

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

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

PROJECT LABEL:

APNs:	0528-051-03-0000	USGS Quad:	SBBM
Applicant:	Anlex Rock and Minerals, Inc.	T, R, Section:	T8N R3E Sec. 9
Location	Newberry Springs	Thomas Bros	Page 545; Grid G2; San Bernardino and Riverside Counties (2013)
Project No:	MRP-2021-00001	Community	
Rep	Adam Y. Han	LUC: Zone:	Rural Living (RL) Rural Living/Five-Acre Minimum Lot Size (RL-5)
Proposal:	Renew and amend the permits on the vested and established Newberry Wine Rock Quarry.	Overlays:	Airport Safety (AR)

PROJECT CONTACT INFORMATION:

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

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PROJECT DESCRIPTION:

Summary

Anlex Rock and Minerals, Inc. (Applicant) is requesting authorization to amend and renew the Mining/Reclamation Plan for their established and vested Newberry Wine Rock Quarry (quarry) identified as CA Mine ID #91-36-004. The mine for decorative and construction rock was permitted under Revised Reclamation Plan Number 90M-09 (SAMR/89-0391/DN453-305N), which expired on December 31, 2020. The Application has been under review since February 2020.

The existing quarry has disturbed a 3.5-acre area within a 160-acre private parcel identified as Assessor's Parcel Number (APN) 0528-051-03-0000. Mining is proposed to continue to the northwest on a southeast to northwest trending Andesite rock ridge that is exposed on 24 acres (Project Site) at the north half of the 160-acre parcel. The Project Site is located within an unincorporated area of San Bernardino County, California (see Figure 1-Regional Location). It is located southeast of the Community of Newberry Springs, on the east side of the Newberry Mountains and near the southern end of Newberry Road (see Figure 2- Project Vicinity).

Mining will be done by conventional drilling and blasting the rock into multi-level benches to achieve 20-foot high by 40-foot-wide benches with 70 degree sloping faces for end reclamation profiles. This configuration will result in a final maximum reclamation slope angle of 21.6 degrees with a 2.5 Horizontal to 1 Vertical slope ratio. After drill-blast bench configuration, shot rock will be excavated, sized, temporarily stockpiled, and loaded into rock trucks for delivery to product end users. Mobile mining and processing equipment used for mining will be an excavator, a water truck, a dozer, two (2) loaders, an impact crusher, 2 screeners, and a mobile scale. Temporary stockpiling of shot and production rock will be done at the base of the mined benches in the Staging Area. Refer to Figure 3 – Mining and Reclamation Plot Plan of the Mine Reclamation Plan.

Although very little topsoil and overburden is available on the hard rock hill, efforts will be made to save topsoil when clearing the area for drill blast benching. Topsoil mainly retrieved from the edge areas and staging areas that access the hill will be stockpiled at the southeast edge of the operation staging area in a berm that will be managed by best management practices (BMPs) to minimize erosion to maintain the biotic composition of the soil. Berms can be placed along the side of the ephemeral fan drainage to keep any potential flood water out of the mining area. Berms will be pushed up from alluvium that could contain some vegetated soil that could be used for reclamation during regrading at the end of mining.

Due to the intermittent nature of the mining and production that is driven by market demand throughout each year, specific phasing of mine operations at this location is not feasible. The yearly plan of mining and production of 10,000 to 25,000 tons per year may be set; however, may not always be achievable. The economic success of this mining and production enterprise is based on maintaining the maximum scheduling flexibility allowable under existing regulations.

Periodic concurrent reclamation will be done on areas no longer planned for mining access as mining progresses on the hillside. The following revisions to the Plan are as follows:

1. Mobile mining, crushing, and screening equipment will be kept at the mine. Trucks would be loaded from the site. Although intermittent due to market demand, this would be a more consistently productive mine than the on an off-campaign mining previously permitted.
2. Bench heights and widths are changed to allow more equipment access and multiple bench mining.
3. A surveyed topography map stamped by a California Professional Land Surveyor (PLS) allows more accurate depictions of active and proposed mining, and the plan locations of cross-sectional views. This topography (elevation baseline) was used to create the required maps for this request.
4. A Biological Report and Revegetation Plan by ELMT Consultants, Inc. (ELMT) was completed in March of 2021 and is included in the permit request.
5. A Slope Stability Report was prepared by Engineering Geologist Stephen Jacobs in March 2021 to evaluate the 2.5 H to 1 V end reclamation benched slopes
6. Very little mining was done on the previous 50 acre mine and reclamation plan as only 3.5 acres were disturbed. This new plan encompasses a 24-acre area and proposes hillside quarry mining and subsequent reclamation for 30 years.
7. Anlex Rock and Minerals, Inc. acquired the property in the year 2000.

Mine Waste

Very little waste will be generated from the proposed mine plan. Small amounts (less than 11,000 cubic yards over 30 years) of topsoil and overburden will be stockpiled and managed for reclamation and re-seeding base. Fines stockpiles will be sold as product; however, unsold fines will be used as fill during reclamation. It is uncertain how much fines will be generated from crushing and sizing this hard rock, and how much will be sold rather than used for reclamation purposes; however, a crude estimate would be a maximum total of about 45,000 tons for the mine life. At the end of mine life, all unsold fines will be used for reclamation purposes and any unconsolidated piles of fill will be regraded to less than a 2:1 slope.

Ore Product Processing

Mined rock (ore) will be processed and sized on site in the Staging Area by crushing and dry screening.

Production Water Data

Fresh water is procured from an existing well (09N/03E 33 QO3) in Newberry Springs on the National Trails Highway (Lower Mojave River Groundwater Basin number 6-40, Baja Sub-Basin). Water is used for dust control on access roads and in the mining and staging areas.

Erosion and Sedimentation Control

Eastward aligned drainages from upper bedrock to a lower alluvial fan exist on either side of the mining area. Except for the mining area, erosion and sedimentation will continue to develop braided channels and disseminate sediment into the downstream alluvial fan like it has for centuries. As mining progresses from southeast to northwest berms on the edge of and aligned with the natural alluvial fan, drainage will keep stormwater out of the mining area. All mining is done with a slight uphill or flat base slope to facilitate drainage and reach reclamation profiles on the bedrock. Topsoil and overburden stockpiles intended for reclamation will be protected from wind and water erosion in a berm area and will be actively managed with BMPs. A SWPPP will be prepared and followed for the mine. Mining plans intend to limit alluvial fan disturbances to existing access roads, necessary berms, and staging areas for primary crushing, temporary stockpiling, truck loading, weighing, and parking. Any alluvial gravel material mined or temporarily stockpiled will be used as fill for distribution during reclamation grading, coverings, and in berms if deemed necessary for safety.

Blasting

Drilling and blasting is contracted from a licensed professional blasting company; therefore, no explosives will be stored on-site. Blasting will be done up to twice year to produce and maintain ten thousand (10,000) to twenty-five thousand (25,000) tons of rock per year to supply market demands.

Utilities

There are no utilities on APN 0528-051-03-000.

- Water for mining is purchased from a private well owner on the National Trails Highway in Newberry Springs, CA then delivered by a 4000-gallon water truck to the site for use in dust control. Bottled drinking water for the mining crew is purchased and supplied by the operator.
- Two (2) Portable toilets are maintained on the site.

- Diesel and oil for equipment is supplied by Beck Oil Company of Victorville, CA. A dual walled fuel tank approximately 15' X 7' X 5' with diesel oil is on site and serviced by Beck Oil Company. A SPCC will be developed for the small portable diesel tank on site.
- There is no electricity on the site. Electricity for heat, light, etc. in the scale shed will be supplied by two (2) small 4000 – 9000-watt generators.

Reclamation

Some reclamation of this site will happen concurrent with mining as southeast to northwest bench mining reaches the final benched reclamation slope that will approximate the general alluvial slope in the immediate area. Finalization of mining will be at the approximate mine life of 30 years (approximately 2051) when final reclamation can begin. Final reclamation and monitoring (ELMT Revegetation Report) will be completed within five (5) years of the completion of mining. The final southeast facing rock quarry wall will be left with 20-foot high by 40-foot wide benches with face slopes of 70 percent resulting in a 2.5 to 1 (H:V) slope ratio (20.5 -21.5 Degrees from Horizontal) that ends in a down slope that will facilitate drainage by not creating a depression or pit. The plan to mine a floor slightly uphill or flat from the present mine face to the southeast base of the reclamation benches yields a mine floor that will approximate the general down slope and across slope gradients and profiles of the present alluvial surfaces in the area. Rock surfaces at the perimeter of the project will be contour blended by grading and blasting, if necessary, into the existing topography, where feasible. Finished slopes shall be graded to blend with surrounding surfaces of similar material or sloped at a 2:1 or less gradient. Reclamation contouring will result in an area that will continue to be a transition zone between bedrock surfaces up slope to the west and alluvial fan surfaces down slope to the east. Hard Rock slopes are to remain in natural form per slop stability report.

Although some concurrent reclamation will be completed in areas not used after mining, the configuration of the mine as a side-hill quarry that constantly uses mostly down slope areas for access, and the intermittent nature of the mining to meet market demands makes timed phasing estimates infeasible. Any soils recovered from clearing ground is proposed for completing reclamation and revegetation and will be stockpiled at the eastern edge of the staging area and managed to minimize impacts from mining and erosion.

Revegetation

During any reclamation and reseeding activities under guidance from an approved biologist, reclamation of disturbed ground will implement the following listed procedures:

1. Compacted areas including benches, all mined and disturbed areas on the quarry floor (the slope forming the base of bench mining), and staging areas will be scarified by shallow ripping to prepare for revegetation.
2. Unsold stockpiled fines and the saved amounts of overburden topsoil will be spread onto benches, the quarry floor, and the staging area as a growth and stabilization medium. There should be enough soil type medium to spread a layer of approximately three to six (3 - 6) inches over the flat and sloping disturbed areas in the proposed 24-acre mining area.
3. Using ELMT's recommended seed mix or collecting area seeds, broadcast seeding onto the growth medium will take place between October 15th and January 15th to take advantage of the normal rainy season.

Post Reclamation and Future Mining

After completion of final reclamation and monitoring, the mined area will be a vegetated rocky slope within a sloping alluvial fan surface. The northwest end of mining will be a transition from a southeast facing 2H to 1V rock wall slope with benches having 70 degree sloping faces that step down to a gentler sloped rock surface that will blend into the area's general alluvial slope angle. The general topography will still be a hillside rising from the alluvial fan.

Nothing in the mining or the reclamation would preclude additional mining of the property in other areas or on the same rock resource in the future. Rock material of a similar nature exists elsewhere on the 160-acre parcel, below the projected quarry floor, below the alluvium, and south of the present quarry. Mining more is only limited by market demand, and the ability to comply with regulations. It is extremely unlikely that a reclaimed surface would entertain additional mining.

The mine area proposed for reclamation, and the surrounding land on the 160-acre parcel is presently proposed to be vacant land. However, this is a private land parcel and there are multiple possibilities for use including development for rural residential.

Slopes and Slope Treatment

The hard andesite bedrock is not highly fractured and exhibits steep slopes in higher elevations. Mining on the rock will produce a southeast facing reclaimed average benched slope with a 2.5 :1 (H:V) slope ratio or 21-degree slope angle. It is anticipated that no wastes or tailings will remain on site and any fine material not sold will be used with the small amount of topsoil and seeded as stabilizing medium for reclaiming mined surfaces. Any remaining slopes or piles in softer material like alluvium will be graded to a 2:1 slope ratio. All mined and disturbed slopes and surfaces will be reclaimed.

Drainage and Erosion Controls

Average rainfall in the area is less than four (4) inches annually. When there is a large storm, most of the runoff comes as sheet flow that loses itself in the braided channel system of the existing alluvial fan. The quarry site is located between two (2) ephemeral drainages however, not actually within them. Mining areas of the quarry will result in these small ephemeral drainages channeling in toward the quarry floor. Berm along the edge of the quarry active mining areas will keep water out of the working areas. Long term future drainage will have no significant potential for deeper erosion effects downstream due to the reclaimed quarry's minimal effect on the alluvial gradient.

Surrounding Land Uses and Setting

The surrounding land is vacant and is owned and controlled by private property owners and the U.S. Bureau of Land Management. Land to the north, east, south, and west is vacant, and the nearest development of other private land is approximately one (1) mile northeast of the mine at the beginning of a small development.

The property is situated on the east side of the Newberry Mountains and near the southern end of Newberry Road.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Area (160-acre parcel which includes Project Site)	Quarry on 3.5 acres; remaining land is vacant	Rural Living	Rural Living (RL)
North	Undeveloped and Vacant	Rural Living	Rural Living (RL)
South	Undeveloped and Vacant	Rural Living	Rural Living (RL)
East	Undeveloped and Vacant	Resource/Land Management	Resource Conservation (RC)
West	Undeveloped and Vacant	Rural Living	Rural Living (RL)

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located in a remote vacant area of central San Bernardino County, just southeast of Newberry Springs. The quarry is currently located on a 3.5-acre area within the 160-acre private parcel identified as Assessor's Parcel Number (APN) 0528-051-03-0000. The quarry was first operated by the Atcheson, Topeka, and Santa Fe Railroad in the 1940's. In 1952, the Rainbow Rock Company succeeded the railroad. From 1997 to 2000, the Calico Rock Mining Company operated the quarry until the present owner, Anlex Rock and Minerals, Inc. acquired the property, mine, and the new mining plan in July of 2000.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None known.

State of California: None known

County of San Bernardino: Land Use Services Department, and Public Health-Environmental Health Services.

Regional: None known

Local: None known



PROJECT SITE

REGIONAL LOCATION

Newberry Wine Rock Quarry
San Bernardino County, California



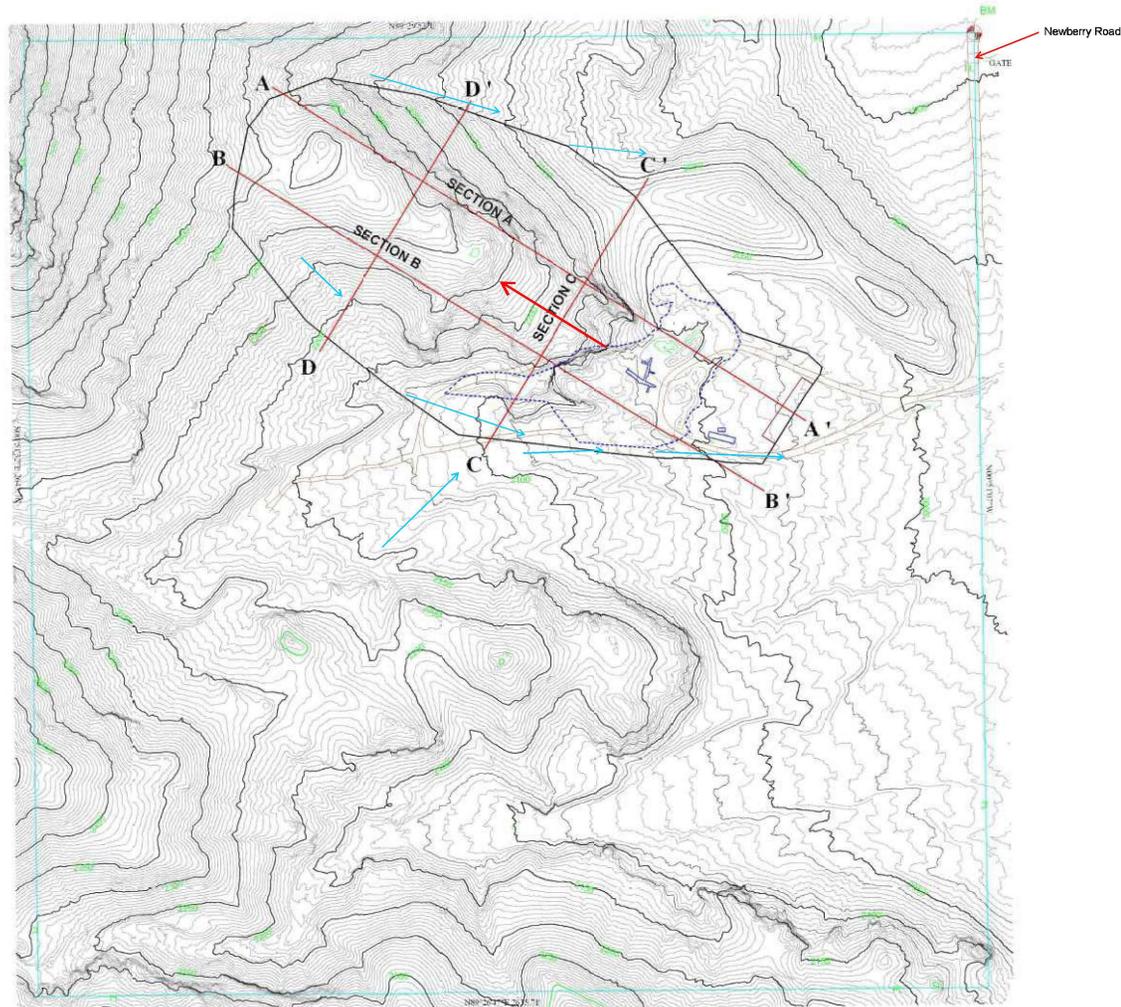
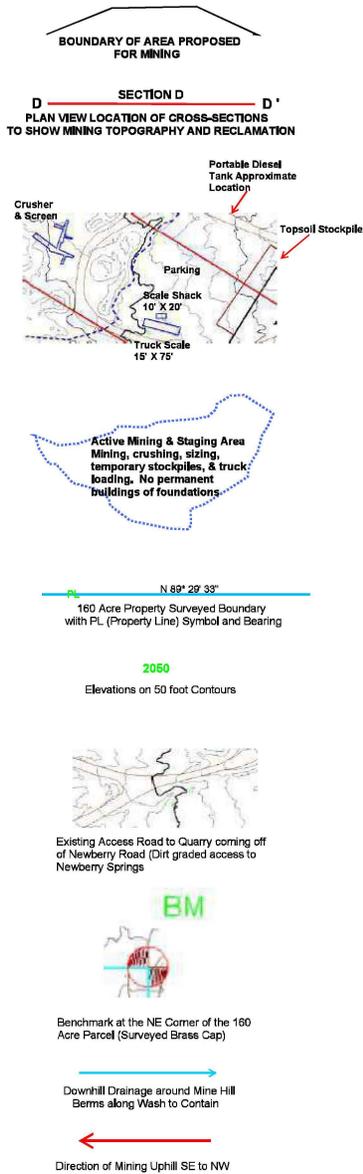
**APPROXIMATE PROPOSED
AREA OF DISTURBANCE**

Newberry Rd

PROJECT VICINITY

**Newberry Wine Rock Quarry
San Bernardino County, California**

EXPLANATION OF MAP SYMBOLS



MINING AND RECLAMATION PLOT PLAN

Newberry Wine Rock Quarry
 San Bernardino County, California

FIGURE 3

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

On February 10, 2022, the County of San Bernardino mailed notification pursuant to AB52 to the following tribes: AhaMakav Cultural Society Fort Mohave, Morongo Band of Mission Indians, Colorado River Indian Tribes, Twenty-Nine Palms Band of Mission Indians, Soboba Band of Luiseno Indians and San Manuel Band of Mission Indians. Requests for consultations were due to the County by March 16, 2022. The table below shows a summary of comments and responses.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
San Manuel Band of Mission Indians	February 10, 2022	No Response received.	No request for consultation.
Colorado River Indian Tribes	February 10, 2022	No Response received.	No request for consultation.
AhaMakav Cultural Society Fort Mohave	February 10, 2022	No Response received.	No request for consultation.
Morongo Band of Mission Indians	February 10, 2022	No Response received.	No request for consultation.
Twenty-Nine Palms Band of Mission Indians	February 10, 2022	No Response received.	No request for consultation.
Soboba Band of Luiseno Indians	February 10, 2022	No Response received.	No request for consultation.

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

EVALUATION FORMAT

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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


 Signature: Steven Valdez, Senior Planner)

3/29/2022
 Date

 For Dave Prusch
 Signature: David Prusch, Supervising Planner)

3/30/2022
 Date

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

San Bernardino Countywide Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino Countywide Plan Draft EIR; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

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

The Project Site is part of the North Desert region of the County. It is currently zoned Rural Living (RL). The Proposed Project is a requesting authorization to amend and renew the Mining/Reclamation Plan for their established and vested Newberry Wine Rock Quarry. The Applicant is proposing to continue mining to the northwest on a southeast to northwest trending hard andesite rock ridge that is exposed on 24 acres in the north half of the 160-acre parcel. Subject to a CUP, the Proposed Project is an allowable use within the RL zoning district. Land designated for RL uses in the North Desert would not allow the type or density of growth that would affect scenic views.¹

¹ San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR: Aesthetics.

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

Less Than Significant Impact

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

The Project Site is located approximately 1.3 miles south of Interstate 40 (I-40) and the National Trails Highway. I-40 is a County Scenic Route and State Scenic Highway.² The National Trails Highway is a County Scenic Route.³ Being within the perimeter of the Newberry Mountains, the present Wine Rock Quarry can only be seen from the northeast lower alluvial slopes and the valley floor. Visibility is further reduced by a down slope rock ridge. The mined slopes would be lower in elevation than the existing slopes and therefore would not block views from the scenic routes. As the quarry is part of the Newberry Mountains and surrounded by ridges with higher elevations, the change in slopes would not have a significant visual impact. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Impacts to visual resources are based on changes to the existing character of the landscape, viewer sensitivity, and the number of viewers that may view the project activities. Subject to a CUP, the Proposed Project is consistent with the zoning of Rural Living. The Project Site is at the perimeter of the Newberry Mountains and is surrounded by vacant land. The Proposed Project consists of hillside mining. Temporary stockpiling of shot and production rock will be done at the base of the mined benches.

As stated in the 1990 Reclamation Plan for the Wine Rock Quarry:

“The coloration of the rock permeates its structure. The contrast of fresh to unbroken rock is therefore minimal. The result being that the quarry is and will be unobtrusive against the background.”

The eventual reclamation and revegetation of the site will aid in blending the site with the surrounding topography and vegetation. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

² San Bernardino County. Policy Plan web maps. NR-3 “Scenic Routes and Highways” Accessed September 16, 2021.

³ San Bernardino County. Policy Plan web maps. NR-3 “Scenic Routes and Highways” Accessed September 16, 2021.

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

The Proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area as no permanent new light sources are proposed. No lighting is proposed, however, in the event temporary lighting is needed, the operator shall comply with the requirements outlined by County Development Code Section 83.07.040, Glare and Outdoor Lighting – Mountain & Desert Regions. This includes fully shielding lights as required to preclude light pollution or light trespass on adjacent property, other property (directly or reflected), and members of the public on adjacent roads. Proposed light sources are anticipated to be local in nature and would not impact the region’s overall light environment. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: (Check if project is located in the Important Farmlands Overlay):
Countywide Plan; San Bernardino County Policy Plan webmaps; Submitted Project Materials

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

No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity.⁴ The nearest farmland to the Project Site occurs approximately 1 mile north of the property.⁵ The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under or adjacent to any lands under a Williamson Contract.⁶ It has a current zoning of Rural Living. The Proposed Project would be consistent with the Countywide Plan and would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

⁴ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed September 17, 2021.

⁵ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed September 17, 2021.

⁶ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed September 17, 2021.

section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

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

No Impact

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

The Project Site does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site contains no agricultural resources or farmland that would be converted as a result of the Proposed Project. The Project Site is currently zoned Rural Living; it is not zoned for agriculture or considered Farmland. Therefore, no impacts involving other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agriculture use would occur. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

applicable federal or state ambient air quality standard?

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

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

Countywide Plan; Submitted Project Materials

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

Mining will remove the hillside down to the existing regional slope in a southwest to northeast direction. Mining will be done by drill blasting the rock into multi-level benches to achieve 20-foot high by 40-foot-wide benches with 70 degree sloping faces for end reclamation profiles. Subject to a CUP, the Proposed Project is an allowable use within the Rural Living Zone.

The Project Site is within the Mojave Desert Air Basin (MDAB) and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD is responsible for updating the Air Quality Management Plan (AQMP). The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. The Proposed Project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the plan. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project was screened for emission generation using MDAQMD “Rule Book” guidelines, and Off-Road Mobile Source Emissions Factors (2022) (emission calculation sheets available at County office). The criteria pollutants screened for included: reactive organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), and particulates (PM10 and PM2.5). Two of these, ROG and NOx, are ozone precursors.

Typical daily operations were screened for the following: On-Site Emissions: excavator, dozer, loader, generator sets, water truck, miscellaneous material handling equipment, processing plant emissions and road dust, Off-Site Emissions: Haul Truck and employees trip emissions. Refer to Table 1 for reclamation emissions.

**Table 1
 Wine Quarry Emissions
 (Pounds per Day)**

Source: On-Site	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Excavator	0.1	2.5	4.1	0.0	0.1	0.1
Dozer	0.4	10.9	5.9	0.0	0.4	0.4
Generator Sets	0.2	4.5	4.3	0.0	0.2	0.2
Loader	0.3	6.2	7.0	0.0	0.3	0.3
Other Material Handling Eq	0.2	4.1	3.5	0.0	0.2	0.2
Water Truck	0.1	2.2	2.8	0.0	0.1	0.1
Road Dust	---	---	---	---	2.1	0.4
Processing Plant	---	---	---	---	0.1	0.0
Source: Off-Site						
Haul Trucks	0.2	1.8	0.8	0.0	0.2	0.1
Employee Trips	0.0	1.6	0.2	0.0	0.0	0.0
Fuel Delivery Truck	0.0	0.1	0.0	0.0	0.0	0.0
Total Value (lbs/day)	1.5	33.9	28.6	0.0	3.7	1.7
MDAQMD Threshold	137	137	548	137	82	65
Significant	No	No	No	No	No	No

Source: SCAQMD Off-Road Mobile Source Emissions 2022

As shown in Table 1, project emissions would not exceed MDAQMD thresholds.

Compliance with MDAQMD Regulation and Rules

Although the Proposed Project does not exceed MDAQMD thresholds, the Applicant is required to comply with all applicable MDAQMD rules and regulations as the MDAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5} (state)). The Proposed Project shall comply with Regulation II which requires the Applicant to obtain and implement condition for a Permit to Construct and a Permit to Operate the proposed crush/screening plant and power generator. To limit dust production, the Applicant must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACM) for each fugitive dust source.

Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. Although the Proposed Project would not exceed MDAQMD thresholds during operations, the Applicant would be required to implement the following conditions as required by MDAQMD:

1. 2. All equipment used for mining must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.
3. The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others:

(1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

4. The aggregate crusher must obtain permits to construct and annually renew permits to operate from the MDAQMD and be in compliance with such permits.

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

Less Than Significant Impact

- c) *Expose sensitive receptors to substantial pollutant concentrations?*

The Proposed Project is located in the desert region within a remote area of San Bernardino County with no residences or recreational areas in the immediate vicinity. The nearest residential holding is approximately one (1) mile to the northeast. No sensitive receptors are located within the project vicinity. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The generation of objectionable odors is typically not associated with surface mining operations and there are no sensitive receptors in the immediate vicinity. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IV. BIOLOGICAL RESOURCES - Would the project:				

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

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

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

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

Countywide Policy Plan; Submitted Project Materials; ELMT Consulting, Inc., Addendum to Circle Mountain Biological Consulting's (CMBC) 2019 General Biological Evaluation, March 2021

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

An Addendum to Circle Mountain Biological Consulting's (CMBC) 2019 General Biological Evaluation was prepared for the Proposed Project by ELMT Consulting, Inc. (ELMT) in March 2021 (report available at County office). The Addendum updates and supplements CMBC's 2019 biological investigation.

Common species observed during CMBC's biological survey included three reptiles, four birds and nine mammal species. Positive evidence of desert tortoise was found at the lower, more level elevations south of the proposed mining area. Based on the observed

sign, CMBC judged that two and three tortoises could occur at the lower elevations. However, desert tortoises are unlikely to occur within the 24-acre mining area due to the extremely steep slopes which do not provide suitable habitat for the species. It was CMBC's conclusion that with implementation of a few protective measures, summarized as Mitigation Measure BIO-1 below, the proposed expansion area can be mined without any impacts to desert tortoise. ELMT concurs with this conclusion.

Other special-status species assessed for their potential to occur included kit fox (*Vulpes macrotis*), burrowing owl and desert bighorn sheep. ELMT confirmed CMBC's conclusion that there is no active or inactive kit fox dens within the proposed mining area. Diagnostic scat was found peripheral to the 50-acre mine site, so kit fox occurs in the general area but not within the proposed mine expansion area. ELMT found no evidence of burrowing owl. The proposed mining area is too rocky and steep to be suitable for burrowing owl and does not provide suitable burrows (>4 inches in diameter).

Scat from desert bighorn, a BLM sensitive species and California Department of Fish and Wildlife (CDFW) fully protected species, was observed onsite within the proposed expansion area. Bighorn sheep do move through the proposed mining expansion area and would be expected to continue to do so. Although bighorn sheep can be wary of mining activities, the species does coexist with mining operations throughout the Mojave Desert. There is ample undisturbed mountainous habitat surrounding the proposed mining expansion area to continue to allow bighorn sheep movement opportunities through the immediate area.

The reclamation plan review submittal under SMARA for the mining renewal requires several documents be prepared, including a revegetation plan. A Revegetation Plan was prepared for the Proposed Project by ELMT in March 2021 (report available at County office). The Revegetation Plan will be implemented to restore a site when mining is complete.

According to the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS), two (2) special-status plant species have been recorded in the Newberry Springs quadrangle. No special-status plant species were observed on-site during the 2018 field investigation, which was conducted during the blooming period for some of the special-status plant species. Based on habitat requirements for the identified special-status species, and known distributions, it was determined that the undeveloped portions of the Project Site that support the creosote bush scrub plant community have a moderate potential to support Darlington's blazing star (*Mentzelia puberula*) and creamy blazing star (*Mentzelia tridentata*). None of these special-status plant species are federally or state endangered. They are listed as CNPS Rare plant rank species. All other special-status species documented as occurring within the vicinity of the Project Site are presumed absent. Mitigation Measure BIO-2 shall be implemented to avoid significant impacts to special-status plants.

A qualified biologist will be onsite during reclamation and revegetation activities in the event desert tortoises or other special status species migrate into the revegetation area(s). No desert tortoises were originally in or adjacent to work areas. The biologist will conduct a pre-construction survey, according to accepted protocols, for burrowing owls 14-30 days and 24 hours prior to the initiation of site reclamation and revegetation

activities as well as perform a pre-construction sweep for desert tortoise and areas with evidence of desert tortoise activity prior to the revegetation efforts.

Mitigation Measure BIO-1:

As approved, the active mine site shall continue to fence all active mining areas with tortoise-proof fencing. Therefore, prior to expanding the operation, a biologist will conduct a pre-construction survey for desert tortoise and areas with evidence of desert tortoise activity. Additionally, mine personnel should be informed that tortoises occur in the area and that they should be watchful for tortoises crossing the access road while maintaining 15 mile per hour speed limits to and from the site. All activities likely to affect tortoises should cease and the County contacted to determine the next appropriate steps if a tortoise is found onsite during project operations.

Mitigation Measure BIO-2:

Prior to initiation of project activities, a focused special-status plant surveys will need to be conducted during the spring blooming season to determine if special-status plant species are present or absent from the undisturbed portions of the Project Site. Surveys shall be conducted to coincide with the flowering periods of special-status plants known to occur in the general vicinity of the Project Site. The surveys shall follow protocols and guidelines that have been approved and recommended by the USFWS 1996 Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants; CDFW 2009 Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities; and the CNPS 2001 Botanical Survey.

Less than Significant with Mitigation

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*
- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

A *Larrea tridentata*-*Ambrosia dumosa* shrubland alliance (creosote bush scrub) occurs throughout the undeveloped/undisturbed portions of the Project Site and is the dominant plant community within the surrounding landscape, and overall underlying plant community in the area. As stated in the Addendum, no discernible drainage courses, blue-line streams, inundated areas, or wetland features/obligate plant species that would be considered jurisdictional by the United States Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or CDFW were observed within the proposed expansion footprint. Project activities will not result in impacts to Corps, Regional Board, or CDFW jurisdictional areas and regulatory approvals will not be

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

Less Than Significant Impact

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

Bighorn sheep move through the proposed mining expansion area and would be expected to continue to do so. Although bighorn sheep can be wary of mining activities, the species does coexist with mining operations throughout the Mojave Desert. There is ample undisturbed mountainous habitat surrounding the proposed mining expansion area to continue to allow bighorn sheep movement opportunities through the immediate area. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

San Bernardino County Development Code, Section 88.01.060 Desert Native Plant Protection provides regulations for the removal of specified desert native plant species in order to preserve and protect the plants and to provide conservation and wise use of desert resources. Several species were mapped within the Project Site by CMBC including beavertail cactus (*Optunia basilaris*), hedgehog cactus (*Echinocereus engelmannii*), cottontop cactus (*Echinocactus polycephalus*) and pencil cholla (*Cylindropuntia ramosissima*). ELMT confirmed these species are present within the propose mining expansion area. No Joshua trees (*Yucca brevifolia*) were identified within larger mining area.⁷ Preconstruction surveys are recommended prior initiating mining in any new area to determine presence or absence of protected desert native plant species as defined by San Bernardino County. If present, coordination and permitting with San Bernardino County will be required.

The following desert native plants occur or have the potential to occur within the Project Site:⁸

- Smoke tree (*Psorothamnus spinosus*)
- Mesquites (*Acacia* sp.)
- Creosote (*Larea tridentata*) rings
- Joshua trees (*Yucca brevifolia*) (per CDFG permit only) (none found onsite)
- Mojave yucca (*Yucca schidigera*)
- Desert ironwood (*Olneya tesota*)

⁷ ELMT Consulting. Addendum to Circle Mountain Biological Consulting's 2019 General Biological Evaluation of Anlex Rock and Minerals' Newberry Wine Rock Quarry's Proposed Mining Expansion Area. March 13, 2021.

⁸ ELMT Consulting. Addendum to Circle Mountain Biological Consulting's 2019 General Biological Evaluation of Anlex Rock and Minerals' Newberry Wine Rock Quarry's Proposed Mining Expansion Area. March 13, 2021.

- Palos verdes (*Cercidium* sp.)
- Cholla (*Cylindropuntia* sp.)
- Beavertail cactus (*Opuntia basilaris*)
- Barrel cactus (*Echinocarpa* sp.)
- Hedgehog cactus (*Echinocereus engelmannii*)

San Bernardino County Development Code provides protection measures that require avoidance and/or to minimization measures to native desert plant species. Avoidance is always the best approach to reduce impacts to desert native vegetation. Therefore, Mitigation Measure BIO-3 shall be implemented to ensure no impacts to native desert plant species occur.

Plant relocation is the primary method of preserving the species diversity of the site recommended by the County. This process requires identifying those individual desert native plant species that are capable of tolerating of being relocated, identifying a suitable staging area, a proven method of moving and maintaining the individual plants, and an effective monitoring plan.

Revegetation of native habitats will follow the removal of any non-native species that may have become established and has the goals of: 1) restoring native habitat through revegetation in order to re-establish high-quality creosote bush scrub suitable for desert tortoise, desert bighorn sheep and other special-status species; and 2) to reestablish a structurally diversified native plant community within quarry and associated facilities that will ensure long-term viability of the native creosote bush scrub plant community and the various species it previously supported. By achieving these goals, the site will be capable of supporting healthy desert tortoise populations, as well as having the potential to support other special-status species found within the Wine Rock Quarry.

The success of revegetation efforts and attainment of performance standards will be assessed by Biological Monitoring (Qualitative and Quantitative Monitoring). Each quarry or revegetation area will be evaluated separately to determine if the performance standards have been met for that area.

Vegetation monitoring will be conducted for three purposes: 1) to ensure that the site preparation, seeding and weed eradication follows the Revegetation Plan (implementation monitoring), 2) to evaluate native plant establishment and vigor, and to identify and make recommendations for correcting problems (qualitative monitoring) and 3) to quantitatively measure development of the creosote scrub habitat (quantitative monitoring). The success of the revegetation effort will be measured primarily by the analysis of the quantitatively collected data.

With implementation of the Revegetation Plan, less than significant adverse impacts are anticipated and no mitigation measures are required.

Mitigation Measure BIO-3:

As mining moves into the proposed expansion areas, a pre-construction survey will be conducted to document the presence or absence of desert native plant species as identified by San Bernardino County Development Code. All identified

desert native plant species will be marked in the field and identified on a map using GPS. Where feasible, these protected species will be avoided and preserved in place. If avoidance is not possible, a salvage and onsite transplantation plan will be prepared and reviewed with San Bernardino County as part of their permitting process under San Bernardino County Development Code, Section 88.01.060.

Less than Significant with Mitigation

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

Per the BLM's (2016) Record of Decision, the Desert Renewable Energy Conservation Plan (DRECP) revised the 1980 California Desert Conservation Area Plan (CDCA Plan; BLM 1980) in significant ways for the conservation and recovery of desert tortoises in the California Deserts. Although desert tortoise critical habitat was not changed (USFWS 1994a), Desert Wildlife Management Areas (DWMAs; USFWS 1994b) and Multiple Use Classes on BLM lands were eliminated. In addition to critical habitat, the two main designated areas under the DRECP CDCA Plan amendment that provide for tortoise conservation and recovery are Areas of Critical Environmental Concern (ACECs) and California Desert National Conservation Lands (CDNCLs).

With regards to tortoises, the Project Site is just within the eastern boundary of CDNCL-designated lands in the Pinto Lucerne Valley Eastern Slopes CDNCL subarea and within the eastern boundary of the Ord-Rodman ACEC, which was established for desert tortoise conservation. The site is also found within the Ord-Rodman Critical Habitat Unit for desert tortoise (U.S. Fish and Wildlife Service 1994a), although that designation applies only to federal lands. With implementation of Mitigation Measure BIO-1, the proposed expansion area can be mined without any impacts to desert tortoise. No additional mitigation is required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Tierra Environmental Services, Cultural Resources Study for the Newberry Wine Rock Quarry Expansion, January 17, 2022

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

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

A Cultural Resources Study, dated January 17, 2022, was prepared for the Proposed Project by Tierra Environmental Services (Tierra) (report available at County office). The assessment was completed pursuant to CEQA, the Public Resources Code (PRC) Chapter 2.6, Section 21083.2.

A records search was procured from the South Central Coastal Information Center (SCCIC) to identify any previously recorded archaeological and historic-era resources within the Project Site and to determine the types of resources that might occur. The records search provided by the SCCIC revealed that five investigations have been previously conducted within a one-mile radius of the Project Site. None of the previous investigations involved the Project Site. The records search indicated that four cultural resources or historic properties have been previously identified within one-mile radius of the Project Site. None of the previously recorded resources were recorded within the Project Site.

Tierra submitted a letter to the Native American Heritage Commission (NAHC) in September 2021 to request a review of their Sacred Lands File as well as a list of Native American representatives to be contacted for information regarding resources and to update interested parties on changes made to the Project Site. To date, there have been no responses from the NAHC.

A pedestrian survey of the Project Site was conducted on December 15, 2021. Area surveys were accomplished through 10 meter transect intervals with careful attention paid to exposed areas, rodent backfill, and road cuts whenever possible. The survey resulted in the identification of a single prehistoric isolate that is not considered to be a significant resource. As such, no significant impacts to cultural resources are expected to occur from implementation of the Proposed Project. However, there is always a potential for buried prehistoric and historic resources. Therefore, Mitigation Measure CR-1 should be implemented to avoid potential significant impacts to cultural resources.

Mitigation Measure CR-1:

In the event unanticipated, buried prehistoric archaeological resources (lithic material, faunal, pottery, etc.) or historical archaeological resources (ceramics, building materials, glassware, etc.) be unearthed during construction or any ground disturbing activities within the project APE, additional resource treatments would become necessary. Once a potential resource has been identified, all work within 100 ft must be halted until the find can be assessed by a qualified archaeologist.

Less than Significant with Mitigation

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

Mining activities could potentially disturb human remains outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during implementation of the Proposed Project. Therefore, Mitigation Measure CR-2, defined below, shall be implemented to ensure that less than significant impacts regarding human remains occur.

Mitigation Measure CR-2:

Should human remains and/or cremations be encountered during any earthmoving activities, all work shall stop immediately in the area in which the find(s) are present (suggested 100-ft radius area around the remains and project personnel will be excluded from the area and no photographs will be permitted), and the County of San Bernardino Coroner will be notified. San Bernardino County and the Project Proponent shall also be informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

With implementation of Mitigation Measure CR-2, the Proposed Project would not have a significant impact on human remains.

Less than Significant with Mitigation

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VI. ENERGY – Would the project:				

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

SUBSTANTIATION: Submitted Project Materials

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

Development and operational use of the Site will be limited to consumption of fuel. No natural gas or electricity will be used.

Energy consumption is dependent on the type of vehicles used, number of vehicle trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Temporary transportation fuel use such as gasoline and diesel during construction would result from the use of delivery vehicles and trucks, equipment, and employee vehicles. Additionally, most equipment during grading would be powered by gas or diesel. Table 2 show the modeled fuel consumption for all construction activities. Based on output from the annual production the Wine Rock Quarry Mine activities would consume an estimated 63,555 gallons of diesel fuel for operation of heavy-duty equipment and 2,083 gallons for non-diesel use.

**Table 2
 Equipment Fuel Consumption Estimates**

Number of Days	Offroad Equipment Type	Amount	Total Fuel Consumption (gal Diesel fuel) ¹
250	Excavator	1	7,518
250	Dozer	1	10,453
250	Generator Sets	2	7,310
250	Loader	2	18,815
250	Other Material Handling Eq	1	6,754
250	Water Truck	1	7,288
250	Haul Trucks	8	6,667
250	Employee Trips	10	2,083
52	Fuel Delivery Truck	1	833

(1) United States Environmental Protection Agency. 2018. Exhaust and Crankcase Emission Factors for Nonrod Compression-Ignition Engines in MOVES2014b. July 2018. Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100UXEN.pdf>.

All fuel will be provided locally. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As stated previously, Wine Rock Quarry Mine activities would consume an estimated 63,555 gallons of diesel fuel for operation of heavy-duty equipment and 2,083 gallons for non-diesel use. In comparison, the California reported sale of diesel fuel was about 1,626 million gallons in 2020 with a state-wide total of taxable diesel fuel usage of 2,979 million gallons.⁹ The Proposed Project’s demand for diesel fuel would not be significant. In addition, the Proposed Project would not be connecting to electric power or natural gas lines and would therefore not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No significant impacts are anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

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

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

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

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

⁹ California Energy Commission. California Retail Fuel Outlet Annual Reporting.

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

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District):
Countywide Plan; Submitted Project Materials; Stephen E. Jacobs, Geologic Slope Stability Evaluation Report, March 8, 2021

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42
 - ii) Strong seismic ground shaking?

A Geologic Slope Stability Evaluation Report (geologic report), dated March 8, 2021, was prepared for the Proposed Project by Stephen E. Jacobs (report available at County office). As stated in the report, no active or potentially active faults are mapped on or near the site according to the U.S. Geological Survey (Dibblee and Bassett, 1996) and the California Geological Survey (CDMG, 1995; Jennings and Bryant, 2010). No faults were observed on the site. The nearest active fault is the Calico-Hidalgo fault zone located approximately 1.2 kilometers (0.75 mile) northeast of the site. The potential for ground surface rupture through the site due to active faulting is considered low. As such, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site is not located in an area susceptible to liquefaction.¹⁰ As stated in the geologic report, no evidence of springs or shallow groundwater was observed on the site. No well or groundwater data reported on or near the site according to the California Department of Water Resources Water Data Library website (DWR, 2021) website. However, review of two U.S. Geological Survey (2021b, 2021c) water data websites revealed two water wells located downstream in the valley below and about 1 to 1.5 miles northeast from the site. These wells reported groundwater depths at approximately 300 feet below the mine elevation. Moreover, as previously stated, the Project Site is located in an area with relatively low earthquake shaking potential. Localized seepage is anticipated along fractures and joints, as past seepage is evidenced by the iron-oxide staining on a joint surface in the gray andesite dike exposed in the quarry face. Jacobs concluded that stable rock reclamation slopes are feasible, with respect to slope stability, from a geological standpoint. Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is neither located in an area with mapped, existing landslides nor is it located in an area susceptible to landslides.¹¹ The andesite rock material proposed for mining and reclamation is considered globally stable by field inspection, and proposed 2.5:1 average reclaimed slopes do not approach the critical gradient for slope failure.¹² Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

b) Result in substantial soil erosion or the loss of topsoil?

Although very little topsoil and overburden is available on the hard rock hill, efforts will be made to save topsoil when clearing the area for drill blast benching. Topsoil mainly retrieved from the edge areas and staging areas that access the hill will be stockpiled at the southeast edge of the operation staging area in a berm that will be managed by

¹⁰ San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed September 20, 2021.

¹¹ San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed September 20, 2021.

¹² Stephen E. Jacobs. Geologic Slope Stability Evaluation Report. March 8, 2021.

best management practices (BMPS) to minimize erosion so as to maintain the biotic composition of the soil. Berms can be placed along the side of the ephemeral fan drainage to keep any potential flood water out of the mining area. Berms will be pushed up from alluvium that could contain some vegetated soil that could be used for reclamation during regrading at the end of mining. With implementation of associated BMPs, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The potential for liquefaction at the Project Site is very low. The Project Site has relatively low earthquake shaking potential. The Project Site is neither located in an area with mapped, existing landslides nor is it located in an area susceptible to landslides.¹³ Although the Project Site's susceptibility to lateral spreading and subsidence is unknown at this time, reclamation of the mine will be undertaken at the completion of mining operations. Furthermore, there are no structures at the mine area. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. No habitable structures exist or are proposed at the mining area. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Septic tanks and/or alternative wastewater supply systems are not proposed as part of the proposed project. Portable toilets will be supplied for use by employees and will be

¹³San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed September 20, 2021.

located onsite at the operations area. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

As stated in the geologic report, the Wine Rock Quarry site is located east of Newberry Peak along the eastern flank of the Newberry Mountains in the Mojave Desert geomorphic province. This structural block is generally comprised of granitic basement overlain by a sequence of Tertiary volcanic and sedimentary rocks (Dibblee and Bassett, 1966). The volcanic rocks are mapped as andesite and the sedimentary rocks as tuff breccia (Dibblee and Bassett, 1966). These geologic units have a low potential to contain paleontological resources. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011)

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

According to CEQA Guidelines section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use.” Moreover, CEQA Guidelines section 15064.7(c) provides

that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

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

The 2021 GHGRP Update summarizes the County’s historic and future GHG emissions, and the reduction targets the County has established; the local reduction strategies that will be implemented and benefit at the community level to meet the reduction targets; and the implementation of the measures, potential funding sources, and how the GHGRP Update will be monitored and updated over time.

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

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

The GHG emissions were calculated and compared to the MDAQMD’s 100,000 MTCO₂e screening threshold to determine if potentially significant to anticipated global warming. GHG emissions were estimated using the following models: CARB - SCAQMD’s Off-road Model - Mobile Source Emission Factors (2022); Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (2022); and U.S. EPA Office of Transportation and Air Quality. These factors are state-wide factors and are appropriate for the Amended Plan.

As shown in Table 3, the Reclamation GHG emissions are not anticipated to exceed the GHG emissions threshold; therefore, a less than significant impact is anticipated.

**Table 3
 Greenhouse Gas Construction Emissions
 (lbs. per day)**

Source	CO₂	CH₄	N₂O
Excavator	960.0	0.0	0.0
Dozer	1,912.2	0.1	0.0
Generator Sets	976.0	0.1	0.0
Loader	1,744.0	0.1	0.0
Other Material Handling Eq	1,128.0	0.1	0.0
Water Truck	984.0	0.0	0.0
Haul Trucks	674	0.0	0.0
Employee Trips	444	0.0	0.0
Fuel Delivery Truck	84	0.0	0.0
Total lbs. per day	8,907	0.5	1.7
Total (MTCO_{2e})	1,012.2		
MDAQMD Threshold	100,000		
SB County Screening Threshold	3,000		
Significant	No		

Source: SCAQMD Off-Road/On-Road Mobile Source Emissions 2022
 N2O: California Climate Action Registry General Reporting Protocol, 2009I; Table A9-8-C SCAQMD Handbook; Climate Leaders EPA, Section 3, Table 2
 Duration Days: 250

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

The state and local regulatory programs for GHG emissions and climate change are described above. There are no existing GHG plans, policies, or regulations that have been adopted by California Air Resources Board (CARB) or MDAQMD that would apply to project emissions. If CARB does develop performance standards, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulation; therefore, impacts would be less than significant, and no mitigation would be required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
Submitted Project Materials; EnviroStor Database; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

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

No hazardous materials will be used on-site with the exception of fuel and oil for mobile equipment. Very little waste will be generated from proposed mining. Small amounts (less than 11,000 cubic yards over 30 years) of topsoil and overburden will be stockpiled and managed for reclamation and re-seeding base. Fines stockpiles will be sold as product; however, unsold fines will be used as fill during reclamation. It is uncertain how much fines will be generated from crushing and sizing this hard rock, and how much will be sold rather than used for reclamation purposes; however, it is estimated that 45,000 tons would be available when mining is completed. At the end of mine life all unsold fines will be used for reclamation purposes and any unconsolidated piles of fill will be regraded to less than a 2:1 slope. The mine operator will contain any waste oil and remove it to recycling centers (Auto Zone) in Barstow, California. Beck Oil Inc. (Beck) will supply fuel and lubrication for equipment from service trucks on a weekly or as needed basis. A dual walled fuel tank approximately 15' X 7' X 5' with diesel oil is on site and serviced by Beck. A spill prevention, control, and countermeasures plan (SPCC) will be developed for the small portable diesel tank on site. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Hazardous Materials Division of the San Bernardino County Fire Department is designated as the Certified Unified Program Agency (CUPA) for the County to focus the management of specific environmental programs at the local government level. A dual walled fuel tank approximately 15' X 7' X 5' with diesel oil is on site and serviced by Beck. SPCC will be developed for the small portable diesel tank on site. The SPCC would ensure that on-site materials are stored appropriately and contained in the event of uncontrolled release utilizing BMPs. Fuel storage specifications apply to all above ground fuel containers.

Blasting will be done up to twice year to produce and maintain ten thousand (10,000) to twenty-five thousand (25,000) tons of rock per year to supply market demands. Drilling and blasting are contracted from a licensed professional blasting company; therefore, no explosives will be stored on-site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project involves the use of materials common to the mining industry and includes the transport, storage and use of fuels and lubricants. The operator would continue to comply with all applicable federal and state safety rules and regulations

regarding hazardous materials during reclamation of the site. During mining operations, diesel exhaust would be generated by heavy construction equipment; however, no school facilities or proposed school facilities are located within one-quarter mile radius of the Project Site.¹⁴ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.¹⁵ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The nearest airport to the Project Site is the Barstow-Daggett Airport, located approximately 6.5 miles northwest. The Project Site is not located within an Airport Runway Protection Zone, Airport Noise Contours or an Airport Safety Review Area.¹⁶ However, the Project Site is located within the low-altitude/high speed military airspace (Airport Safety Review Area 4 [AR4]). An Avigation Easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4.¹⁷ Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is located approximately 1.3 miles south of I-40, which is an evacuation route.¹⁸ Unauthorized access to the mine area along the dirt access road at the entrance to the Project Site will be gated and signed to keep the public out and safe. All vehicles

¹⁴ San Bernardino County. Policy Plan web maps. HW-1 "Education Facilities." Accessed September 20, 2021.

¹⁵ California Department of Toxic Substances Control. EnviroStor. Accessed September 20, 2021.

¹⁶ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."

¹⁷ San Bernardino County. Development Standards. Chapter 82.09 "Airport Safety (AR) Overlay."
https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanberncity_ca/0-0-0-70651#JD_82.09.060

¹⁸ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed September 20, 2021.

and stationary equipment would be staged off public roads and would not block emergency access routes. Implementation of operational activities would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.¹⁹ Therefore, the Proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹⁹ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 20, 2021.

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| ii. | substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. | create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. | impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

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

All operations onsite will comply with a storm water pollution prevention plan (SWPPP) to be updated periodically with mine site development and implementation of storm water BMPs. The configuration of the quarry and its final reclamation contour and profile will slow the runoff drainage and reduce downstream siltation, but it will not change the overall drainage pattern. The operation will not introduce any toxic substances or contaminants into the runoff from the mine.²⁰ Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise degrade surface or ground water quality. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The nearest ground water is encountered in wells approximately 1/2 to 1 mile downstream along the valley – alluvial fan transition zone. Fresh water is procured from an existing well (09N/03E 33 QO3) in Newberry Springs on the National Trails Highway (Lower Mojave River Groundwater Basin number 6-40, Baja Sub-Basin). Water is used

²⁰ Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

for dust control on access roads and in the mining and staging areas. The Project Applicant has an existing agreement with Raymond Ward to utilize 1.5 acre-feet of water per year from the well. Long term planning at the mine may entail a well to produce water; however, the site has not been determined yet. The operation will not introduce any toxic substances or contaminants into the runoff from the mine. Therefore, mining operations would not interfere with groundwater recharge. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Although very little topsoil and overburden is available on the hard rock hill, efforts will be made to save topsoil when clearing the area for drill blast benching. Topsoil mainly retrieved from the edge areas and staging areas that access the hill will be stockpiled at the southeast edge of the operation staging area in a berm that will be managed by best management practices (BMPs) to minimize erosion so as to maintain the biotic composition of the soil. The configuration of the quarry and its final reclamation contour and profile will slow the runoff drainage and reduce downstream siltation, but it will not change the overall drainage pattern. Long term future drainage will have no significant potential for deeper erosion effects downstream due to the reclaimed quarry's minimal affect on the alluvial gradient. With implementation of associated BMPs, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*
- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*
- iv) *Impede or redirect flood flows?*

Average rainfall in the area is less than four (4) inches annually. When there is a large storm, most of the runoff comes as sheet flow that loses itself in the braided channel system of the existing alluvial fan. The quarry site is located between two (2) ephemeral drainages. Mining areas of the quarry will result in these small ephemeral drainages channeling in toward the quarry floor. A berm along the edge of the quarry active mining areas will keep water out of the working areas.

Drainage on the site runs from higher bedrock elevations to the west of the quarry to the lower alluvial fan and valley floor east of the quarry. The valley floor – distal fan transition is approximately one half (1/2) mile east northeast of the quarry. A relatively small area is drained from the east facing Newberry Mountains on both sides of the quarry area in ephemeral washes. With the small amount of precipitation throughout

the year, most runoff is in the form of sheet flow, and ephemeral drainages will run in times of major storms. The drainage pattern will not be changed by the mining and the only stormwater management will be to berm the accesses into the staging area to keep any possible runoff in the south drainage out of the staging area along the access road. A berm to protect the mining areas and eventual reclamation area will follow BMPs within the proposed permit area and access. The configuration of the quarry and its final reclamation contour and profile will slow the runoff drainage and reduce downstream siltation, but it will not change the overall drainage pattern.

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

Less Than Significant Impact

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

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. Additionally, the site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.²¹ The operation will not introduce any toxic substances or contaminants into runoff waters originating from the mine.²² Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

SUBSTANTIATION:

²¹ San Bernardino County. Policy Plan web maps. HZ-4 'Flood Hazards' web map. Accessed September 21, 2021.
²² Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

a) *Physically divide an established community?*

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project is request for a Mine and Reclamation permit is to renew and amend the permits on the vested and established Newberry 'Wine Rock Quarry.' The Proposed Project does not include the construction of such linear features as the Project Applicant will be utilizing existing roads. Furthermore, the site is surrounded by vacant, open desert lands. The nearest established community is one mile northeast of the Project Site. Therefore, the Proposed Project would not physically divide an established community. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Countywide Plan would be consistent with area- and region-wide plans adopted to protect the environment.²³ The Proposed Project is consistent with the Countywide Plan zoning of Rural Living. Additionally, the Project Site is located in a Mineral Resource zone for industrial minerals.²⁴ It would not conflict with the Countywide Plan. The Project Site is near an environmental justice area; however, mining operations are not anticipated to result in environmental and health hazards that would impact nearby communities. The Project Site is surrounded by vacant land and the nearest residence is approximately one mile away. Therefore, the Proposed Project would not cause a significant environmental impact due to conflict with any land use plans or policies. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

²³ San Bernardino County. San Bernardino Countywide Policy Plan Draft EIR: Land Use & Planning.

²⁴ San Bernardino County. Policy Plan web maps. NR-4 'Mineral Resource zones' web map. Accessed September 21, 2021.

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

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

Countywide Plan; Submitted Project Materials;

- a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?
- 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?

Additionally, the Project Site is located in a Mineral Resource zone for industrial minerals.²⁵ The Proposed Project is a request to renew and amend the permits for the established and vested Newberry Wine Rock Quarry. Shot rock will be excavated, sized, temporarily stockpiled, and loaded into rock trucks for delivery to product end users. The Proposed Project would provide a mineral resource that would be of value to the region and the residents of the State. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

²⁵ San Bernardino County. Policy Plan web maps. NR-4 'Mineral Resource zones' web map. Accessed September 21, 2021.

ordinance, or applicable standards of other agencies?

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

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

Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

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

Approval of the Proposed Project would require reclamation activities to conform to all applicable noise control regulations. Noise levels are currently affected during drill blasting operations and when shot rock is stockpiled. These events typically occur on an occasional basis and are considered to be temporary. Drilling and blasting are contracted from a licensed professional blasting company; therefore, no explosives will be stored on-site. Blasting will only be done up to twice per year. Noise generated by the on-site equipment and trucks would not be audible from the nearest residences one mile away. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Vibration would be generated as a result of drilling and blasting. Drilling and blasting are contracted from a licensed professional blasting company; therefore, no explosives will be stored on-site. Blasting will only be done up to twice per year. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The nearest airport to the Project Site is the Barstow-Daggett Airport, located approximately 6.5 miles northwest. The Project Site is not located within an Airport Runway Protection Zone, Airport Noise Contours or an Airport Safety Review Area.²⁶ However, the Project Site is located within the low-altitude/high speed military airspace (Airport Safety Review Area 4 [AR4]). An Avigation Easement shall be granted to the appropriate military agency and recorded for those uses established within an AR4.²⁷ Given that the Proposed Project does not include structures, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING - Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
Countywide Plan; Submitted Project Material; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

²⁶ San Bernardino Countywide Plan Draft EIR. Hazards and Hazardous Materials. Figure 5.8-2 "Airport Safety Zones."
²⁷ San Bernardino County. Development Standards. Chapter 82.09 "Airport Safety (AR) Overlay."
https://codelibrary.amlegal.com/codes/sanbernardino/latest/sanbercncty_ca/0-0-0-70651#JD_82.09.060

- 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)?*

A maximum of 10 employees are expected to work on-site. Because of the low employment demand, the Proposed Project would not induce substantial unplanned population growth by creating new jobs. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XV. PUBLIC SERVICES

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

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

SUBSTANTIATION:
Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

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

Fire Protection?

The Project Site is located within a Local Responsibility Area,²⁸ which is an area of California where local jurisdictions (e.g., county or city/town fire departments, fire protection districts, and by CAL FIRE under contract to local government) are responsible for the prevention and suppression of wildfires. The Project Site is not located within a High or Very High Fire Hazard Severity Zone.²⁹ The Proposed Project does not involve operations that would induce or exacerbate fires. Therefore, the Proposed Project is not anticipated to result in the need for new or physically altered fire protection facilities. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Police Protection?

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

Less Than Significant Impact

Schools?

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

Less Than Significant Impact

²⁸ San Bernardino County. Policy Plan web maps. HZ-6 "Fire Responsibility Areas." Accessed September 22, 2021.

²⁹ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 20, 2021.

Parks?

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

No Impact

Other Public Facilities?

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

A maximum of 10 employees would work on-site. The Proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. Moreover, there are no neighborhood or regional parks near the Project Site.³⁰ Therefore, the Proposed Project would not result in an increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Proposed Project does not include the construction or expansion of recreational facilities. No recreational facilities would be removed, and the addition of employees would not create the need for additional facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³⁰ San Bernardino County. Policy Plan web maps. NR-2 “Parks and Open Space Resources.” Accessed September 23, 2021.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

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

There are no existing or planned transit, bicycle and pedestrian facilities in the vicinity of the Project Site.³¹ The nearest planned facility is a Class III bicycle path approximately one mile north of the Project Site (along the National Trails Highway).³² There are no proposed bus routes for the area of the Project Site.³³

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

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

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

Consistent: The Proposed Project would require a maximum of 10 employees on-site that would most likely come from nearby towns. Although it would not reduce VMT, any increase in VMT would be insignificant given the low employment demand.

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

Policy TM-5.5: We support San Bernardino County Transportation Authority’s establishment of regional truck routes that efficiently distribute regional truck traffic while minimizing impacts on residents. We support funding through the Regional Transportation Plan to build adequate truck route infrastructure.

³¹ San Bernardino County. Policy Plan web maps. TM-5 “Bicycle and Pedestrian Planning.” Accessed September 23, 2021.”

³² San Bernardino County. Policy Plan web maps. TM-5 “Bicycle and Pedestrian Planning.” Accessed September 23, 2021.”

³³ San Bernardino Countywide Plan Draft EIR. Transportation and Traffic. Figure 5.16-8 “Future Transit Routes-North Desert Region.”

Consistent: Trucks would utilize I-40 for transportation of materials to customers. I-40 is a designated truck route.³⁴

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

Consistent: The Project Site is located near an environmental justice focus area.³⁵ Trucks of the Proposed Project would utilize Earl Rd./Newberry Rd. prior to taking I-40. There are only a few scattered residential uses along Earl Rd./Newberry Rd. However, there are no established local truck routes in the area of the Project Site that can be utilized.³⁶ In addition, the Project Site is located approximately 1.3 miles south of I-40. The nearest school to the Project Site is Newberry Springs Elementary School, which is located approximately 2.8 miles north of I-40. Therefore, the Proposed Project is not anticipated to interfere with safe routes to school.

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

Less Than Significant Impact

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

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

Reclamation activities would not result in additional truck trips beyond approved mining activities. The Proposed Project would require a maximum of 10 employees on-site that would most likely come from nearby towns. Although it would not reduce VMT, any increase in VMT would be insignificant given the low employment demand. Mining operations would take place on-site and on access roads. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Proposed Project does not involve any changes to road design features that could substantially increase hazards due to a geometric design feature or incompatible uses. All truck movement is by off-road haul trucks within the property using an existing

³⁴ San Bernardino County Policy Plan web maps. TM-5 "Goods Movement Network." Accessed September 27, 2021.

³⁵ San Bernardino County Policy Plan web maps. HZ-10 Environmental Justice & Legacy Communities. Accessed September 27, 2021.

³⁶ San Bernardino County Policy Plan web maps. TM-5 "Goods Movement Network." Accessed September 27, 2021.

internal road (Newberry Road). Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Result in inadequate emergency access?*

The site is accessed from Ludlow, I-40 via Newberry Road. Activities associated with the Proposed Project would not impede existing emergency response plans for the Project Site and/or other land uses in the project vicinity. Vehicles and equipment used in excavation and transporting materials would continue to be utilized within the property and would not block emergency access routes. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVIII. TRIBAL CULTURAL RESOURCES				

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | | |
|-----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:
AB52 Consultation

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

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

A Cultural Resources Study, dated January 17, 2022, was prepared for the Proposed Project by Tierra Environmental Services (Tierra) (report available at County office). The assessment was completed pursuant to CEQA, the Public Resources Code (PRC) Chapter 2.6, Section 21083.2.

A records search was procured from the South Central Coastal Information Center (SCCIC) to identify any previously recorded archaeological and historic-era resources within the Project Site and to determine the types of resources that might occur. The records search provided by the SCCIC revealed that five investigations have been previously conducted within a one-mile radius of the Project Site. None of the previous investigations involved the Project Site. The records search indicated that four cultural resources or historic properties have been previously identified within one-mile radius of the Project Site. None of the previously recorded resources were recorded within the Project Site.

Tierra submitted a letter to the Native American Heritage Commission (NAHC) in September 2021 to request a review of their Sacred Lands File as well as a list of Native American representatives to be contacted for information regarding resources and to update interested parties on changes made to the Project Site. To date, there have been no responses from the NAHC.

The County, serving as the Lead Agency, is responsible for conducting government-to-government consultation with local tribes as requested per AB52. The County initiated consultation on February 10, 2022. Tribal letter public notice mailers were sent to the following tribes:

- San Manuel Band of Mission Indians
- Colorado River Indian Tribes

- AhaMakav Cultural Society Fort Mohave
- Morongo Band of Mission Indians
- Twenty-Nine Palms Band of Mission Indians
- Soboba Band of Luiseno Indians

Based on completion of consultation under AB 52, no responses were received. However, additional recommendations may be incorporated into the Project's Conditions of Approval. Therefore, Tribes' requests for additional project information, coordination, or consultation with the Lead Agency, and/or Native American monitoring, shall be acknowledged through implementation of appropriate Conditions of Approval, at the County's discretion as applicable.

Implementation of mitigation measures within Section V-Cultural Resources and County Conditions of Approval, would ensure that potential impacts to tribal cultural resources are reduced to a less than significant level.

Less than Significant with Mitigation

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Water for mining is purchased from a private well owner on the National Trails Highway in Newberry Springs, CA then delivered by a 4000-gallon water truck to the site for use in dust control. Bottled drinking water for the mining crew is purchased and supplied by the operator. The Proposed Project would not require the relocation or construction of new or expanded water utilities.

Portable toilets will be supplied for use by employees and will be located onsite at the operations area. The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur. With the small amount of precipitation throughout the year, most runoff is in the form of sheet flow, and ephemeral drainages will run in times of major storms. The drainage pattern will not be changed by the mining and the only stormwater management will be to berm the accesses into the staging area to keep any possible runoff in the south drainage out of the staging area along the access road. A berm to protect the mining areas and eventual reclamation area will follow BMPs within the proposed permit area and access. The configuration of the quarry and its final reclamation contour and profile will slow the runoff drainage and reduce downstream siltation, but it will not change the overall drainage pattern. Therefore, the Proposed Project would not require the relocation or construction of new storm water drainage facilities.

Electricity for heat, light, and etc. in the scale shed will be supplied by two (2) small 4000 – 9000 watt generators. A dual walled fuel tank approximately 15' X 7' X 5' with diesel oil is on site and serviced by Beck Oil Company. The Proposed Project would not require natural gas. Cellular service will not be required. Therefore, the Proposed Project would not require the relocation or construction of electric power, natural gas, or telecommunications facilities.

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

Less Than Significant Impact

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

Fresh water is procured from an existing well (09N/03E 33 QO3) in Newberry Springs on the National Trails Highway (Lower Mojave River Groundwater Basin number 6-40, Baja Sub-Basin). Water is used for dust control on access roads and in the mining and staging areas. The anticipated water demand for the Proposed Project is a maximum of 24,000 gallons per year, or approximately 0.09 acre-feet per year. The Project Applicant has an existing agreement with Raymond Ward to utilize 1.5 acre-feet of water per year from the well. Long term planning at the mine may entail a well to produce water; however, the site has not been determined yet. These water supplies are anticipated to sufficiently serve the Proposed Project. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

All human waste is removed via a professional porta-john service. The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*
- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Very little waste will be generated from proposed mining. Small amounts (less than 11,000 cubic yards over 30 years) of topsoil and overburden will be stockpiled and managed for reclamation and re-seeding base. Fines stockpiles will be sold as product; however, unsold fines will be used as fill during reclamation. It is uncertain how much fines will be generated from crushing and sizing this hard rock, and how much will be sold rather than used for reclamation purposes; however, a crude estimate would be a maximum total of about 45,000 tons for the mine life. At the end of mine life all unsold fines will be used for reclamation purposes and any unconsolidated piles of fill will be regraded to less than a 2:1 slope.

Garbage will be contained in on-site covered trash cans (at least 55-gallon size) and hauled weekly to the Barstow landfill by the operator. The mine operator will contain any waste oil and remove it to recycling centers. As such, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>SUBSTANTIATION:</i>				
<i>County of San Bernardino Countywide Plan; Submitted Project Materials; Newberry Wine Rock Quarry Mine and Reclamation Plan 2021</i>				

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

The Project Site is located approximately 1.3 miles south of I-40, which is an evacuation route.³⁷ All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, the Proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.³⁸ Therefore, risks associated with exposing project employees to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors, exacerbate wildfire risks is unlikely. Furthermore, the Proposed Project does not include construction of habitable structures nor are there any existing structures. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

No Impact

³⁷ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed September 20, 2021.

³⁸ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed September 20, 2021.

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.³⁹ Additionally, the site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone, 100-year Department of Water Resources Awareness Zone, or a 500-year FEMA flood zone.⁴⁰ The Project Site is neither located in an area with mapped, existing landslides nor is it located in an area susceptible to landslides.⁴¹ Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

³⁹ San Bernardino County. Policy Plan web maps. HZ-5 “Fire Hazard Severity Zones.” Accessed March 3, 2021.

⁴⁰ San Bernardino County. Policy Plan web maps. HZ-4 “Flood Hazards” web map. Accessed September 21, 2021.

⁴¹ San Bernardino County. Policy Plan web maps. HZ-2 “Liquefaction and Landslide Hazards.” Accessed September 20, 2021.

- c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?
- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Common species observed during CMBC's biological survey included three reptile, four bird and nine mammal species. Positive evidence of desert tortoise was found at the lower, more level elevations south of the proposed mining area. Based on the observed sign, CMBC judged that two and three tortoises could occur at the lower elevations. However, desert tortoises are unlikely to occur within the 24-acre mining area due to the extremely steep slopes which do not provide suitable habitat for the species. With implementation of Mitigation Measure BIO-1, the proposed expansion area can be mined without any impacts to desert tortoise. ELMT concurs with this conclusion.

Other special-status species assessed for their potential to occur included kit fox (*Vulpes macrotis*), burrowing owl and desert bighorn sheep. ELMT confirmed CMBC's conclusion that there is no active or inactive kit fox dens within the proposed mining area. Diagnostic scat was found peripheral to the 50-acre mine site, so kit fox occurs in the general area but not within the proposed mine expansion area. ELMT found no evidence of burrowing owl. The proposed mining area is too rocky and steep to be suitable for burrowing owl and does not provide suitable burrows (>4 inches in diameter).

Two special-status plant species have been recorded in the Newberry Springs quadrangle. Based on habitat requirements for the identified special-status species, and known distributions, it was determined that the undeveloped portions of the Project Site that support the creosote bush scrub plant community have a moderate potential to support Darlington's blazing star (*Mentzelia puberula*) and creamy blazing star (*Mentzelia tridentata*). All other special-status species documented as occurring within the vicinity of the Project Site are presumed absent. Mitigation Measure BIO-2 shall be implemented to avoid significant impacts to special-status plants. Mitigation Measure BIO-3 shall be implemented to ensure no impacts to native desert plant species occur, as required by the County Development Code.

A Cultural Resources Study, dated January 17, 2022, was prepared for the Proposed Project by Tierra. The records search provided by the SCCIC revealed that five investigations have been previously conducted within a one-mile radius of the Project Site. None of the previous investigations involved the Project Site. The records search indicated that four cultural resources or historic properties have been previously identified within one-mile radius of the Project Site. None of the previously recorded resources were recorded within the Project Site. The pedestrian survey resulted in the identification of a single prehistoric isolate that is not considered to be a significant resource. In case of unanticipated finds, Mitigation Measure CR-1 shall be implemented to ensure no adverse impacts to cultural resources occur.

Less than Significant with Mitigation

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

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

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

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

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

Less Than Significant Impact

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

Drilling and blasting is contracted from a licensed professional blasting company; therefore, no explosives will be stored on-site. No hazardous materials will be used on-site with the exception of fuel and oil for mobile equipment. The operation will not introduce any toxic substances or contaminants into the run off waters from the mine. No faults were observed on the site. The potential for ground surface rupture through the site due to active faulting is considered low.

The Applicant will be required to obtain air quality permits from MDAQMD to operate. All emission levels associated with the Proposed Project were less than adopted

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

Less Than Significant Impact

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

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March 2022*

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