (Extensive Agriculture (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract)), 8.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size)), 8.4/2.4 (Mineral and Petroleum (Minimum 5 Acre Parcel Size) / Steep Slope Overlay), and 8.5/2.4 (Resource Management (Minimum 20 Acre Parcel Size, 80 Acres with Williamson Act Contract) / Steep Slope Overlay). The KCGP contains an implementation measure requiring that development proposed in areas with steep slopes (Map Code 2.4) will be reviewed for conformity to Chapter 19.88 Hillside Development Ordinance or Chapter 19.52 Special Planning (SP) District to ensure that appropriate soil stability, drainage, and sewage treatment will result. No sewage treatment is proposed for the project; however, further evaluation is warranted to identify potential impacts associated with soil stability and drainage, and will be provided in the EIR. The appropriateness of the project with regard to its consistency with the policies of the KCGP Plan adopted for the purpose of avoiding or mitigating an environmental effect will be evaluated in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XII. MINERAL RESOURCES.

Would the project:

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|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

- (a) Implementation of the surface mining and reclamation plan would allow for recovery of volcanic tuff. Extracted volcanic tuff would be beneficially and productively used as a natural pozzolan for use in the manufacturing of portland cement. Impacts are anticipated to be less than significant; however, this issue will be analyzed further in the EIR.
- (b) The project does not contain locally important mineral resources recovery sites as delineated in the Kern County General Plan. Impacts are anticipated to be less than significant; however, this issue will be analyzed further in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. NOISE.

Would the project result in:

a) Generation of a substantial temporary or permanent increase in the ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of, excessive ground borne vibration or ground borne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) For a project located within the Kern County Airport Land Use Compatibility Plan, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESPONSES:

- (a) Land uses determined to be “sensitive” to noise as defined by the Kern County General Plan include residential areas, schools, convalescent and acute care hospitals, parks and recreational areas, and churches. Noise from the proposed project would be generated during mining and reclamation, as well as by the operation of haul trucks. The Kern County General Plan Noise Element sets a 65-decibel limit on exterior noise levels for stationary sources (i.e., non-transportation) at sensitive receptors and the County’s Noise Control Ordinance (County Code Section 8.36.020 et seq.) prohibits a variety of nuisance noises. A Noise Assessment (Urban Crossroads, July 27, 2020) has been submitted for the project and is undergoing review, and potential impacts will be presented within the EIR. Further evaluation is warranted to identify potential impacts and formulate avoidance or mitigation measures, if applicable.
- (b) Groundborne vibration and groundborne noise could originate from earth movement during mining and reclamation. The project would be expected to comply with all applicable requirements for long-term operation, as well as with measures to reduce excessive groundborne vibration and noise to ensure that the project would not expose persons or structures to excessive groundborne vibration. Further analysis of groundborne vibration and groundborne noise will be included in the EIR.
- (c) The project would introduce new noise sources from mining, reclamation, and haul truck trips. This impact is potentially significant. Therefore, further analysis of ambient noise levels and the project’s potential operational impacts on those levels will be included in the EIR.
- (d) The project area is not located within the sphere of influence of any airport as identified by the County of Kern Airport Land Use Compatibility Plan (ALUCP) (Kern County, November 13,



2012). The project is not expected to expose individuals working in the project area to excessive noise levels resulting from any airports located within the ALUCP, and no further analysis related to public airports is warranted.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIV. POPULATION AND HOUSING.

Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

RESPONSES:

- (a) Typical established local thresholds of significance for housing and population growth pursuant to the *CEQA Guidelines*, Section 15064.7, include effects that would induce substantial growth or concentration of a population beyond County projections; alter the location, distribution, density, or growth rate of the population beyond that projected in the Kern County General Plan Housing Element; result in a substantial increase in demand for additional housing; or create a development that significantly reduces the ability of the County to meet housing objectives set forth in the Kern County General Plan Housing Element.

The project would create a small increase in employment through the addition of approximately 20 jobs associated with the project. Increased jobs provided by the project would not be expected to result in a substantial change in the demand for new housing; therefore, no environmental impacts associated with the provision of new housing would occur as a result of the project. The project would not require the development and extension of infrastructure facilities located in and/or adjoining the project site and, thus, would not have the potential to induce population growth through extension of roads or infrastructure. Thus, the project would have no impact and no further analysis is warranted.

- (b) No residential uses are within or surrounding the project site. No people or housing would be displaced as a result of the proposed project. Thus, no impacts would result in this regard and no further analysis is warranted.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES.

Would the project:

- a) 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 to other performance objectives for any of the public services:

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

RESPONSES:

(a) **Fire Protection:** The Kern County Fire Department provides fire suppression and medical emergency services. The nearest fire station from the project site is Station No. 15 at 3219 35th Street, Rosamond, located approximately 3.75-miles south of the Project Site with a driving distance of approximately 5.2 miles between the station and project primary access road intersection with Mojave-Tropico Road. The station would direct access to the project site access road along Mojave Tropico Road. The project could increase the number of ignition sources in an undeveloped area of Kern County and could include the storage and use of fuels and other hazardous materials. These sources of potential fire hazards could result in additional fire calls for service. The project’s impact on fire services is potentially significant and will be evaluated in the EIR.

Police Protection: The Kern County Sheriff’s Department provides police protection services in the project area. The nearest Sheriff’s Department substation is located approximately 3.75-miles south of the Project Site at 3179 35th Street, Rosamond, with a driving distance of approximately 5.3 miles between the station and project primary access road intersection with Mojave-Tropico Road. The EIR will discuss whether the proposed project would increase calls for service to the County Sheriff’s Department.

Schools: The project would create a small increase in employment through the addition of approximately 20 jobs associated with the project. Given the number of individuals to be employed and that some may already be a part of the local workforce, it is not anticipated that such a workforce would have enough school aged children to appreciably affect local school populations.



The project's potential to result in substantial adverse impacts on school services or in the need for new or physically altered school facilities is considered less than significant.

Parks: The project would create a small increase in employment through the addition of approximately 20 jobs associated with the project. Given the number of individuals to be employed and that some may already be a part of the local workforce, implementation of the project is not expected to result in additional demands on park facilities. The project's potential to result in substantial adverse impacts on park services or in the need for new or physically altered parks is considered less than significant.

Other Public Facilities: The proposed project is not expected to result in significant impacts on other public services such as courts, libraries, public health, probation, and behavioral health. Nevertheless, potential impacts associated with increased demands or on the need for improvements to any other public facilities will be evaluated in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVI. RECREATION.

Would the project:

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

RESPONSES:

- (a) The project area does not include any neighborhood or regional parks or other recreational facilities. The project would create a small increase in employment through the addition of approximately 20 jobs associated with the project. Given the number of individuals to be employed and that some may already be a part of the local workforce, implementation of the project is not expected to result in a significant increase in the use of existing parks or recreational facilities such that adverse impacts on the facilities would occur. Potential impacts are considered less than significant.
- (b) The project does not include recreational facilities or propose the construction or expansion of recreational facilities, nor would the project require construction or expansion of recreational facilities. Additionally, the proposed reclaimed end use of the project site does not include recreational facilities. Therefore, the project would not have an impact associated with this item and no further analysis is warranted.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVII. TRANSPORTATION.

Would the project:

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|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3 subdivision (b)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

- (a) There are no dedicated pedestrian or bicycle facilities in the immediate vicinity of the project site or along the surrounding roadways. Due to the rural nature of the project area, pedestrian and bicycle traffic is limited. The project is not located along an existing bus route and few bus stops exist on the roadways likely to be used by the project. The project would not house residents or employees, and therefore, would not have characteristics that would influence alternative means of transportation. Therefore, impacts in this regard would be less than significant. The project's operational traffic would be limited, with a small work force of approximately 20 employees generating approximately 20 worker round trips (40 average daily trips) each operational day and an average of approximately 67 haul truck round trips (134 average daily trips) each operational day to transport material from the site. Further analysis of the operational trip characteristics of the project and an assessment of potential conflicts with local plans will be provided in the EIR. For the purposes of this initial study, this impact is considered potentially significant.
- (b) CEQA Guidelines section 15064.3, subdivision (b) was adopted in December 2018 by the California Natural Resources Agency. These revisions to the CEQA Guidelines criteria for determining the significance of transportation impacts are primarily focused on projects within transit priority areas and shifts the focus of analysis from automobile congestion and delay to consideration of vehicular greenhouse gas emissions through creation of multimodal networks, and creation of a mix of land uses that can facilitate fewer and shorter vehicle trips. Vehicle miles traveled (VMT) is a measure of the total number of miles driven for various purposes and is sometimes expressed as an average per trip or per person. The project's operational traffic would be limited, with a small work force of approximately 20 employees generating worker trips each day and an average of approximately 67 haul loads each operational day to transport material from the site. Further analysis of the operational VMT characteristics of the project and an assessment of the project's VMT characteristics will be provided in the EIR. For the purposes of this initial study, this impact is considered potentially significant.



- (c) The proposed project would result in increased traffic at the intersection of the two project access roads with Mojave-Tropico Road. In the absence of appropriate design and signage, increased ingress and egress at these locations could increase hazards. Potential traffic-related design hazards at the intersection of the two project access roads with Mojave-Tropico Road will be evaluated in the EIR.
- (d) The project would include two access roads – a primary and secondary access road both from Mojave-Tropico Road – that would also be available for emergency access to the project site. Although it is anticipated that these access roads will provide suitable emergency access to the site, the potential for the proposed project to result in inadequate emergency access will be further evaluated in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVIII. TRIBAL CULTURAL RESOURCES.

Would the project:

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

RESPONSES:

- (a) (i-ii) The proposed project has the potential to impact presently unknown surface or subsurface tribal cultural resources. A Phase I Historical/Archaeological Resource Survey (CRM TECH, March 6, 2019), Phase II Cultural Resources Investigation (McKenna et al., June 26, 2019), Addendum Report to the Phase II Cultural Resources Investigation (McKenna et al., January 4, 2020), and a paleontological report (McKenna, et al., May 28, 2020) have been submitted for the project and are undergoing review. All tribes with possible cultural affiliation and interest within the project area were notified pursuant to Assembly Bill (AB) 52 and consultation with the potentially affected tribes will occur, as appropriate, between the County and the tribes. Further evaluation in the EIR is warranted to identify potential impacts to tribal cultural resources and to formulate avoidance or mitigation measures, if applicable.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESPONSES:

- (a) The project would not require new wastewater treatment, electric power, natural gas, or telecommunication facilities to be constructed. The project would construct an onsite water supply well and would construct onsite storm water drainage facilities. Evaluation of potential environmental effects associated with the proposed onsite well and storm water drainage facilities are considered potentially significant and will be evaluated in the EIR.
- (b) Water consumption would occur as result of dust suppression at the site during mining and reclamation operations. Water is proposed to be obtained from an onsite groundwater well to be installed as a component of the project. The project's water use is estimated to be up to approximately 16,000 gallons per day and approximately 18 acre-feet per year. A Water Supply Assessment (SESPE Consulting, Inc.) has been submitted for the project and is undergoing review. The project's potential impacts and water supply availability will be documented in the EIR.
- (c) The project site is located in an area with no wastewater treatment provider. The project is not expected to generate a significant amount of wastewater. Wastewater produced during the life of the project would be collected in portable toilet facilities and disposed of at an approved facility.



The project is not within an area serviced by a water treatment provider and no further analysis is warranted.

- (d) The project is not expected to generate a substantial amount of solid waste that would exceed the capacity of local landfills. Impacts are anticipated to be less than significant; however, further analysis of this issue will be included in the EIR.
- (e) The 1989 California Integrated Waste Management Act (AB 939) requires the County to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the project design. The project would comply with the 1989 California Integrated Waste Management Act and the 1991 California Solid Waste Reuse and Recycling Access Act of 1991, as amended. Therefore, impacts are anticipated to be less than significant but will be further analyzed in the EIR.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

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|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, or other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSES:

(a-d) The potential for the development and operation of the project to result in exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires will be evaluated in the EIR. The evaluation will include a review of the most recent version of the Kern County Fire Department Wildland Fire Management Plan and California Department of Forestry and Fire Protection’s (CAL FIRE’s) and Kern County Fire Department’s prevention measures for wildland fires. With implementation of mitigation to reduce wildfire ignitions and prevent the spread of wildfires, the project is not expected to result in significant impacts to the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires. Nevertheless, the EIR will further evaluate these issues.



Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XXI . MANDATORY FINDINGS OF SIGNIFICANCE.

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|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- (a) A biological study (Habitat Assessment and Desert Tortoise Presence/Absence Survey Report, ELMT Consulting, Inc., October 2020) has been submitted for the proposed project and is undergoing review. The EIR’s biological resources section will discuss of specific project impacts on plants and wildlife including avian and bat species. The EIR will also evaluate the project’s contribution to cumulative biological resources impacts and propose mitigation that will reduce the impacts. Additionally, the potential exists for archeological/paleontological resources to be present on the site and encountered during the life of the proposed project. Therefore, the EIR will evaluate the proposed project’s potential to affect biological, cultural and tribal cultural resources.
- (b) The project has the potential to contribute to cumulative impacts including to aesthetics, air quality, biological resources, cultural resources, and utilities and public services, among others. The EIR will evaluate the project’s contribution to cumulative impacts in these and other areas as further impacts are identified.
- (c) Potential environmental impacts and adverse effects on human beings will be evaluated in the EIR.

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