

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:

APN(s): 0466-111-09	USGS Wild Crossing
Applicant: BMT Corral, LLC	Quad:
	Lat/Long: 34°46'38"N, -117°29'48"W
	T, R,
	Section: T8N R4W S13

Project No: PROJ-2019-00057	Community Helendale
Staff: Luis Rodriguez	Plan:
	LUZD: RL (Rural Living)

Rep Elevated Entitlements, LLC

Proposal: Conditional Use Permit (CUP) to construct and operate a 3-megawatt community photovoltaic solar facility on an approximately 23-acre portion within a 58.51-acre parcel located North of the National Trails Highway, south of the Atchison Topeka & Santa Fe Railroad, and west of Corral Road in the community of Helendale area, San Bernardino County.

PROJECT CONTACT INFORMATION:

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

Contact person: Luis Rodriguez, Planner

Phone No: 909-387-4544 **Fax** 909-387-3223

E-mail: Luis.Rodriguez@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

Request for a Conditional Use Permit (CUP) and Lot Line Adjustment to establish a community photovoltaic (PV) solar facility on an approximately 23.0-acre portion of a 58.81-acre parcel located north of the National Trails Highway, south of the Atchison Topeka & Santa Fe Railroad, and west of Corral Road. The Project originally encompassed portions of two separate parcels, Assessor Parcel Numbers 0466-111-09 (58.51 acres) & 0466-131-01 (15.3 acres), totaling 73.81 acres. However, the solar facility has been reconfigured to encompass land located on only one existing parcel (0466-111-09). A Lot Line Adjustment has been proposed as a condition of approval to relocate the parcel line between the two parcels to reflect the proposed solar facility, covering approximately 23 acres, with the balance of the 50.78 acres remaining undeveloped, as shown on Figure 5. In some instances, the Project analysis encompasses the entire 73.81 acre or both parcels, such as the biological analysis.

The proposed community solar project would have a capacity of 3 megawatts (MW) and would utilize approximately 7,000 photovoltaic solar module panels, which would be mounted on single axis trackers and use twelve (12) 250 kilowatt (kW) inverters. The number of modules and inverters is subject to change depending on the final design and equipment availability. The project will be interconnected with a 33 kV distribution circuit that serves load in the local area, rather than interconnection to a transmission circuit that would primarily serve users outside of the region.

The proposed community solar project will adhere to the requirements of the Conditions of Approval. This will include a road dedication of a 44-foot grant of easement to provide a half-width right-of-way of 44 feet along Corral Road, and a 50-foot radius return grant of easement at the intersection of National Trails Highway and Corral Road.

Along the westerly property line, a 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet. Additionally, along the southernly property line a 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet, and a 50-foot radius return grant of easement is required at the intersection of Southerly Property Line and Westerly Property Line.

Finally, a 12-foot grant of easement is required to provide a half-width right-of-way of 52 feet, a 50-foot radius return grant of easement is required at the intersection of National Trails Hwy and Corral Road, and a 50-foot radius return grant of easement is required at the intersection of National Trails Hwy and Southerly Property Line.

The project was designed as a Community Oriented Renewable Energy (CORE) project. It meets the general requirements of County CORE criteria, in that the project size is under 10 MW-ac, project area is less than 60 acres, and nearly 100% of production will serve local off-site use. The project will directly benefit the community, in part by offering prevailing wages, supporting apprenticeship programs, and targeting hire of local workforce. The project will also provide benefits through direct and induced local spending and payment of sales taxes.

Operation and Maintenance

The project would be operated on an autonomous, unstaffed basis and monitored remotely from an existing off-site facility. It is anticipated that maintenance requirements will be minimal as the proposed project's PV arrays will operate with limited moving parts. No full-time staffing would be required to operate the facility. However, six to eight employees are expected to visit the site approximately five times per year for routine maintenance. Operational activities are limited to monitoring plant performance, preventative, and unscheduled maintenance. The project will operate during daylight hours only. No heavy equipment will be used during routine project operation. Operation and maintenance vehicles will include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar module washing. Large heavy-haul transport equipment may be brought to the site infrequently for equipment repair or replacement.

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

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

Decommissioning

At the end of the project's operational term, the applicant may determine that the site should be decommissioned and deconstructed, or it may seek a revision to its Conditional Use Permit (CUP), as applicable. When the solar arrays, panels, fencing, etc. are removed after the project's lifetime, the land will be largely restored to its pre-project condition as required as part of the decommissioning process. The project would utilize Best Management Practices (BMPs) to ensure the collection and recycling of solar arrays, panels, fencing, and other associated materials, to the extent feasible.

All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable federal, State, and County regulations. As noted above, implementation of the Project decommissioning plan would involve the removal of all equipment, foundations down to three feet, and fencing, and the Project site would be re-vegetated so that the end use and site condition are consistent with the surrounding landscape.

Surrounding Land Uses and Setting

Land uses on the Project site and surrounding parcels are governed by the San Bernardino Countywide Plan/Development Code¹⁹. The following table lists the existing land uses and zoning districts. The property is zoned Rural Living (RL). Most of the surrounding properties share the same land use Countywide Plan designation (RL) and zoning (RL), except for from a stretch of land to the North and West zoned for Resource Conservation (RC) and designated RLM (Resource Land Management) on the Countywide Plan.

Existing Land Use and Land Use Zoning Districts			
Location	Existing Land Use	Countywide Plan	Zoning District
Project Study Area	Vacant Land	Rural Living	RL (Rural Living)
North	Vacant Land	Resource Land Management	RC (Resource Conservation)
South	Vacant Land	Rural Living	RL (Rural Living)
East	Residential	Rural Living	RL (Rural Living)
West	Vacant Land	Rural Living/Resource Land Management	RL (Rural Living) and RC (Resource Conservation)

Project Site, Existing Site Land Uses and Conditions

The Corral Solar project is proposed at APN: 0466-111-09 off Corral Road, in the County of San Bernardino California and is zoned Rural Living (RL). The Project site is generally flat with slopes less than 5% with minimal native vegetation, with no known animal habitats or historical features. There are no defined watercourses on the site.

Figure 1: Project Study Area – Land Use Designation

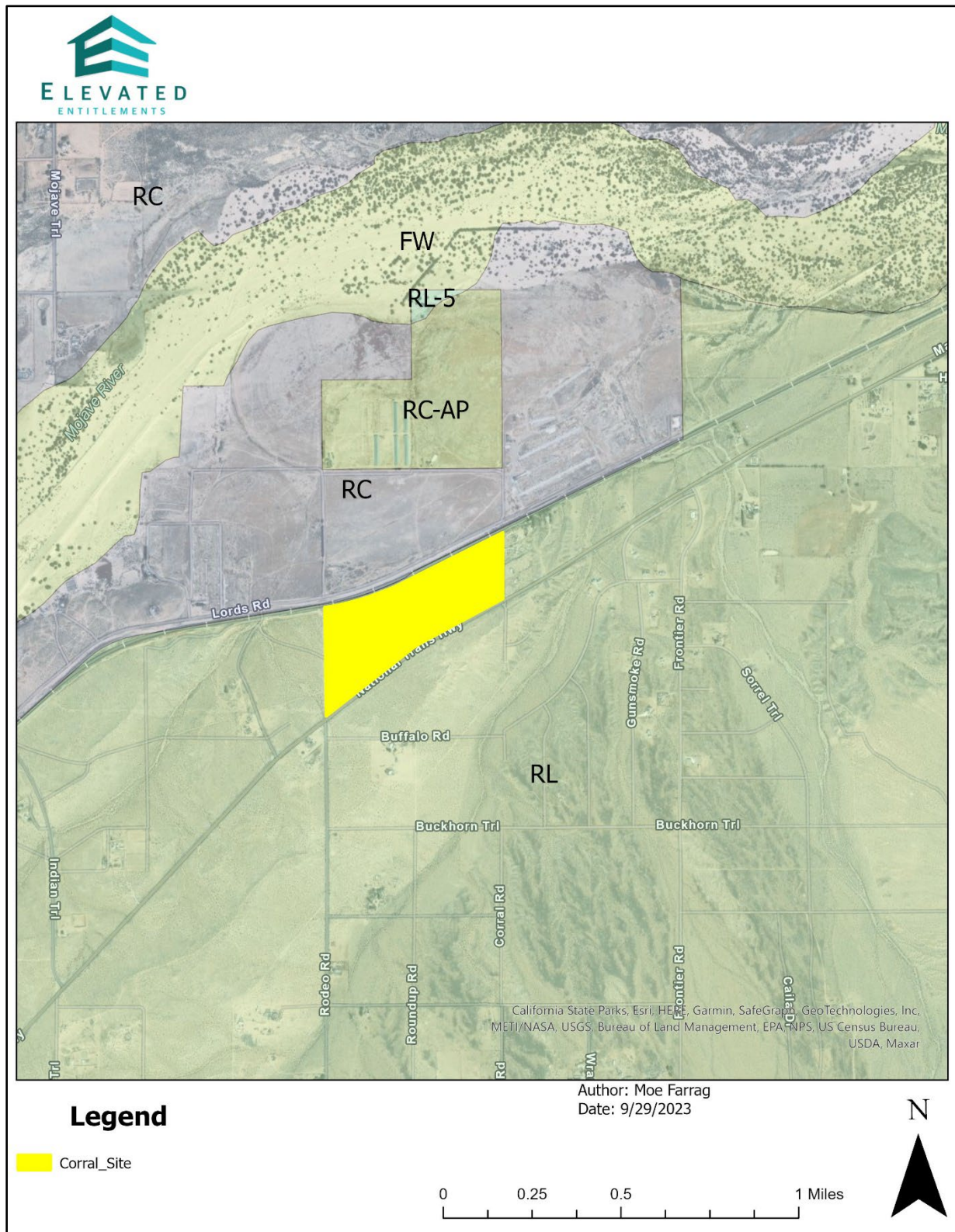


Figure 2: Project Study Area – Regional Location

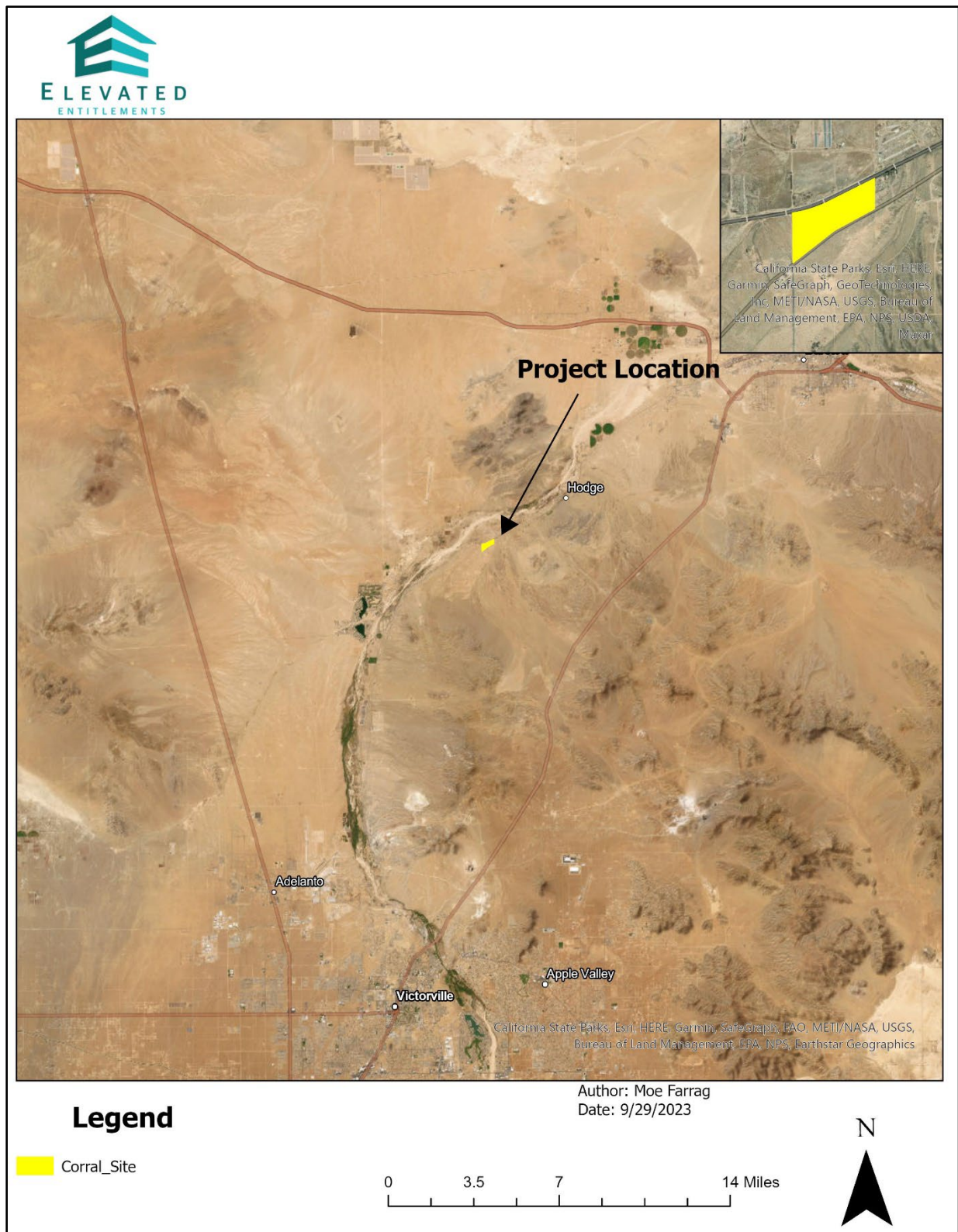


Figure 3: Overview of land and vegetation



Figure 4 Site Plan

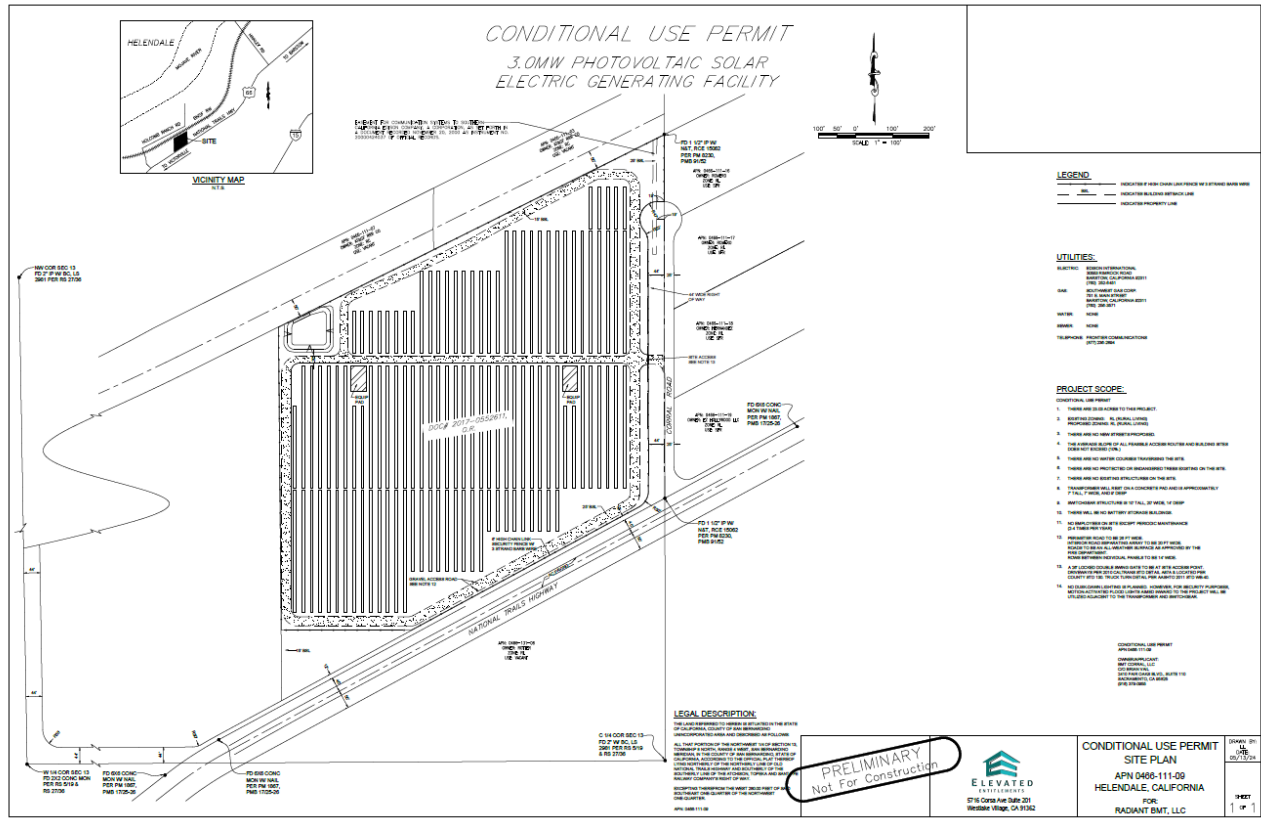
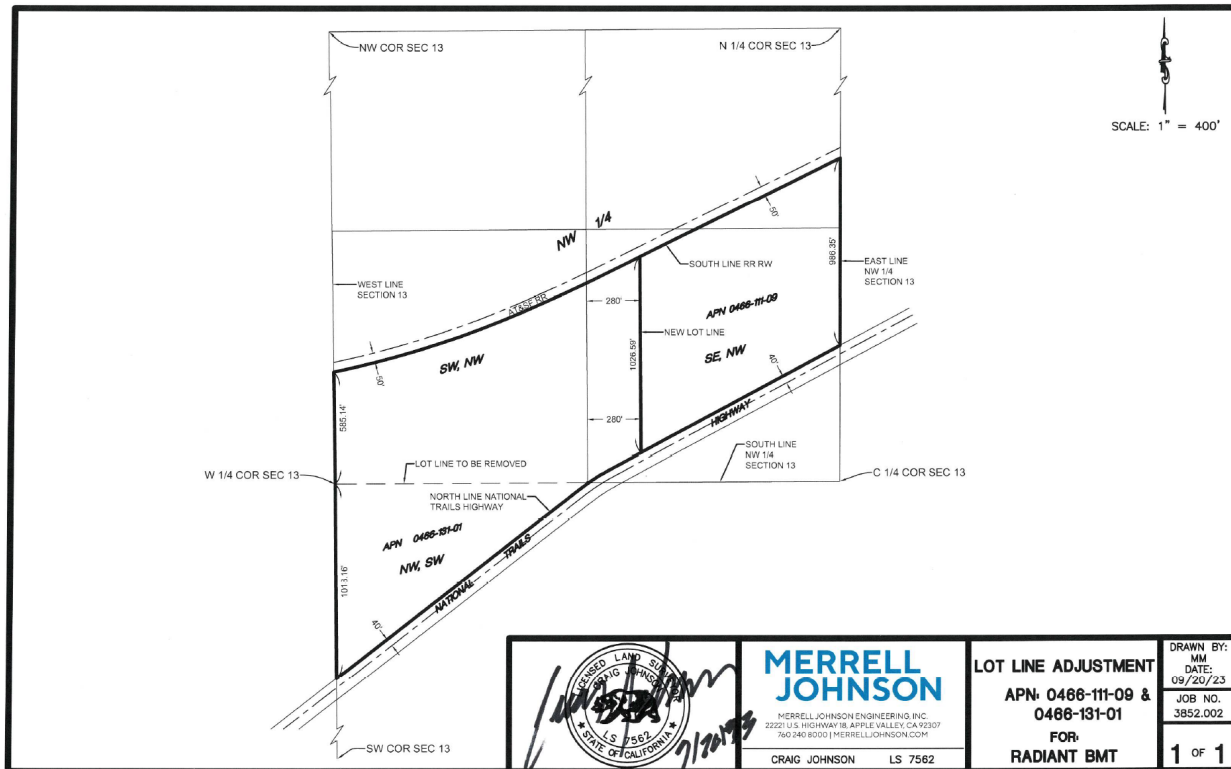


Figure 5: Lot Line Adjustment



ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.):

- Federal: N/A
- State of California: California Fish & Wildlife, Mojave Desert Air Quality Management District (MDAQMD)
- County of San Bernardino: Land Use Services – Building and Safety, Traffic, Land Development Engineering – Roads/Drainage; Public Health – Environmental Health Services; Public Works, Surveyor; and County Fire
- Local: N/A

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Tribal consultation request letters were sent on October 23, 2023, to the Yuhaaviatam of San Manuel Nation (formerly San Manuel Band of Mission Indians) (YSMN), Morongo Band of Mission Indians (Morongo), Fort Mohave Indian Tribe (FMIT), Soboba Band of Mission Indians, and Twenty-Nine Palms Band of Mission Indians. One response was received from YSMN on December 8, 2023, requesting the inclusion of conditions of approval that include having a monitor present during any ground disturbing activities. No further correspondence has been received. The applicant has also contacted the Tribes and based upon correspondence with them has recommended mitigation and monitoring measures that have been added to *Section V Cultural Resources* and *Section XVIII Tribal Cultural Resources* of this document.

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. The format of this Initial Study is presented as follows. The project is evaluated based on its potential effect on twenty (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. **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).
2. **Less than Significant Impact with Mitigation:** 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)
3. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
4. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

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

Linda Mawby

Signature:(Linda Mawby, Acting Planning Manager)

June 14, 2024

Date

Luis Rodriguez

Signature:(Luis Rodriguez, Planner)

June 14, 2024

Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐
SUBSTANTIATION: (Check ☐ if project is located within the view-shed of any Scenic Route listed in the General Plan): San Bernardino Countywide Plan, 2020; Submitted Project Materials				

- a) **Less than Significant Impact.** The proposed Project is located within an area where most of the surrounding parcels are vacant and undeveloped. There are two single family residential properties approximately 94-feet (50-feet measured from property lines) to the east of the site and two agricultural properties to the west of the site. Given the nature and proposed average height of eight feet above grade for each solar panel, there would be minimal obstruction to the north and west from the surrounding parcels. The Project would have a less than significant impact.
- b) **No Impact.** The site is not adjacent to nor near a designated state scenic highway, based upon a review of Caltrans California State Scenic Highway System Map². Additionally, the biological and cultural assessment of the site did not find any protected trees, rock outcroppings, or historic buildings on the Project site. Therefore, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings.

- c) **Less than Significant Impact.** The proposed Project would not substantially degrade the existing visual character of the site and its surroundings. Furthermore, the project will be consistent with County Development Code Section 84.29.050. The proposed Project includes solar panels which when at maximum tilt are approximately eight feet above grade, with 10-foot-high switchgear, surrounded by a 6-foot-high deer fencing (topped with inward facing 3-strand razor wire). The conditions of approval would include requirements for the proposed development to comply with all County Development Codes and ordinances. The proposed Project would have a less than significant impact on the existing visual character and quality of the site and its surroundings.
- d) **Less than Significant Impact.** The proposed Project includes motion activated shielded lighting only on the electrical transformer pad. All proposed development must comply with SBCC§ 83.07.040 Glare and Outdoor Lighting– Mountain and Desert Requirements, which includes light trespass onto abutting residential properties, shielding, direction, and type. Additionally, solar projects would be required to comply with solar development standards as outlined in Chapter 83.07 Light Trespass, which requires all outdoor light fixtures to be shielded and installed in such a manner that the shielding does not permit light trespass in excess amounts to sensitive receptors. The Project site is not located near any sensitive receptors. The proposed electrical transformer pad with the motion activated light fixture is shielded away from existing residential along Corral Road. Therefore, the impacts would be less than significant.

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>
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

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

SUBSTANTIATION: (Check ☐ if project is located in the Important Farmlands Overlay):
San Bernardino Countywide Plan 2020; California Department of Conservation Farmland Mapping and Monitoring Program, and; Submitted Project Materials

- a) **No Impact.** Based upon a review of the Farmland Mapping and Monitoring Program¹⁶ prepared by the California Department of Conservation, Farmland Mapping and Monitoring Program, the proposed site is not within an area identified as Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. Since the proposed Project would not convert Farmland to non- agricultural use, no impacts would occur.
- b) **No Impact.** Based upon a review of the California Department of Conservation's Williamson Act Enrollment Finder Map³, the proposed Project site is not under a Williamson Act contract. As such, the proposed Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, no impacts would occur.
- c) **No Impact.** The proposed Project site is not designated as forest land or timberland, due in part to site being located within a non-forested desert region of the San Bernardino County. As such, the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Therefore, no impacts would occur.
- d) **No Impact.** The proposed Project site is not within a designated forestland area. The proposed Project site is within the desert region of the County and does not contain forested lands. As such, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts would occur.

- e) **No Impact.** The proposed Project site does not contain forested lands nor designated Farmlands, based upon a review of State maps. As such, the proposed Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. Therefore, no impacts would occur.

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>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)	☐	☐	☒	☐

SUBSTANTIATION: (Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable): **Air Quality/Greenhouse Gas Study for Radiant BMT, LLC, Elevated Entitlements, June 14, 2023; California Emissions Estimator Model (CalEEMod; Version 2016.3.2); Mojave Desert Air Quality Management District 2017 (MDAQMD); San Bernardino Countywide Plan, 2020, and; Submitted Project Materials**

The Project site falls under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD) and is in the Mojave Desert Air Basin (MDAB). The Mojave Desert Air Quality Management Plan (MDAQMP) provides a program for obtaining attainment status for key monitored air pollution standards, based on existing and future air pollution emissions resulting from employment and residential growth projections. The AQMP was developed, in part, by using input from various agencies, General Plans and other projections for population and

employment growth. Emissions with regional effects during project construction, calculated using the California Emissions Estimator Model (CalEEMod); Version 2020.4.0, would not exceed criteria pollutant thresholds established by the MDAQMD.

The proposed Project is expected to have a minimal impact on the air quality of the area and would produce relatively few emissions during the estimated three-month construction period and negligible emissions during operation. In addition, the development of renewable energy sources is expected to produce cumulative and regional environmental benefits. Therefore, impacts are considered less than significant. **Table 1** below presents the regional air quality significance thresholds.

Table 1: MDAQMD Air Quality Significance Thresholds & Project Maximum Daily Emissions – Temporary Construction and Operations						
Criteria Pollutants (lbs/day)	VOC¹	NO_x	CO	PM₁₀	PM_{2.5}	SO_x
Construction						
Construction Emissions	0.22	2.00	2.55	0.32	0.19	<.005
Operation						
Operation Emissions	0.08	<.005	<.005	<.005	<.005	<.005
MDAQMD Significance Thresholds	137	137	548	82	65	137
Exceeds Threshold	No	No	No	No	No	No
1. Volatile Organic Compound (also referred to as VOC or ROG) 2. Source: https://www.mdaqmd.ca.gov/home/showpublisheddocument/8510/638126583450270000						

- a) **Less than Significant Impact with Mitigation Incorporated.** Emissions with regional effects during Project construction, calculated using the California Emissions Estimator Model (CalEEMod); Version 2020.4.0, would not exceed criteria pollutant thresholds established by the MDAQMD. As shown in **Table 1**, emissions from construction and operation of the proposed Project would be below MDAQMD air quality significance thresholds for all pollutants. Based on this, the proposed Project would not be expected to conflict with or obstruct implementation of the AQMP. There would be no expected conflict or obstruction of any air quality plans. Most of the polluting emissions would be produced during the construction period where various types of construction equipment, delivery trucks, and personal vehicles would be used during the construction phase. These emissions would be in the form of exhaust and dust.

The proposed Project is located within the MDAQMD which is non-attainment for ozone and PM₁₀. The MDAQMD has adopted federal attainment plans (1995 for PM₁₀ and 2004 for ozone) for these two pollutants. The proposed Project is expected to generate minor particulate and ozone precursors during the approximately three-month construction period. Best Management Practices for the proposed Project shall include use of water trucks as needed, determined by construction activity, humidity, and wind speed to reduce particulate emissions during construction. In addition, a Dust Control Plan shall be developed and submitted to the County and MDAQMD for review and approval prior to issuance of a grading permit and/or land disturbance.

In accordance with the County of San Bernardino's General Plan, the project will be in adherence with Policy NR-1.5 Sensitive land uses and Policy NR-1.6 Fugitive dust emissions by providing dust control measures during project construction and operation.

Therefore, the Project will not conflict with or obstruct implementation of the MDAQMD air quality plan and less than significant impact would occur with mitigation implementation.

AQ-1: Dust Control

A Dust Control Plan shall be submitted and accepted by the County and Mojave Desert AQMD prior issuance of any construction related permits. The Plan shall include methods to stabilize and/or bind the soil as part of construction and operational activities, along with screening to reduce potential dust to the east consistent with Development Code Findings 84.29.035(22).

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- b) **Less than Significant Impact.** MDAQMD has established daily emissions thresholds for construction and operation of a proposed Project in the MDAB. The emissions thresholds were established based on the attainment status of the MDAB regarding air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health within an adequate margin of safety, these emissions thresholds are regarded as conservative and would overstate an individual Project's contribution to health risks.

As shown in **Table 1**, emissions from construction of the proposed Project would be below MDAQMD air quality significance thresholds for all pollutants. Specifically, the proposed Project would not exceed MDAQMD significance thresholds for ozone precursor pollutants, VOC and NO_x, as well as PM₁₀ and PM_{2.5} for which the MDAB is in non-attainment. Projects in the Basin with construction or operation related emissions that exceed any of their respective emission thresholds would be considered significant under MDAQMD guidelines. These thresholds, which MDAQMD developed and that apply throughout the Basin, apply as both Project and cumulative thresholds. If a Project exceeds these standards, it is considered to have a Project-specific and cumulative impact. Since emissions do not exceed threshold standards, no cumulative impact analysis is warranted. Therefore, less than significant impacts would occur.

- c) **Less than Significant Impact with mitigation incorporated.** The Mojave Desert Air Quality Management District (MDAQMD) recommends that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors approximately 94 feet (50 feet measured from property lines) to the east. Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The MDAQMD identifies the following as sensitive receptors: Residences, schools, daycare centers, playgrounds, and medical facilities. The proposed Project borders sensitive receptors located on the east side of Corral Road. MDAQMD does not have Local Significance Thresholds (LSTs) typically utilized to evaluate dispersion of particulate matter for purposes of evaluating PM 10 and 2.5. However, the District does utilize Rule 403 – that requires minimizing the potential effects of particulate matter dispersion through methods noted further below.

The proposed Project is not expected to produce cumulatively significant emissions for ozone or PM₁₀. During construction activities, dust would be produced by general activity on-site, especially earth-moving activities. The MDAQMD Rule 403 – Fugitive Dust

requires that mitigation measures be implemented to reduce the amount of dust produced during construction periods. These standard mitigation measures include periodic watering via water truck to minimize any visible fugitive dust emissions, taking actions to prevent the tracking of bulk material onto public roads, and reducing non-essential earth-moving activities when wind exceeds gusts of 25 miles per hour or an hourly average wind speed of 15 miles per hour. The proposed Project will not entail significant grading, rather there will be grubbing within the construction area being limited to approximately 23 acres. The Project site will entail minimal trenching as required in the drainage study and for connecting the equipment to the utility pole resulting in minimal dust pollution. As shown in Table 1, the amount of pollution emitted during construction is significantly below the MDAQMD significant threshold. Any Project-related spills or tracking of bulk material on public surfaces must be cleaned up within 24 hours, as required by the Mojave Desert Air Quality Management District. Emissions associated with site operation are shown in Table 1 and are far below the Basin's thresholds. Air emissions would also occur during occasional maintenance. However, these emissions would be at insignificant levels (generally twice per year). Maintenance vehicles will be kept in smog compliance and will adhere to California Code of Regulations Title 13, Section 2485 by not idling for more than five consecutive minutes. Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. No other potential sources of objectionable odors have been identified for the proposed Project. Thus, less than significant impacts would occur.

AQ-1: Dust Control

A Dust Control Plan shall be submitted and accepted by the County and Mojave Desert AQMD prior issuance of any construction related permits. The Plan shall include methods to stabilize and/or bind the soil as part of construction and operational activities, along with screening to reduce potential dust to the east consistent with Development Code Findings 84.29.035(22).

- d) **Less than Significant Impact.** Electricity generation via the use of photovoltaic systems does not generate chemical emissions that would negatively contribute to air quality or produce objectionable odors. Potential odor generation associated with the proposed Project would be limited to construction sources such as diesel exhaust, dust, and road improvements. No significant odor impacts related to Project implementation are anticipated due to the nature and short-term extent of potential sources, as well as the intervening distance to sensitive receptors approximately 94 feet (50 feet measured from property lines) to the east. Therefore, the operation of the Project would have a less than significant impact associated with the creation of objectionable odors affecting a substantial number of people.

Construction: Heavy-duty equipment during construction would emit minimal odors, primarily from the equipment exhaust. Due to the short construction timeline, minimal equipment on site, and state requirements for catalytic converters, air quality and odor will be minimally affected as shown in Table 1. Thus, less than significant impacts would occur. No other potential sources of objectionable odors have been identified for the proposed Project. MDAQMD Rule 402 regarding nuisances states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." The proposed Project is not anticipated to emit objectionable levels of odors during construction, due to the amount and type of construction and the minimal number of sensitive receptors in the area. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur because of the proposed Project and a less than significant effect would result from this action and no mitigation measures

are required.

Operation and Maintenance: The Project would be operated as an autonomous, unstaffed facility, and monitored remotely from an existing off-site facility. It is anticipated that maintenance requirements would be minimal as the proposed Project's PV arrays would operate with limited moving parts. No full-time staffing would be required to operate the facility. Operational activities are limited to monitoring facility performance and responding to facility needs for adjustments, along with preventative and unscheduled maintenance. The Project would operate 24 hours a day, seven days a week. No heavy equipment would be used during routine Project operation. Operation and maintenance vehicles would include trucks (pickup, flatbed), forklifts, and loaders for routine and unscheduled maintenance, and water trucks for solar module washing. Large heavy-haul transport equipment may be brought to the site infrequently for equipment repair or replacement. Any required maintenance would be scheduled to avoid peak electric load periods, with unplanned maintenance activity as needed. The Project would produce a small amount of waste associated with maintenance activities. Solar PV Project wastes typically include broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid materials including typical household type refuse generated by workers. These materials would be collected and disposed of to the extent possible. Due to the minimal and periodic efforts necessary to operate and maintain this type of solar facility, a less than significant effect upon the environment would result.

Decommissioning: At the end of the Project's operational term, the applicant may determine that the site should be decommissioned and deconstructed, and/or revision to its Conditional Use Permit, as applicable. When the solar arrays, panels, and fencing are removed after the Project's lifetime, the land would largely be restored to its pre-Project condition. The Project would utilize best management practices (BMPs) to ensure the collection and recycling of all components to the extent feasible. All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and in accordance with all applicable Federal, State, and County regulations. Following the implementation of a decommissioning plan, all equipment, foundations, and fencing would be removed, and the Project site would be re-vegetated so that the end use and site condition are consistent with the surrounding landscape.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measure AQ-1.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IV. BIOLOGICAL RESOURCES - Would the project:					
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c)	Have a substantial adverse effect on state or federally protected wetlands as (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

SUBSTANTIATION: (Check ☐ if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database): **Biological Assessment for Corral Solar Project, Elevated Entitlements, July 7, 2023; San Bernardino Countywide Plan, 2020; Submitted Project Materials;**

- a) **Less than Significant Impact with Mitigation Incorporated.** The entire property ownership area covers 73.81 acres and includes two protected Mojave Yuccas plants, which are not within the proposed construction area. Adhering to the San Bernardino Development Code 84.29.040, the construction area of 23.03 acres will be removing three creosote clonal rings (CCR). However, the proposed solar facility will not affect any special status trees or shrubs, including protected Mojave Yucca plants. Based upon the completion of a Biological Survey of the property, which included a visual survey performed by Elevated Entitlements, no species or habitat were found for Mojave Ground Squirrel (MGS) and, thus, the Project would not have a significant impact upon this species. On June 3, 2023, a general reconnaissance-level biological survey of the study area was conducted by Elevated Entitlements staff. The purpose of the survey was to assess site characteristics, dominant habitat areas in the study area, and observance for nesting birds and special-status wildlife or their suitable habitat. No Burrowing Owl were observed during the survey. The field results were negative for Desert Tortoise as well. Two burrows were observed during the field effort, but the burrows were absent signs of Desert Tortoise. One burrow appeared to be inactive and the other appeared to be for Mojave Desert kit fox (*Vulpes macrotis arsipus*), which is not a protected species. Neither Desert Tortoise nor scat were observed during the survey effort.

On September 27, 2023, a high-resolution drone was flown over the project site to analyze and precisely locate which CCRs could potentially be impacted and thus needed to be potentially removed as part of the Conditional Use Permit (CUP). The drone survey identified three (3) CCRs approximately over 10 feet in radius, which would potentially need to be removed as part of the project construction. These CCRs have been identified in Table 3 of the *Biological Assessment* and through the use of high-resolution aerial imagery, which is available in Appendix H of the document, an analysis of their health and geographic coordinates is provided.

The areas surrounding the Project location are predominantly vacant. Other land uses within the vicinity include residential, agricultural and transportation uses. The nearest habitat or natural resource community are the Newberry Spring Mountain wilderness (5 Miles) and the National Mojave Preserve (25 Miles). No sensitive biological resources were observed during site visits.

Special status plant species were not observed during the site visit on June 3, 2023, but the current vegetation type does contain suitable habitat for sensitive biological resources, as discussed further below. The proposed Project is not expected to have impacts on any sensitive plants due to the absence of sensitive plants on site. Additionally, the construction area should be surveyed prior to any construction activities.

No sensitive wildlife species were observed during surveys of the 73.81-acre property. No wildlife species were observed on site, although the biological analysis did identify several burrows. Due to this finding, the construction area should be surveyed prior to any construction activities, including staging of equipment and clearing and grubbing of vegetation. The proposed Project is expected to impact no more than 23.03 acres of creosote scrub habitat for common desert wildlife and habitat for sensitive wildlife. However, impacts can be minimized with the following mitigation measures.

BIO-1: Change in Project Scope: If the project scope should change for any reason, Elevated Entitlements and the County of San Bernardino shall be notified to determine whether current environmental documentation is adequate.

BIO-2: Pre-Construction Meeting: The Project biologist shall conduct a pre-construction meeting one-week prior to construction notice.

BIO-3: Use of water onsite shall be controlled as to not allow pooling of water or creation of streams.

BIO-4: Pre-construction surveys must be conducted between fourteen (14) days and thirty (30) days prior to vegetation clearing, earthwork and ground disturbing activities.

BIO-5: Biological monitors shall be present during vegetation clearing, earthwork and ground disturbing activities.

BIO-6: Equipment operators shall check under motorized equipment & vehicles that have been parked over night or stationery for some length of time before moving the vehicle to determine the presence or absence of potential species.

BIO-7: If a desert tortoise is present within the construction area, all work and any activities that could harm the tortoise shall stop. The project manager shall notify a certified biologist to safely remove the desert tortoise prior to commencing construction.

BIO-8: To avoid construction impacts to desert tortoise not more than 45 days before construction a pre-construction clearance survey must be conducted. If species is present individuals will be allowed to leave on their own. In addition, in observation with USFW and CDFW the project proponent will install exclusionary fencing.

BIO-9: Immediately prior to installation of exclusionary fencing around the construction site a clearance survey shall be conducted by a certified biologist.

BIO-10: Exclusionary fence shall be regularly inspected for damage during each routine on-site visit by the project onsite manager.

BIO-11: A qualified biologist familiar with the species' behavior and life history shall conduct focused surveys for Mohave ground squirrel throughout the Project site. Focused Mohave ground squirrel surveys shall adhere to California Department of Fish and Wildlife Mohave Ground Squirrel Survey Guidelines (CDFW 2023). If Mohave ground squirrel is observed on site or captured during any of the trapping sessions, the Project proponent shall secure a CESA Incidental Take Permit (ITP) for Mohave ground squirrel before the issuance of City permits. The ITP shall specify avoidance, minimization, and mitigation conditions for temporary and/or permanent impacts to Mohave ground squirrel including habitat acquisition at a CDFW-approved location and mitigation ratio.

BIO-12: Nesting Bird Surveys and Exclusionary Measures: A certified biologist shall recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. If work is to occur during the bird nesting season (which is February 1st through September 1st), a certified biologist, shall be notified two weeks prior to the start of construction to determine if nesting birds are present so that preconstruction surveys may be conducted and exclusionary devices and methods may be discussed, per the following standard specification: 14-6.03 Bird Protection. No work shall commence until vegetation to be removed has been surveyed for nesting birds and cleared by a certified biologist. In the event that nesting birds are observed, the construction project manager shall pause work until a certified biologist has determined that fledglings have left the nest. If this is not possible, the construction project manager shall coordinate with a certified biologist to minimize the risk of violating the Migratory Bird Treaty Act (MBTA). A certified biologist shall require a buffer of 150 ft. for native songbirds and a buffer of 500 ft. for raptors during all phases of construction. Native nesting birds are protected under the MBTA and cannot be impacted by construction activities, including but not limited to noise, dust pollution, and habitat disturbance.

BIO-13: This project shall employ all appropriate Stormwater and Erosion Control Best Management Practices (BMPs) during construction, and these must be incorporated into the project specifications. Prior to the start of construction, all drain inlets must be protected with BMPs to prevent construction materials and debris from entering drainages.

BIO-14: High-Visibility Fencing (Type ESA): High-visibility fencing (Type ESA) shall be placed around environmentally sensitive areas under the supervision of the certified biologist.

BIO-15: Construction Staging Areas and Access Roads: Temporary construction staging areas and access roads shall be used to avoid and/or minimize impacts to vegetation outside the construction areas

BIO-16: Control of Invasive Plant Species: The construction contractor shall inspect and clean construction equipment at the beginning of each day prior to transporting equipment to the construction site. During construction, soil and vegetation disturbance will be minimized to the greatest extent feasible. During construction, the contractor shall ensure that all active portions of the construction site are watered a minimum of twice daily or more often when needed due to dry or windy conditions to prevent excessive amounts of dust. During construction, the contractor shall ensure that all material stockpiled is sufficiently watered or covered to prevent excessive amounts of dust. During construction, soil/gravel/rock will be obtained from weed-free sources. Only certified weed-free straw, mulch, and/or fiber rolls will be used for erosion control. The use of herbicides shall be prohibited within and adjacent to native vegetation, except as specifically authorized and monitored by the County Biologist and Landscape Architect.

BIO-17: Pollution and Litter: All pollution and litter laws and regulations shall be followed by all personnel on site.

- b) **No Impact** This Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service, because no such habitat have been identified or is known to exist on the Project site. There are no defined watercourses on the proposed solar facility portion of the property, except for a riverine area on the westerly parcel of the 73.81-acre site. However, the closest Project construction will occur over 1,300 feet away from the riverine. Therefore, no impacts would occur.
- c) **Less than Significant Impact.** This Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service. A dry seasonal intermittent drainage located outside of the construction site, in the western quarter of the property is identified as a riverine by the USFWS in their National Wetland Inventory. During the site visit, the area around and where the dry seasonal intermittent drainage entered the property was used for off-road vehicle and motor access. The riverine is not connected to the Mojave River, which is located just under one mile north of the property. Therefore, this watershed is not considered waters of the United States under the Clean Water Act (Sackett v. EPA 2023).

In addition, all other drainages in the property were dry ephemeral drainages and none were identified as waters of the United States. All ephemeral drainages were heavily traversed until nearly or completely flattened for off-road access in the north and south segments of the property. Overall, all natural drainage channels through the property are located outside the construction area. Therefore, less than significant impacts would occur.

- d) **Less than Significant Impact.** Based upon the biological report prepared by Elevated Entitlements, the Project will not interfere with native resident or migratory fish or wildlife species. There are no wildlife corridors or native wildlife nursery sites near the Project. Therefore, less than significant impacts would occur.
- e) **Less than Significant Impact.** The proposed project is the construction of a community solar facility on approximately 23-acres of vacant land. Within this construction impact area, Elevated Entitlements identified three creosote clonal rings greater than 10 feet in diameter. Of the three identified and numbered creosote clonal rings identified in the biological analysis, #13 is identified as healthy, #12 is partially degraded, and #2 is degraded. Creosote clonal rings are regulated plants as defined in the San Bernardino County Development Code (Section 88.01.060(c)(3)). Removal of creosote rings must be permitted by the County prior to grading, but transplanting is not required. This process allows the County to augment and coordinate with the Desert Native Plants Act, as contained in the Food and Agricultural Code. The proposed project's requested Conditional Use Permit (CUP) includes the removal of the three creosote clonal rings. Based on literature review and survey results, it has been concluded that the proposed Project would result in less than significant impacts to special status species, including state or federal endangered and/or state or federal threatened species. No resource agency permits are anticipated for the development of the proposed Project. The requested removal of three County regulated creosote clonal rings, which exist in a generally degraded condition, will not substantially alter the natural environment with respect to the amount of plant community types available in the region. As development of the proposed Project is implemented throughout the local landscape, it can be expected that these plants and their habitat will become increasingly disturbed and

isolated, even if the proposed Project does not occur. Therefore, less than significant impacts would occur.

- f) **No Impact.** According to the literature review completed by Elevated Entitlements the proposed solar project does not fall within a known wildlife corridor. Furthermore, the proposed project is bound by an active railway to the north and National Trails Highway to the south with no crossing areas within the project boundary. Thus, it is highly unlikely for the proposed project site to be used for wildlife movement.

The implementation of the County of San Bernardino General Plan within the Desert Region does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As this project is within adherence to the County's General Plan there will be no conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures Bio-1 thru Bio-17.

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

SUBSTANTIATION: (Check if the project is located in the Cultural ☐ or Paleontological Resources overlays or cite results of cultural resource review):
Cultural Resources Assessment in Support of the Corral Solar Project, July 5, 2023, BioCultural LLC; Cultural Historical Resources Information System (CHRIS), South Central Coastal Information Center, California State University, Fullerton; San Bernardino County General Plan, 2020; Submitted Project Materials

- a) **Less than Significant Impact.** The *Cultural Resource Assessment* of the 73.81-acre (APN 0466-111-09 and 0466-131-01) study area included research and review of relevant historic maps, records search results from the South-Central Coastal Information Center (SCCIC), Sacred Land File (SLF) results from the Native American Heritage Commission (NAHC), and a pedestrian survey of the property. As part of the pedestrian survey, BioCultural LLC archaeologists recorded, evaluated, and provided recommendations for one historic archaeological refuse scatter (Corral 01). No resources were collected. The historic archaeological refuse scatter site Corral 01 was evaluated using the California Register of Historical Resources (CRHR) eligibility criteria to determine whether it constitutes eligible historical resources under CRHR, as required under CEQA. BioCultural LLC concluded that the historical refuse scatter site Corral 01 is not eligible under any criteria for listing on the CRHR. Based on the review of archaeological materials present, this site is recommended not eligible for CRHR under any criteria. Should additional information be identified during subsurface excavation for the Project, such findings would require additional review and consideration for CRHR eligibility. According to the completed research there will be no loss of historical materials at this site. Therefore, less than significant impacts would occur.
- b) **Less than Significant Impact with Mitigation.** The *Cultural Resources Assessment* resulted in the identification of one historic archaeological refuse scatter site (Corral 01) within the property during the pedestrian survey activities. The newly found refuse scatter was evaluated using CRHR eligibility criteria to determine whether the site constitutes an historical site under CEQA. The archeological site lacks the potential for significant subsurface deposits and was determined to retain no further research potential beyond recording its location and attributes, which has been completed. However, the potential to encounter buried cultural materials during the grading of the

construction area is possible. Therefore, archaeological monitoring by a certified archaeologist shall be required during initial construction-related ground disturbances activities associated with the development of the Project. The following mitigation measures (**CUL-1 to 5**) shall be implemented by the Project proponent and the lead agency to reduce any potential disruption to cultural resources during ground disturbing activities.

- c) **Less than Significant Impact with Mitigation.** The property is located in the vicinity of Native American ancestral lands. Therefore, sensitivity for undocumented subsurface resources related to Native American Tribal cultural heritage within the property may be inferred. Compliance with mitigation measure **CUL-3 to 5** described below, and site monitoring would reduce impacts to the inadvertent discovery of human remains to less than significant.

Mitigation Measures:

CUL-1: Monitoring and Treatment Plan

Prior to construction of the proposed Project, a qualified archaeological monitor with relevant San Bernardino County experience and who will work directly under the direction of a Secretary of the Interior's (SOI) professional archaeologist, should be retained by the Project proponent. If the resources cannot be avoided and if the lead agency requires, an Archaeological Management Plan will be prepared to establish procedures for monitoring.

CUL-2: Archaeological Monitoring

The Project archaeologist, may, at their discretion, terminate monitoring if (and only if) no subsurface cultural resources have been detected. If buried cultural resource artifacts are uncovered during ground disturbance activities the archaeological monitor will have the authority to re-direct grading activities to other location within the Project to examine the resources and possibly conduct subsurface testing (Phase II), as indicated in the Archaeological Management Plan. A research design associated with such work must be written before any subsurface fieldwork begins. The Plan shall include a description of how and where artifacts will be curated. If the site is determined to be significant through the testing process, continued impacts to the site would be considered significant and possibly unavoidable impacts. Impacts to the significance resource must take place either through avoidance or a Phase 3 excavation. Should any prehistoric or tribal cultural resources be identified within the Project Area, Native American consulting parties shall be contacted regarding the disposition and treatment of the resource(s).

CUL-3: In the event unanticipated human remains, work in the immediate vicinity of the find shall stop and no further disturbance shall occur until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to CEQA, Section 15064.5(e), State of California Health and Safety Code Section 7050.5 and PRC Section 5097.98. The County Coroner shall be notified of the find immediately. If the Coroner determines that the human remains are of Native American in origin, then the Coroner shall notify the NAHC, who is responsible for identifying and notifying the Native American most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and make recommendations regarding the treatment and disposition of human remains and items associated with Native American burials. If an agreement regarding disposition of human remains between the MLD and the Landowner or a MLD cannot be identified the landowner shall comply with the disposition and documentation required as defined by PCR 5097.98 Section (e).

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures CUL-1 to CUL-3.

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

SUBSTANTIATION: *San Bernardino Countywide Plan 2020; Renewable Energy and Conservation Element of the General Plan 2020; California Energy Commission Title 24*

- a) **Less than Significant Impact.** Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays, as required by the Development Code. The proposed Project would rely on outside energy sources during construction in the form of diesel and gasoline.

Construction:

Grading	1.8 Gallons/hour	50 Hours	90 gallons of diesel
Pile Driver	2.0 Gallons/hour	100 hours	200 gallons of diesel
Total		150 hours	290 Gallons

Vendor Trucks	2,000 miles	9 MPG	223 Gallons of Diesel
Worker Vehicles	5,000 miles	18 MPG	278 Gallons of Gasoline
Total	7,000 miles	N/A	501 Gallons of Fuel

Source: Preliminary Construction Management Plan for Corral Solar

Construction of the Project would result in fuel consumption from the use of construction tools and equipment, vendor, haul truck trips, and vehicle trips generated by construction workers traveling to and from the site. Therefore, construction-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the region, and impacts would be less than significant.

Operational Yearly Values:

Vendor Trucks	250 miles	9 MPG	28 Gallons of Diesel
Maintenance Worker Vehicles	1,500 miles	18 MPG	83 Gallons of Gasoline
Total	1,750 miles	N/A	111 Gallons of Fuel

Source: Preliminary Construction Management Plan for Corral Solar

Site operation activities will be minimal, with an estimated six maintenance workers visiting the site approximately 5 times a year, averaging 50 miles roundtrip, and water trucks visiting the site approximately 5 times a year averaging a 50-mile round trip. Therefore, operational-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other solar sites in the region, and impacts would be less than significant.

- b) **Less than Significant Impact.** The County of San Bernardino has adopted a Renewable Energy and Conservation Element (RECE) as part of the Countywide Plan dated October 27, 2020. The proposed Project would be required to meet Title 24 Energy Efficiency requirements. Adherence to these criteria would ensure that the Project would not conflict with or obstruct the recently adopted RECE or any other state or local plan for renewable energy or energy efficiency.

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>
VII.GEOLOGY AND SOILS - Would the project:					
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii.	Strong seismic ground shaking?	☐	☐	☒	☐
iii.	Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv.	Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

SUBSTANTIATION: (Check ☐ if project is located in the Geologic Hazards Overlay District): **San Bernardino Countywide Plan, 2020 Hazards Policy Map: HZ-1 Earthquake Fault Zones, Map: HZ-2 Liquefaction and Landslides, Map: HZ-11 Wind Erosion Hazards; California Department of Conservation Earthquake Zones of Required Investigation Submitted Project Materials; California Building Code; Public Resources Code**

- a) i) **Less than Significant Impact.** The Project site is not located within an official earthquake fault zone, based on the County of San Bernardino General Plan Hazards Policy Map; HZ-1 *Earthquake Fault Zones*⁹. The Geotechnical Engineering Report prepared by Moore Twining, dated September 29, 2023, identified the Helendale-South Lockhart Fault Zone, located approximately six miles to the southwest, as the closest active known fault. However, all of Southern California is subject to major earthquake activity. Based upon the distance to an active identified fault, the impact would be considered less than significant for surface fault rupture.
- ii) **Less than Significant Impact.** The subject property is within an area that is subject to severe ground shaking due to various faults in the region, as is most of Southern California. There would be a less than significant impact on the unmanned facility as no buildings are proposed. It is acknowledged that solar arrays could sustain damage from a moderate earthquake and would be repaired or replaced. Since no habitable or large structures are proposed, no significant impacts would occur.
- iii) **No Impact.** Utilizing ArcGIS Pro and the State of California open data⁵, it was found that the Project site is not located in an area of high liquefaction susceptibility. A review of groundwater depth from the Department of Water Resources website¹⁴ identified a well approximately 1.4 miles to the south of the Project site with groundwater depths varying between 165 and 166 feet between 1992 and 2023. Depths of 50 feet or less to groundwater are typically a concern. Compliance with California Building Code Seismic Design Standards, Chapter 16: *Structural Design* and the fact the facility is unmanned, would minimize potential effects, and assure no impact would occur due to liquefaction. Additionally, the geotechnical report found that groundwater is not present at depth of 50 feet or less on site.
- iv) **No Impact.** The Project site is generally level and is not close to any hillsides, foothills or mountains that could have the potential to slide during a ground disturbing event such as an earthquake. Therefore, no impacts are identified or anticipated.
- b) **Less than Significant Impact.** The proposed Project is within a High Erodibility zone according to the County of San Bernardino Countywide Plan Hazards Policy Map: HZ-11 *Wind Erosion Hazards*⁸. Near surface sandy soils may be subject to water and wind erosion. Drainage should be provided around the perimeter of all structures and all foundations to guide water away from support posts or transformers and toward streets or approved drainage devices to minimize water infiltrating into the underlying natural and engineered fill soils. During grading, water will be used for dust control and in effect aid in controlling wind erosion. Erosion control plans and grading plans would be required to be submitted, approved, and implemented for the proposed development. Therefore, a less than significant impact would occur.

- c) **Less than Significant Impact.** The Project is not located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off- site landslide, lateral spreading, subsidence, liquefaction, or collapse, based upon a review of the San Bernardino Countywide Plan Hazards Policy Map, HZ-2 *Liquefaction and Landslides*. Therefore, a less than significant impact would occur.
- d) **Less than Significant Impact.** The Project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. According to laboratory testing information contained in the *Geotechnical Engineering Investigation*, the Expansion Index would result in the possibility of a low expansion of the soils, which would not adversely affect the placement of the proposed solar panels. Therefore, a less than significant impact would occur.
- e) **No Impact.** As an unmanned facility no septic or alternative wastewater treatment systems are proposed. Therefore, no further study of onsite soils for this purpose is necessary and no impact would occur.

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

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

SUBSTANTIATION: *Air Quality/Greenhouse Gas Study for Corral Solar Project, Elevated Entitlements, June 14, 2023; California Emissions Estimator Model (CalEEMod; Version 2016.3.2); Mojave Desert Air Quality Management District 2017 (MDAQMD); County of San Bernardino Greenhouse Gas Emissions Reduction Plan, September 2011; San Bernardino Countywide Plan, 2020; Submitted Project Materials*

- a) **Less Than Significant Impact.** Construction of the Project would generate Greenhouse Gas (GHG) emissions and maximum daily emissions as displayed in Table 2 below. The Project's construction emissions would be below the MDAQMD's daily GHG threshold 548,000 lbs. Therefore, the Project would generate GHG emissions that are less than significant.

Construction Activities: During construction of the Project, GHGs would be emitted through the operation of construction equipment and from worker and vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs (e.g., CO₂, CH₄, and N₂O). Furthermore, Methane (CH₄) is

emitted during the fueling of heavy equipment. Construction activities would be of a limited time duration and based upon the CalEEMod evaluation, would be below adopted thresholds and result in a less than significant impact.

Gas, Electricity, and Water Use: Natural gas use results in the emission of two GHGs: CH₄ (the major component of natural gas) and CO₂ (from the combustion of natural gas). Electricity use can result in GHG production if the electricity is generated by combustion of fossil fuels. California's water conveyance system is also energy intensive. Water-related electricity use is 48 terawatt hours per year and accounts for nearly 20 percent of California's total electricity consumption. Based upon the limited construction period and use of the site for a solar facility, gas, electricity, and water use would be minimal during its construction and operation.

Solid Waste Disposal: Solid waste generated during construction or by maintenance workers or Project repairs would contribute only minimal GHG emissions. During construction and operation, the unmanned solar facility would require the disposal of minimal solid waste and will adhere to the County of San Bernardino requirements including recycling.

Motor Vehicle Use: During construction, transportation associated with the proposed Project would result in GHG emissions from the combustion of fossil fuels from automobile and truck trips. During operation, as an unmanned facility, these emissions would be minimal and only necessary during periodic cleaning and repair work, or replacement of the panels.

Construction is estimated to start in 2024 and would take approximately three months to complete. Greenhouse gas (GHG) emissions resulting from the construction and operation of the Project were developed using the California Emissions Estimator Model (CalEEMod). The applicant estimated the Project construction activities would occur over a three-month period, while the operational Project life is estimated at 30 years. The total Project related annual GHG emissions were determined to be 97.43 metric tons over 30 years, which would not exceed the adopted threshold of 3,000 metric tons carbon dioxide equivalent per year (MTCO₂e/yr), or 548,000 lbs/day. As shown in **Table 2** below the temporary construction activities for the Project would not exceed the MDAQMD thresholds. These Project GHG emissions are consistent with the County of San Bernardino's September 2021 Greenhouse Gas Reduction Plan¹¹ and would present a less than significant impact for GHG emission.

Table 2: Greenhouse Gas (CO₂) lbs/day	
Project Construction Emissions	35,290
MDAQMD Threshold ¹	548,000
Exceeds Threshold	No
Source: https://www.mdaqmd.ca.gov/home/showdocument?id=538 ²⁰	

- b) **Less Than Significant Impact.** Emissions from operations of the Project would be below the levels produced during construction and in effect, the air quality significance thresholds for all pollutants. Specifically, the Project would not exceed MDAQMD significance thresholds for ozone precursors pollutants, VOC and NOx, as well as PM₁₀ and PM_{2.5} for which the MDAB is in non-attainment. Since the Project's emissions are below the MDAQMD's Project-specific thresholds, the Project emissions would not be cumulatively considerable, and impacts would be less than significant.

The proposed project is consistent with the San Bernardino County Greenhouse Gas Reduction Plan and State plans including the California Air Resources Board and Southern California Association of Governments Regional Transportation Plan.

Given the proposed project is a community renewable program, it meets the goals and policies of the San Bernardino County Greenhouse Gas Reduction Plan and has minimal temporary impacts only during construction. According to the San Bernardino County Greenhouse Gas Reduction Plan, the County is moving closer to zero net energy homes by increasing energy efficiency and requiring solar photovoltaic systems for new homes. The proposed project is a community renewable solar program that provides clean energy to low-income areas which would like to reduce greenhouse gas impacts while not having the ability to install solar into their existing homes.

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

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| g) | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☐ | ☒ |

SUBSTANTIATION: *San Bernardino Countywide Plan, 2020, Hazards Policy Maps; San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan, July 13, 2017; Submitted Project Materials*

- a) **Less than Significant Impact.** The construction phase of the proposed Project may include the transport, storage, and short-term use of petroleum-based fuels, lubricants, and other similar materials. The transport of hazardous materials by truck is regulated by federal safety standards under the jurisdiction of the U.S. Department of Transportation. The oil contained in each transformer would be FR3 fluid, is vegetable based, environmentally benign, and does not require regular replacement. If needed, replacement fluid would be accomplished by either transporting the entire transformer off-site or by transferring the FR3 fluid to a tanker truck for transport off-site. Oil disposal would be managed in accordance with the Department of Toxic Substances Control hazardous waste regulations.

The PV panels may include solid materials that are hazardous. Because such materials are in a solid and non-leachable state, broken PV panels would not be a source of pollution to stormwater. Any defective panels or equipment would be removed and disposed of in an approved off-site location.

Compliance with federal, state, and local closure requirements would result in the Project having a less than significant impact on the public or the environment, including the removal of the solar facility. A decommissioning plan which is activated when the facility reaches its end of life per San Bernardino County Development Code Section 84.29.070 *Decommissioning Requirements*, would be required. Therefore, less than significant impacts would occur.

- b) **Less than Significant Impact.** Replacement of transformer oil is not a maintenance item and, thus, would only occur in the case of repair. In such an instance transformer oil will be carefully removed and properly disposed of at an appropriate facility. PV panels will be inspected during maintenance thus any damaged panels will be replaced quickly. Furthermore, the hazardous materials in the PV panels are solid and non-leachable. Thus, the Project would have a less than significant impact to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment through ground absorption or air dispersion. The use and storage of all hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Therefore, less than significant impacts would occur.

- c) **Less than Significant Impact.** The nearest schools are more than five (5) miles to the southwest in the Helendale area. As such, emissions and handling of hazardous or acutely hazardous materials, or substances, would have a less than significant impact on any existing or proposed schools. Therefore, less than significant impacts would occur.
- d) **No Impact.** The Project site is not included in the Envirostor's list of hazardous materials¹⁵ sites, compiled and published pursuant to Government Code 65962.5. Therefore, the Project would not create a significant hazard to the public or environment.
- e) **No Impact.** The Project site is located approximately fifteen (15) miles northeast of the Southern California Logistics Airport and is not located within an adopted Airport Land Use Plan nor within two miles of a public use airport. As a result, no impacts would occur.
- f) **No Impact.** The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the Project will only have 6-8 personnel on site approximately 5 times per year and the property is located off a limited use roadway that is flat with good visibility to the surrounding roadways and area. Therefore, no impacts would occur.
- g) **No Impact.** The Project site is located within a Moderate Fire Hazard Severity Zone, based upon a review of exhibit HZ-5 of the Countywide Plan. Being an unmanned facility in a sparsely populated desert location, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, no impacts would occur.

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

SUBSTANTIATION:	<i>Preliminary Drainage Study, Corral Solar Project, Pearl City Engineering, February 13, 2024; San Bernardino Countywide Plan 2020; Submitted Project Materials</i>
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- a) **Less Than Significant Impact.** This is an unmanned facility with no requirement for on-going municipal water service or an on-site wastewater treatment system. Proposed on-site construction activities involve minimal site grading and improvements and would not cause the release of notable amounts of hazardous materials that could be discharged from the property as part of construction activities or as part of a stormwater event, including the use of equipment and any ancillary pollutant discharge from that equipment. Improvement of the adjacent roadway and the type of materials used for that improvement, along with the method of construction, would not result in a violation of water quality standards. As noted further below, a Stormwater Pollution Protection Plan (SWPPP) and associated Best Management Practices (BMP) implemented during construction will minimize pollutant discharge. As such, the Project would not violate any water quality standards or waste discharge requirements. Therefore, less than significant impacts would occur.
- b) **No Impact.** The Project is not proposing water usage from on-site water sources from wells but would truck in any required water for the cleaning of panels or other periodic needs as part of a standard solar facility operation and maintenance. Due to the periodic nature of these activities the amount of water used would be minimal. As such, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, no impacts would occur.
- c) **Less than Significant Impact.** The proposed Project site is located within the high desert region of San Bernardino County and is on the southwest end of the expansive Mojave Desert. The City of Adelanto adopted a Drainage Master Plan Update, prepared by So & Associates Engineers, Inc. in May of 2012, but the Project site is located to the north and east of the study watershed limits and is not a part of the latest City's Master Plan update.

A Preliminary Drainage Study was prepared utilizing Geographical Information System (GIS) level site topography and a conceptual site layout as the basis of design. The Study Area, defined as the property ownership area that includes both parcels, is affected by United States Geological Survey (USGS) mapped blue line streams. However, the proposed Project development area is not affected by a United States Geological Survey (USGS) mapped blue line stream with the closest one located at a distance of more than 1,300 feet to the west. Since limited on-site grading is proposed, the proposed Project would not increase the pre-development runoff flowrate. The proposed Project layout maintains the low flow of the main natural drainage course traversing the Project site unoccupied and obstructed. Based on the drainage study prepared by Pearl-City Engineering the Project would not:

- i. Result in substantial erosion or siltation on- or off-site.
- ii. Increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite as the solar panels are elevated above the surface of the ground allowing movement of any run-off below.
- 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.
- iv. Impede or redirect flood flows.

This Project would be responsible for employing all appropriate Stormwater and Erosion Control Best Management Practices (BMPs) during construction, and these are incorporated into the Project specifications. Prior to the start of construction all drain inlets must be protected with BMPs to prevent construction materials and debris from entering drainages. Upon implementation of these measures, this Project would have minimal impact upon water quality. Temporary construction BMPs may be required by the County's conditions of approval, including wind erosion control, sediment tracking control, street sweeping and vacuuming, stabilized construction roadway, spill prevention control, solid waste management, hazardous waste management, sanitary/septic waste management, material delivery and storage, material use, vehicle and equipment cleaning, vehicle and equipment fueling, and vehicle maintenance.

The Project scope will include the construction of an infiltration detention basin and swales along the westerly and northerly borders as shown in the approved drainage study.

Upon implementation of standard Stormwater pollution prevention plans and designs a less than significant impacts would occur.

- d) **Less than Significant Impact.** Based on a drainage study prepared by Pearl City Engineering drainage study, the Project would not substantially alter any existing drainage pattern of the site or area, which includes altering of the course of a stream or river, or creating a substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on or off-site. The drainage study recommends minimal drainage channels be added along with a 26,339 cubic foot detention basin to collect water run-off from the panels to prevent substantial increase in runoff. The subject property is approximately 90 miles from the ocean and on the opposite side of the mountains that separate the site from the coast, negating the potential of a tsunami. No notable topographic features or water bodies exist in the area, also negating the potential for a seiche. Finally, the project site is not located in a FEMA flood zone¹⁷ Therefore, less than significant impacts would occur.
- e) **Less than Significant Impact.** Minimal grading is proposed as part of Project activities, as such there would be little alteration in the natural drainage of flows on site as shown in the drainage study. The drainage study found that the proposed development will not adversely affect the existing drainage patterns in the area and will provide adequate protection for the proposed-on site improvements and structures. Since there will be no on-site paving and no leaching of chemicals from panels or transformers due to their design, water quality would not be affected by the proposed Project. In addition, the proposed Project will be required to prepare a Water Quality Management Plan (WQMP) prior to building permit issuance which would trigger Best Management Practices (BMPs) onsite in adherence with the County of San Bernardino's Storm Water Program¹². Therefore, the proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. Therefore, less than significant impacts would occur.

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

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

SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials

- a) **No Impact.** The Project would not physically divide an established community, because the Project is bordered by existing roadways and in an area comprised of large vacant parcels with no new residential development proposed for the foreseeable future. Scattered single family residences exist within a mile of the proposed Project, but the Project would not cause a physical division of an established community. Therefore, no impacts would occur.
- b) **No Impact.** The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect, because the Project is consistent with all applicable land use policies and regulations of the County Development Code and Countywide Plan. The Project complies with all hazard protection, resource preservation, and Development Code regulations. Therefore, no impacts would occur.

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

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

SUBSTANTIATION: (Check ☐ if project is located within the Mineral Resource Zone Overlay): **San Bernardino Countywide Plan 2020, Policy Map NR-4 Mineral Resource Zones; Submitted Project Materials; California Department of Conservation: Mineral Land Classification Maps₁**

- a) **No Impact.** The Project site is located within Mineral Resources Zone 3a for aggregate resources within San Bernardino County, based upon a review of Policy Map NR-4 Mineral Resource Zones₁₈. The closest mineral resources mines are approximately five (5) to six (6) miles to the north and west, respectively, and would not interfere with any current mining operations. Additionally, the site will be doing minimal grading and will not cause significant disturbances to the soil or possible minerals. Therefore, less than significant impacts would occur.
- b) **No Impact.** The Project site is not within a known or highly likely location for minerals₁₈. Rather it is in a moderate potential or possible location. Additionally, the project would not cause significant grading disturbance to cause concern to possible mineral resources. As such, the proposed Project would not 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. Therefore, less than significant impacts would occur.

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

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIII. NOISE - Would the project result in:					
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b)	Generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District or is subject to severe noise levels according to the General Plan Noise Element ☐): **San Bernardino Countywide Plan 2020; Submitted Project Materials**

- a) **Less than Significant Impact.** Construction noise levels will be temporary and are projected to be less than significant due to the types of actions necessary to install solar panels. This ensures the Project meets the goals of the San Bernardino Countywide Plan Policies HZ-2.8 and HZ-2.9. In compliance with the San Bernardino County Development Code Section 83.01.080₇, the anticipated noise levels at the nearest sensitive residential receptors located approximately 94 feet (50 feet measured from property lines) east of the project site will not exceed 55 db(A). These measurements are taken from the sensitive receptor between the hours of 7am-10pm. The Project site consists of an unmanned community PV solar facility and would not generate operational noise levels that would violate the San Bernardino Development Code, or General Plan Noise Element. Therefore, less than significant impacts would occur.
- b) **Less than Significant Impact.** As an unmanned facility, the Project would not expose persons to or generate excessive ground borne vibration or ground borne noise levels during operation. The Project is required to comply with the vibration standards of the County Development Code 83.010.100₇. As such, all temporary construction, maintenance, repair, or demolition activities will occur between 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays. No vibration exceeding these standards is anticipated to be generated during construction, based upon the types of improvements proposed by the proposed use, such as roadway improvements or solar panel installation. Therefore, less than significant impacts would occur.
- c) **No Impact.** The proposed Project is not within fifteen (15) miles of an airport. Furthermore, Photovoltaic solar and their equipment do not produce any noise or ground borne vibration. Therefore, no impacts would occur.

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

SUBSTANTIATION: *San Bernardino County General Plan, 2020; Submitted Project Materials.*

- a) **Less than Significant Impact.** The Project would not induce population growth in an area either directly or indirectly. Construction of the Project is not expected to exceed three months, thus, not requiring any extended housing for workers. As an unmanned photovoltaic solar facility, the Project would require only limited maintenance and would not generate the need for new services, housing, or businesses that would induce population growth or the development of new homes or roads.
- b) **No Impact.** The proposed Project would not displace any housing units, necessitating the construction of replacement housing, because the subject property is vacant. Therefore, no impacts would occur.

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>
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, to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire Protection?	☐	☐	☒	☐
	Police Protection?	☐	☐	☒	☐
	Schools?	☐	☐	☒	☐
	Parks?	☐	☐	☒	☐
	Other Public Facilities?	☐	☐	☒	☐

SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials

- a) **Less than Significant Impact.** The Project would not 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, or 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, such as fire (7.4 miles southwest) and police protection stations (15.7 miles northeast). Since the facility is unmanned and has a short construction time there will be no impact on schools, parks, or other public facilities. The proposed Project would increase tax revenues to provide a source of funding that would assist in off setting any increases in the anticipated demands for public services that might be generated by this Project. Therefore, less than significant impacts would occur.

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

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

SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials

- a) **Less than Significant Impact.** The Project being an unmanned facility with minimal operational and maintenance staffing, would not generate an increase in the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated due to minimal maintenance and periodic operational needs. Therefore, less than significant impacts would occur.
- b) **Less than Significant Impact.** The Project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the proposed Project does not include new housing or the need for new housing. Therefore, less than significant impacts would occur.

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>
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or	☐	☐	☐	☒

incompatible uses (e.g., farm equipment)?

- d) Result in inadequate emergency access? ☐ ☐ ☒ ☐

SUBSTANTIATION: San Bernardino County General Plan, 2020; Submitted Project Materials

- a) **Less Than Significant Impact.** As an unmanned solar facility, the Project would not cause a significant increase in traffic. Local roads would only be affected during temporary construction and maintenance activities occurring approximately five (5) times per year. No surrounding roadways are designated for bus, bicycle, or other special transit activities. The County Land Development Division has required the addition of easements along National Trails Highway, Corral Road, and the western and southern property lines. Furthermore, the proposed driveway into the project site is required to adhere to County Standard 129a and 130. In addition, the proposed cul-de-sac at the end of Corral Road is required to adhere to County Standard 120₁₃. These roadway conditions will allow for future construction of adjacent roadways and will be consistent with the County's designated roadway classifications. Therefore, the impacts would be less than significant.
- b) **Less Than Significant Impact.** As an unmanned solar facility, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b) criteria for analyzing transportation impacts for land use Projects. The periodic maintenance activities would result in a negligible increase in vehicle miles traveled (VMT). As this is an unmanned solar facility and construction trips will remain below 110 trips a day there is no requirement for a VMT analysis. Therefore, the impacts would be less than significant.
- c) **No Impact.** The Project would not substantially increase hazards due to a design feature or incompatible uses. The Project site is adjacent to an established road that would be accessed at points with good sight distance and properly controlled intersections. Drivers on the site will not be allowed to back into or back out of the site, based upon County Traffic Division requirements. There are no uses proposed by the Project that are incompatible with or would adversely affect surrounding land uses. Furthermore, the project will be required as per the Conditions of Approval to improve corral road. This improvement will lessen any hazards due to possible visibility issues due to dust. Therefore, no impacts would occur.
- d) **Less than Significant Impact.** The Project is designed to allow emergency vehicle access onto the site using a Knox box entry feature. Adequate ingress and egress points including turnaround areas, a perimeter road around the entire Project, and interior spacing between panel rows, are of adequate width to meet County Fire Department requirements. Access roads are to be improved for access to and from the site. Therefore, less than significant impacts would occur.

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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XVIII. TRIBAL CULTURAL RESOURCES:

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

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

SUBSTANTIATION: *Cultural Resources Assessment in support of the Corral Solar Project, Newberry Springs, BioCultural LLC July 2023; San Bernardino County General Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coastal Information Center, California State University, Fullerton; Submitted Project Materials*

- a) Assembly Bill (AB) 52 took effect on July 1, 2015. AB 52 requires a lead agency to make best efforts to avoid, preserve, and protect tribal cultural resources.

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. Public Resources Code section 21082.3(c) also contains provisions specific to confidentiality.

Prior to the release of the CEQA document for a Project, AB 52 requires the lead agency to initiate consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed Project if: (1) the California Native American tribe requested the lead agency, in writing, to be informed by the lead agency

through formal notification of proposed Project in the geographic area that is traditionally and through formal

notification of proposed Projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

Tribal consultation request letters were sent by the County of San Bernardino as the lead agency to the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN), Morongo Band of Mission Indians (Morongo), Soboba, Fort Mojave Indian Tribe (FMIT), and Twenty-Nine Palms Band of Mission Indians. Only one response letter was received from YSMN. The Letter from YSMN expressed potential concerns regarding the potential for inadvertent discovery of human remains and other archaeological/tribal cultural resources that could be discovered on-site. Therefore, YSMN proposed that the following mitigation measures (CUL-1 thru CUL-3) shall be included and adhered to as described within *Section V. "Cultural Resources"* of the ISMND. In addition, the following mitigation measures shall be implemented as described below.

- i) **Less than Significant Impact with Mitigation Incorporated.** On May 4, 2023, BioCultural LLC conducted an in-person record search of the CHRIS records located at the South-Central Coastal Information Center (SCCIC). The search included any previously recorded cultural resources and investigations within the property and surrounding 0.25-mile (0.402-km) area. The record search results collected were reviewed, as well as other property-specific historical and ethnographic context research, to identify information relevant to the property before conducting an intensive pedestrian survey of the property. The Native American Heritage Commission (NAHC) was contacted to request a review of their Sacred Land File (SLF). A response from the NAHC was received on June 5, 2023. No previously recorded cultural resources were identified during the CHRIS records search within the property and one previously recorded cultural resource was identified within the 0.25-mile radius of the property. The NAHC's SLF search did not identify any site-specific information with respect to tribal lands or sites for the property. However, the presence of deeply buried archaeological material below the disturbed sediments cannot be ruled out.

The County of San Bernardino as the lead agency has also requested a record search of one mile by SCCIC.

An intensive pedestrian survey of all 73.61-acres of the Study Area was conducted on May 22 and 23, 2023 by BioCultural LLC archeologist Gregorio Pacheco. The survey was conducted using east to west transects of 15-meter intervals.

No vehicles were used other than on paved, dirt, or gravel roads. The intensive pedestrian survey resulted in the identification of one large historical refuse deposit site (Corral 01) within the property. The newly identified cultural resource site was recorded on Department of Parks and Recreation (DPR) 523 forms. No artifacts were collected during the intensive pedestrian survey.

Archaeological monitoring has been recommended as part of the *Cultural Resource Assessment* and comments provided by the San Manuel Tribe and have been included as the mitigation measures for archaeological resources in the initial construction-related ground disturbances activities. If any evidence of cultural

resources is discovered, all work within the vicinity of the find shall stop until a qualified archaeological consultant can assess the find and make recommendations. Excavation of cultural resources shall not be attempted by Project personnel. The Project applicant shall consult with the Native American Heritage Commission (NAHC) to identify if any additional traditional cultural properties or other sacred sites are known to be in the area. The NAHC shall also refer the Project proponent to local tribes with knowledge of potential sensitivity. Archaeological/tribal monitoring was also requested by the San Manuel tribe.

- ii) **Less than Significant Impact with Mitigation Incorporated.** The Project proponent shall consider the significance of any possible resource to a California Native American tribe. With implementation of TCR-1 to TCR-4 mitigation and monitoring requested by Yuhaavutam of San Manuel Nation tribe⁵ with ancestral interest in the property, the impact would be reduced to a less than significant level.

Mitigation Measures

TCR-1: Treatment of Tribal Cultural Resources

If a pre-contact cultural resource is discovered during Project implementation, ground-disturbing activities shall be suspended for a distance of 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.

The Project Archaeologist shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from YSMN, Cultural Resources Department, the Archaeologist, and the County shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during Project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the Project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts.

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with YSMN to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

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

TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects

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

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

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

TCR-3:

A sufficient number of archaeological monitors shall be present each workday to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan (MTP) that is reflective of the Project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the County and the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN). Any and all findings would be subject to the protocol detailed within the MTP, as well as the protocol outlined in TCR-1. The MTP shall also state the frequency by which the archaeological monitor would submit monitoring logs to the County and YSMN. Once all parties review and approve the MTP, it shall be adopted by the County, which shall occur prior to issuance of any permits for the Project. At the conclusion of monitoring for the Project,

a draft monitoring report would be submitted to the County and YSMN for review, and the final monitoring report would be submitted to all parties for their records.

TCR-4:

Monitoring of earthmoving activities by a qualified archaeologist and/or tribal monitor (including initial grubbing and vegetation removal) is recommended to mitigate potential impacts to undiscovered human remains.

CUL-1: Monitoring and Treatment Plan

Prior to construction of the proposed Project, a qualified archaeological monitor with relevant San Bernardino County experience and who will work directly under the direction of a Secretary of the Interior's (SOI) professional archaeologist, should be retained by the Project proponent. If the resources cannot be avoided and if the lead agency requires, an Archaeological Management Plan will be prepared to establish procedures for monitoring

CUL-2: Archaeological Monitoring

The Project archaeologist may, at their discretion, terminate monitoring if (and only if) no subsurface cultural resources have been detected. If buried cultural resource artifacts are uncovered during ground disturbance activities the archaeological monitor will have the authority to re-direct grading activities to other location within the Project to examine the resources and possibly conduct subsurface testing (Phase II), as indicated in the Archaeological Management Plan. A research design associated with such work must be written before any subsurface fieldwork begins. The Plan shall include a description of how and where artifacts will be curated. If the site is determined to be significant through the testing process, continued impacts to the site would be considered significant and possibly unavoidable impacts. Impacts to the significance resource must take place either through avoidance or a Phase 3 excavation. Should any prehistoric or tribal cultural resources be identified within the Project Area, Native American consulting parties shall be contacted regarding the disposition and treatment of the resource(s).

CUL-3: In the event unanticipated human remains, work in the immediate vicinity of the find shall stop and no further disturbance shall occur until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to CEQA, Section 15064.5(e), State of California Health and Safety Code Section 7050.5 and PRC Section 5097.98. The County Coroner shall be notified of the find immediately. If the Coroner determines that the human remains are of Native American in origin, then the Coroner shall notify the NAHC, who is responsible for identifying and notifying the Native American most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and make recommendations regarding the treatment and disposition of human remains and items associated with Native American burials. If an agreement regarding disposition of human remains between the MLD and the Landowner or a MLD cannot be identified the landowner shall comply with the disposition and documentation required as defined by PCR 5097.98 Section (e).

Therefore, no significant adverse impacts are identified or anticipated with the implementation of Mitigation Measures TCR-1 to TCR-4 & CUL-1 to CUL-3.

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

SUBSTANTIATION: County of San Bernardino General Plan 2020; Submitted Project Materials

- a) **No Impact.** As an unmanned solar facility, the proposed Project does not propose nor require the use of wastewater treatment, natural gas, or telecommunications facilities. Storm water discharge from the property will not be significant based upon the preliminary drainage analysis, any required best management practices for water retention, and the lack of impermeable ground coverage. As an electrical generation facility, it would aid in reducing the demand for the current electrical facility.

The proposed project will interconnect to an existing Southern California Edison (SCE) electrical circuit running parallel to National Trails Highway. SCE will construct a service extension of approximately 200' including approximately three poles which will support SCE's necessary metering and system protection equipment.

Therefore, no impacts would occur.

- b-c) **No Impact.** The proposed Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The proposed Project is an unmanned solar facility with no water or wastewater facilities proposed. The Project would utilize water for dust control during construction as well as for washing the

panels, which will not be drawn from the Project site. However, the limited amount of water to be used would have little to no impact on the water basin. Therefore, no impacts would occur.

- d) **No Impact.** The proposed Project is unmanned thus creating minimal solid waste. Any solid waste from construction or maintenance crews will be removed to be properly disposed of off-site consistent with County requirements¹⁰ at the Barstow Landfill which has a remaining capacity of approximately 71 million metric tons, as noted on the CalRecycle Web Site⁴ accessed February 2, 2024. Therefore, no impacts would occur.
- e) **Less than Significant Impact.** The Project developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176. A Construction Waste Management Plan would be prepared in two parts to demonstrate adequate handling of waste materials, disposal, reuse, or recycling, as required by the County Department of Public Works Solid Waste Management Department. Therefore, impacts would be less than significant.

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

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

SUBSTANTIATION: County of San Bernardino General Plan 2020, Hazards Policy Map HZ-5 Fire Hazard Severity Zones; Submitted Project Materials

- a) **No Impact.** The proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. The Project does not block any road access or major roadways. During operation, only 6-8 employees are expected to be on site approximately 5 times a year. In the case of an evacuation, roadways would not be disturbed or impacted due to the limited number and periodic need for solar facility employees. An access road with an ingress/egress driveway that meets County requirements would be provided as part of the development of the site. Therefore, no impacts would occur.
- b) **Less than Significant Impact.** The proposed Project is within an area designated as having a Moderate Fire Hazard, on the Countywide Plan Policy Map HZ-5 *Fire Hazard Severity Zones*. The subject parcel is within a sparsely populated area of the desert surrounded by vacant land. Construction of the solar site and panels includes leveling, driving structural poles into the ground and connecting transformers to the system. These activities would not exacerbate the potential of wildfire. Implementation of the proposed Project would not cause a significant impact due to the lack of any significant slopes, site vegetation, and other factors, that would exacerbate wildfire risks, thereby exposing periodic Project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. Therefore, less than significant impacts would occur.

- c) **Less than Significant Impact.** The proposed Project would not require the installation or maintenance of associated infrastructure (fuel breaks, emergency water resources or other utilities) due to the minimal use of combustible components and other factors previously mentioned. However, roadway easements, an ingress/egress driveway, a cul-de-sac and access roads will be provided and improved where applicable. The Project is not expected to exacerbate fire risks that result as part of temporary construction or ongoing operations. Therefore, less than significant impacts would occur.
- d) **No Impact.** The proposed drainage plan has studied the drainage on site and found that the development of this project would not notably change the existing site conditions. The subject property is relatively flat with no significant slopes. Furthermore, the Project site is surrounded by vacant land to the north which is the direction of water flow. Thus, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes. Therefore, no impacts would occur.

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒
a) Less than Significant Impact with Mitigation. The proposed Project does not have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.				

A Biological Assessment was completed for the subject property and did not identify any significant biological resources. Existing creosote rings on the property are in a degraded condition and no suitable habitat was identified for any potential species. No tortoises or tortoise scat was identified. A drainage course traverses the applicant's property ownership area but is off-site from the proposed development area. Impacts to biological resources can be avoided with the implementation of mitigation measures recommended in the Biological Resources (**BIO-1 & BIO-2**).

There are identified historic cans and refuse that will be conserved in place or moved, if necessary, with clearance from the County and under the supervision of the archeological monitor. However, there are no prehistoric resources identified on this site based on field surveys conducted by Biocultural in July 2023. No archaeological or paleontological resources have been identified on the property. Impacts to Cultural or

Tribal Cultural Resources due to inadvertent discoveries during Project development would be reduced to a less than significant level with the implementation of mitigation measures recommended in the Cultural Resources (**CUL-1 to Cul-3**), and Tribal Cultural Resources (**TCR-1 to 4**).

- b) **No Impact.** The proposed Project does not have individually significant or notable impacts that would result in cumulatively significant impacts. Projects in the area to which this Project could potentially add cumulative impacts, have either been previously evaluated to adequately minimize potentially significant impacts? or would utilize existing infrastructure that is sufficient for all planned uses and would not cause significant environmental impacts.
- c) **Less Than Significant with Mitigation Incorporated.** The proposed Project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by this analysis or associated studies conducted for this Project or identified by review of other sources or by other agencies.

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community, or its inhabitants. At a minimum, the Project would be required to meet the proposed mitigation measures (**AQ-1**) and conditions of approval for the Project to be implemented. It is anticipated that all such conditions of approval would further ensure that no potential for adverse impacts would be introduced by construction and operational activities authorized by the Project approval.

All Mitigation Measures:

AQ-1: Dust Control

A Dust Control Plan shall be submitted and accepted by the County and Mojave Desert AQMD prior issuance of any construction related permits. The Plan shall include methods to stabilize and/or bind the soil as part of construction and operational activities, along with screening to reduce potential dust to the east consistent with Development Code Findings 84.29.035(22).

BIO-1: Change in Project Scope: If the project scope should change for any reason, Elevated Entitlements and the County of San Bernardino shall be notified to determine whether current environmental documentation is adequate.

BIO-2: Pre-Construction Meeting: The Project biologist shall conduct a pre-construction meeting one-week prior to construction notice.

BIO-3: Use of water onsite shall be controlled as to not allow pooling of water or creation of streams.

BIO-4: Pre-construction surveys must be conducted between fourteen (14) days and thirty (30) days prior to vegetation clearing, earthwork and ground disturbing activities.

BIO-5: Biological monitors shall be present during vegetation clearing, earthwork and ground disturbing activities.

BIO-6: Equipment operators shall check under motorized equipment & vehicles that have been parked over night or stationery for some length of time before moving the vehicle to determine the presence or absence of potential species.

BIO-7: If a desert tortoise is present within the construction area, all work and any activities that could harm the tortoise shall stop. The project manager shall notify a certified biologist to safely remove the desert tortoise prior to commencing construction.

BIO-8: To avoid construction impacts to desert tortoise not more than 45 days before construction a pre-construction clearance survey must be conducted. If species is present individuals will be allowed to leave on their own. In addition, in observation with USFW and CDFW the project proponent will install exclusionary fencing.

BIO-9: Immediately prior to installation of exclusionary fencing around the construction site a clearance survey shall be conducted by a certified biologist.

BIO-10: Exclusionary fence shall be regularly inspected for damage during each routine on-site visit by the project onsite manager.

BIO-11: A qualified biologist familiar with the species' behavior and life history shall conduct focused surveys for Mohave ground squirrel throughout the Project site. Focused Mohave ground squirrel surveys shall adhere to California Department of Fish and Wildlife Mohave Ground Squirrel Survey Guidelines (CDFW 2023). If Mohave ground squirrel is observed on site or captured during any of the trapping sessions, the Project proponent shall secure a CESA Incidental Take Permit (ITP) for Mohave ground squirrel before the issuance of City permits. The ITP shall specify avoidance, minimization, and mitigation conditions for temporary and/or permanent impacts to Mohave ground squirrel including habitat acquisition at a CDFW-approved location and mitigation ratio.

BIO-12: Nesting Bird Surveys and Exclusionary Measures: A certified biologist shall recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. If work is to occur during the bird nesting season (which is February 1st through September 1st), a certified biologist, shall be notified two weeks prior to the start of construction to determine if nesting birds are present so that preconstruction surveys may be conducted and exclusionary devices and methods may be discussed, per the following standard specification: 14-6.03 Bird Protection. No work shall commence until vegetation to be removed has been surveyed for nesting birds and cleared by a certified biologist. In the event that nesting birds are observed, the construction project manager shall pause work until a certified biologist has determined that fledglings have left the nest. If this is not possible, the construction project manager shall coordinate with a certified biologist to minimize the risk of violating the Migratory Bird Treaty Act (MBTA). A certified biologist shall require a buffer of 150 ft. for native songbirds and a buffer of 500 ft. for raptors during all phases of construction. Native nesting birds are protected under the MBTA and cannot be impacted by construction activities, including but not limited to noise, dust pollution, and habitat disturbance.

BIO-13: This project shall employ all appropriate Stormwater and Erosion Control Best Management Practices (BMPs) during construction, and these must be incorporated into the project specifications. Prior to the start of construction, all drain inlets must be protected with BMPs to prevent construction materials and debris from entering drainages.

BIO-14: High-Visibility Fencing (Type ESA): High-visibility fencing (Type ESA) shall be placed around environmentally sensitive areas under the supervision of the certified biologist.

BIO-15: Construction Staging Areas and Access Roads: Temporary construction staging areas and access roads shall be used to avoid and/or minimize impacts to vegetation outside the construction areas

BIO-16: Control of Invasive Plant Species: The construction contractor shall inspect and clean construction equipment at the beginning of each day prior to transporting equipment to the construction site. During construction, soil and vegetation disturbance will be minimized to the greatest extent feasible. During construction, the contractor shall ensure that all active portions of the construction site are watered a minimum of twice daily or more often when needed due to dry or windy conditions to prevent excessive amounts of dust. During construction, the contractor shall ensure that all material stockpiled is sufficiently watered or covered to prevent excessive amounts of dust. During construction, soil/gravel/rock will be obtained from weed-free sources. Only certified weed-free straw, mulch, and/or fiber rolls will be used for erosion control. The use of herbicides shall be prohibited within and adjacent to native vegetation, except as specifically authorized and monitored by the County Biologist and Landscape Architect.

BIO-17: Pollution and Litter: All pollution and litter laws and regulations shall be followed by all personnel on site.

CUL-1: Monitoring and Treatment Plan

Prior to construction of the proposed Project, a qualified archaeological monitor with relevant San Bernardino County experience and who will work directly under the direction of a Secretary of the Interior's (SOI) professional archaeologist, should be retained by the Project proponent. If the resources cannot be avoided and if the lead agency requires, an Archaeological Management Plan will be prepared to establish procedures for monitoring

CUL-2: Archaeological Monitoring

The Project archaeologist may, at their discretion, terminate monitoring if (and only if) no subsurface cultural resources have been detected. If buried cultural resource artifacts are uncovered during ground disturbance activities the archaeological monitor will have the authority to re-direct grading activities to other location within the Project to examine the resources and possibly conduct subsurface testing (Phase II), as indicated in the Archaeological Management Plan. A research design associated with such work must be written before any subsurface fieldwork begins. The Plan shall include a description of how and where artifacts will be curated. If the site is determined to be significant through the testing process, continued impacts to the site would be considered significant and possibly unavoidable impacts. Impacts to the significance resource must take place either through avoidance or a Phase 3 excavation. Should any prehistoric or tribal cultural resources be identified within the Project Area, Native American consulting parties shall be contacted regarding the disposition and treatment of the resource(s).

CUL-3: In the event unanticipated human remains, work in the immediate vicinity of the find shall stop and no further disturbance shall occur until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to CEQA, Section 15064.5(e), State of California Health and Safety Code Section 7050.5 and PRC Section 5097.98. The County Coroner shall be notified of the find immediately. If the Coroner determines that the human remains are of Native American in origin, then the Coroner shall notify the NAHC, who is responsible for identifying and notifying the Native American most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and make recommendations regarding the treatment and disposition of human remains and items associated with Native American burials. If an agreement regarding disposition of human remains between the MLD and the Landowner or a MLD cannot be identified the landowner shall comply with the disposition and documentation required as defined by PCR 5097.98 Section (e).

TCR-1: Treatment of Tribal Cultural Resources

If a pre-contact cultural resource is discovered during Project implementation, ground-disturbing activities shall be suspended for a distance of 60 feet around the resource(s), and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed.

The Project Archaeologist shall develop a research design that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from YSMN, Cultural Resources Department, the Archaeologist, and the County shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource.

It is the preference of YSMN that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during Project implementation not be feasible, then a reburial location for future reburial shall be decided upon by YSMN, the landowner, and the Lead Agency, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the Project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to Lead Agency, CHRIS, and YSMN. All reburials are subject to a reburial agreement that shall be developed between the landowner and YSMN outlining the determined reburial process/location and shall include measures and provisions to protect the reburial area from any future impacts.

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with

YSMN to identify an American Association of Museums (AAM)-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriately qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project developer/applicant to pay for those fees.

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

TCR-2: Inadvertent Discoveries of Human Remains/Funerary Objects

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

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

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

TCR-3: A sufficient number of archaeological monitors shall be present each workday to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring

coverage. A Monitoring and Treatment Plan (MTP) that is reflective of the Project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the County and the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN). Any and all findings would be subject to the protocol detailed within the MTP, as well as the protocol outlined in TCR-1. The MTP shall also state the frequency by which the archaeological monitor would submit monitoring logs to the County and YSMN. Once all parties review and approve the MTP, it shall be adopted by the County, which shall occur prior to permitting for the Project. At the conclusion of monitoring for the Project, a draft monitoring report would be submitted to the County and YSMN for review, and the final monitoring report would be submitted to all parties for their records.

TCR-4: Monitoring of earthmoving activities by a qualified archaeologist and/or tribal monitor (including initial grubbing and vegetation removal) is recommended to mitigate potential impacts to undiscovered human remains.

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5. CEQA Correspondence with Yuhaaviatam of San Manuel Nation
6. CGS Seismic Hazards Program: Liquefaction Zones
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