

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

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

PROJECT LABEL:

APNs:	0496-011-75 & 0496-011-76	USGS Quad:	Hinkley; 34.9848N; -117.245W
Applicant:	MATCON Corporation	T, R, Section:	T10N, R4W, Sec. 1
Location	4 miles northwest of Hinkley	Thomas Bros	Map F; San Bernardino and Riverside Counties (2013)
Project No:	PROJ-2024-00173; Revision to 90M-010	Community	None
Rep	Joseph Mathewson	LUC: Zone:	Resource Land Management Resource Conservation
Proposal:	Reclamation Plan Revision (Revised Plan) to allow the expansion of the current quarry from 48.2 acres to 161.7 acres of actual quarry (an increase of 113.5 acres), expand the crushing, screening, processing and product stockpile areas onto the adjoining 80 acres to the west, and extend the operation life of the mine for additional 50 years until December 31, 2074.	Overlays:	Mineral Resources

PROJECT CONTACT INFORMATION:

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

Contact person: Derek Newland, Planner
Phone No: 909-387-4110 **Fax No:** (909) 387-3223
E-mail: Derek.newland@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

The Lynx Cat Mountain Quarry is an existing vested mine under the authority of Mining and Reclamation Plan #90M-010, as approved by San Bernardino County on June 28, 1990, and subsequently revised in 2015 and 2017. The quarry is located approximately 4 to 5 miles north of State Route 58 (SR-58) and four miles northwest of the community of Hinkley, California (see Figure 1 – Regional Location and Figure 2 – Project Vicinity). The mine consists of 48.2 acres and is designated by the State of California as CA Mine ID# 90-36-0049. The current land and mine owner is Matcon Corporation. The current status of the Conditional Use Permit (CUP) and Reclamation Plan #90M-010 is "active" and "operational" with a financial assurance bond of \$52,000. The 2017 revision extended operations until March 28, 2027, with another five years of reclamation until March 28, 2032.

The purpose of the proposed 2024 Reclamation Plan Revision (Revised Plan) is to revise the approved Mining CUP and Mine and Reclamation Plan 90M-010 to include the following:

- To expand the current quarry from 48.2 acres to 161.7 acres of actual quarry to the north 33.5 acres and to the west by approximately 80 acres (an increase of 113.5 acres)
- To expand the crushing, screening, processing, and product stockpile areas onto the adjoining 80 acres of contiguous adjacent vacant property privately owned by Lynx Cat Mountain Development on the west side of the expanded quarry;
- To increase the quarry depth from 250 to 500 feet below the ground surface (bgs) with an average pit floor depth of +/- 485 feet bgs; and
- To extend the operation life of the mine for additional **50 years** until December 31, 2074.

Refer to Appendix A, CUP and Minor Revision to Mining and Reclamation Plan #90M-010

Summary of Mining Operations

The Revised Plan would require a Conditional Use Permit (CUP) for a phased quarry expansion to continue mining the current original 48.2 acre quarry (Phase 1), the additional 33.5 acres to the north (Phase 2), and the adjacent 80 acres to the west (Phase 3) to provide high volumes of high quality granite aggregate materials to support construction and development projects in the High Desert and Southern California (see Figure 3 – Expansion Areas and Figure 4 - Mine Plan sheet). The area of actual mine / quarry disturbance would total approximately 161.7 acres of mining; the adjacent 80 acres would be for additional crushing, screening, and production of crushed rock as well as product stockpiles and staging area. The existing access and haul road is part of the currently approved and contracted Bureau of Land Management (BLM) Right-of-Way (ROW). Currently, 48.2 acres are permitted for mining and processing. In total, 161.7 acres would be utilized for active mining and 80 acres utilized for processing and product stockpiles for a total of 241.7 acres.

The currently permitted mining depth is 250 feet bgs (average depth is approximately 150 feet bgs) with a quarry floor of approximately 2,030 feet mean seal level (msl). Due to the uniform, deep seated, and continuous nature of the granite strata, the quarry floor would be increased to a depth of up to 500 feet bgs with an average depth of 485 feet bgs and a quarry floor of approximately 1,630 to 1,670 feet msl.

Slopes would be developed similar to those currently approved in the hardest rock; 40-foot vertical heights with faces of 0.5 horizontal:1 vertical (0.5H:1V) or 63°. Horizontal benches 15 feet in width would be developed for every 40 feet of vertical and inclined towards the slope face at 2% to catch water. Thus, the overall excavated and reclaimed slopes would be 35 feet horizontal and 40 feet vertical for a slope of 0.875H:1V or 50° (see Figure 5 for cross sections and slope detail). Bench excavations would adhere to standard hillside mining techniques and would comply with Mine Safety and Health Administration (MSHA) requirements. In the remainder of the site, sloping of project areas would be graded to no steeper than 2H:1V.

All mining activity and excavations would occur within the newly revised mining boundary, as shown in Figure 4. The quarry design provides for a total reserve of approximately 140 million tons. Approved production is 3.0 million tons (MT) per year with a requested production of 4 MT

per year with occasional higher peak production needed to satisfy project demand and commercial development of the general Barstow and Hinkley area. A Temporary Use Permit (TUP) will be required if the annual production is expected to exceed 4 MT due to specific contract.

Quarry operations would continue with the contracted professional drilling and blasting of the granite rock strata creating a solid working face and benches. Not all areas of the quarry would need to be drilled and blasted as some areas west of the hard rock slopes may be excavated with loaders and excavator only. Following drilling and the carefully controlled blasting activity, the granite shot rock material would be loaded by excavators and/or loaders directly onto 65-ton rock haul trucks and transported to the primary jaw-type rock crushing equipment located within the quarry floor where it would be reduced to 6 inches. The crushed feed material from the primary crusher would then be conveyed through a series of conveyors to the adjacent processing area to the west where it would be further crushed and screened into the various aggregate products needed by customers.

The primary jaw crusher and feed hopper would be near the northwestern edge of the working quarry to allow direct feeding of raw material while the portable secondary crushing and screening requirements and the feed conveyors would be located on the adjacent 160-acre parcel as near as practical to the primary jaw crusher. The crushed, screened, and properly sized aggregate products would be placed in stockpiles by conveyors and radial stackers and held on-site until needed or orders are placed. Various conveyors would be used to minimize equipment movement and dust emissions. All portable processing plants and generators brought on-site would follow Mojave Desert Air Quality Management District (MDAQMD) rules and permits.

Upon receipt of customer orders, CAT 988 size loaders (typical) would load 25-ton, street-legal, haul trucks from the product stockpiles. Trucks would be weighed at the on-site scale-house to ensure that all loads are tracked and accounted for. Upon construction of the planned rail loop aggregate loading facility (under a separate CUP), ballast rock products would be loaded into 65-ton haul trucks and transported on a dedicated privately owned haul road to the rail loop facility and placed in stockpiles for loading into rail cars.

As a condition of approval, production shall be limited to the existing permitted amount of 3.0 MT per year until the rail loadout facility is permitted.

The mine may operate up to 24 hours per day and 7 days per week to maintain project schedules. Typical operation, however, is expected to be 6 days per week and 16 hours per day. Blasting would be restricted to daylight hours, Monday to Friday.

The typical plant and mine equipment listed in **Table 1** would be utilized for mining, hauling, crushing, screening, conveying, stacking, and road maintenance activities.

**Table 1
 Lynx Cat Mountain Quarry
 Equipment List (Typical)**

Number	Equipment Description	Hrs/day (total)	Load Factor	HP	Net HP	Equipment Uses
3-4	3- CAT 980 (loads trucks/ occasionally feeder)	16 (exist) 24 (prop)	0.36	393	141.5	2-3 load trucks at 8 hrs/day each; one loads feeder at plant. Loading of excavated material into trucks for transport to plants and/or rail loadout and loading of product into trucks.
	1-CAT 988 (loads feeder)	8 (exist) 10 (prop)		538	194	
2-3	Excavators CAT 349	16 (exist) 24 (prop) 8 hrs/day; daylight only	0.38	413	157	Mining and some direct loading into trucks.
3	CAT 773 Off-Road Trucks (65-ton capacity typ.)	8 (exist) 24 (prop)	0.39	727	283.5	Transportation of excavated material to the plants and/or the rail loadout staging area.
1	CAT D9T Dozer – as needed	6 (exist) 8 (prop)	0.43	452	194	Mining and stockpiling of material; construction and maintenance of roads and pit benches.
1	CAT 14H Motor grader	4 (exist) 6 (Prop)	0.41	238	98	Construction and maintenance of roads.
1	CAT 730 6000-gal. Water Pull or Truck-	6 (exist) 8 (prop)	0.38	370	141	Water spray haul roads, active mine areas, stockpiles, and general dust control.
1	Service Truck	---	---	---	---	Servicing and fueling onsite equipment.
Varies per contract	25-ton street legal trucks	---	---	---	---	Transportation of material off-site to project sites.
1	Processing plant (portable):	---	---	---	---	Crushing/ screening/ washing plant for material as needed per contract specifications.
1-2	1000 kW Generator sets	8 (exist) 12 (prop)	0.74	535	396	Supplies power for plant facilities.
1	25kW gen set	24	0.74	15	11	Trailer and well
1-2	Atlas T-45 Drill rig	8 (exist) 12 (prop)	0.50	325	162.5	Drill holes for placement of explosives.

Source: Lynx Cat Mountain Quarry Operations, LLC, 2024.

Reclamation

The goal of reclamation for the Lynx Cat Mountain Quarry is to return the site to privately-owned vacant open space consistent with the County's Resource Conservation zoning. Preparation of the Lynx Cat Mountain Quarry and expanded acreage for reclamation would commence once the quarry, stockpile and storage areas are no longer viable, economical, or needed. Complete reclamation of the Lynx Cat Quarry site would include:

- Complete removal of all crushing, processing, miscellaneous equipment, scale/scale house, and refuse;
- Final grading of entire area for slope stability, safety, and erosion control;
- Mitigation of any potential safety hazards;
- Ripping compacted surface area and spreading of the salvaged topsoil and growth media across the bare and disturbed areas of the footprint; and,
- Revegetation seeding with indigenous species to meet success criteria

The development of the timing for reclamation is linked to operational requirements, product demand, and phased delivery schedule of customer projects. Reclamation operations would likely experience unscheduled development, or implementation changes due to market / economic demands and opportunities within the quarry that can be more easily be reclaimed as operations progress over time. The County would be updated in the annual mine report on the status of both operational and reclamation timing.

Because of the phased nature of quarry operations, aggregate markets, customer demand, and the fluctuating delivery schedule of materials, reclamation can only occur when the quarry is no longer commercially viable and needed.

Final reclamation of the entire quarry and disturbed areas would commence immediately after the need for the expanded area or areas is complete. Final reclamation would occur within five years of the termination of quarry mining activities followed by revegetation monitoring and remediation until the revegetation is deemed successful.

Any gravel or road base material on temporary roads to be closed would be removed where applicable. In those project areas where soil compaction has occurred, such as haul roads, processing areas, and stockpiles, ripping those areas to a depth of 1-foot below grade would ensure decompaction to the depth of undisturbed natural soils.

Surrounding Land Uses and Setting

Parcels surrounding and adjacent to the Project Site are vacant and undeveloped property in mostly public ownership under the jurisdiction of the BLM. The area to the west of the proposed expansion area is within lands owned by Lynx Cat Mountain Development Inc. Parcels to the east and south are owned and managed by the BLM as Open Space and indicate significant usage by public recreational off-road activities. The land use designations, zoning, and existing land uses for the Project Site and adjacent properties are shown below.

Existing Land Use and Land Use Category			
Location	Existing Land Use	Land Use Category	Zoning
Project Site (241.7)	Vacant; partially disturbed by mining	Resource/Land Management	Resource Conservation
North	Vacant desert	Resource/Land Management	Resource Conservation
South	Vacant desert; BLM land	Resource/Land Management	Resource Conservation
East	Vacant desert; BLM land	Resource/Land Management	Resource Conservation
West	Vacant desert; BLM land	Resource/Land Management	Resource Conservation

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

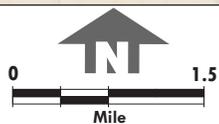
Federal: Bureau of Land Management (previous approval of ROW); Incidental Take Permits with the U.S. Fish and Wildlife Service as applicable

State of California: Air quality permits for on-site processing from Mojave Desert Air Quality Management District (annual renewals), Incidental Take Permits with California Department of Fish and Wildlife (CDFW) as applicable.

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

Regional: None known

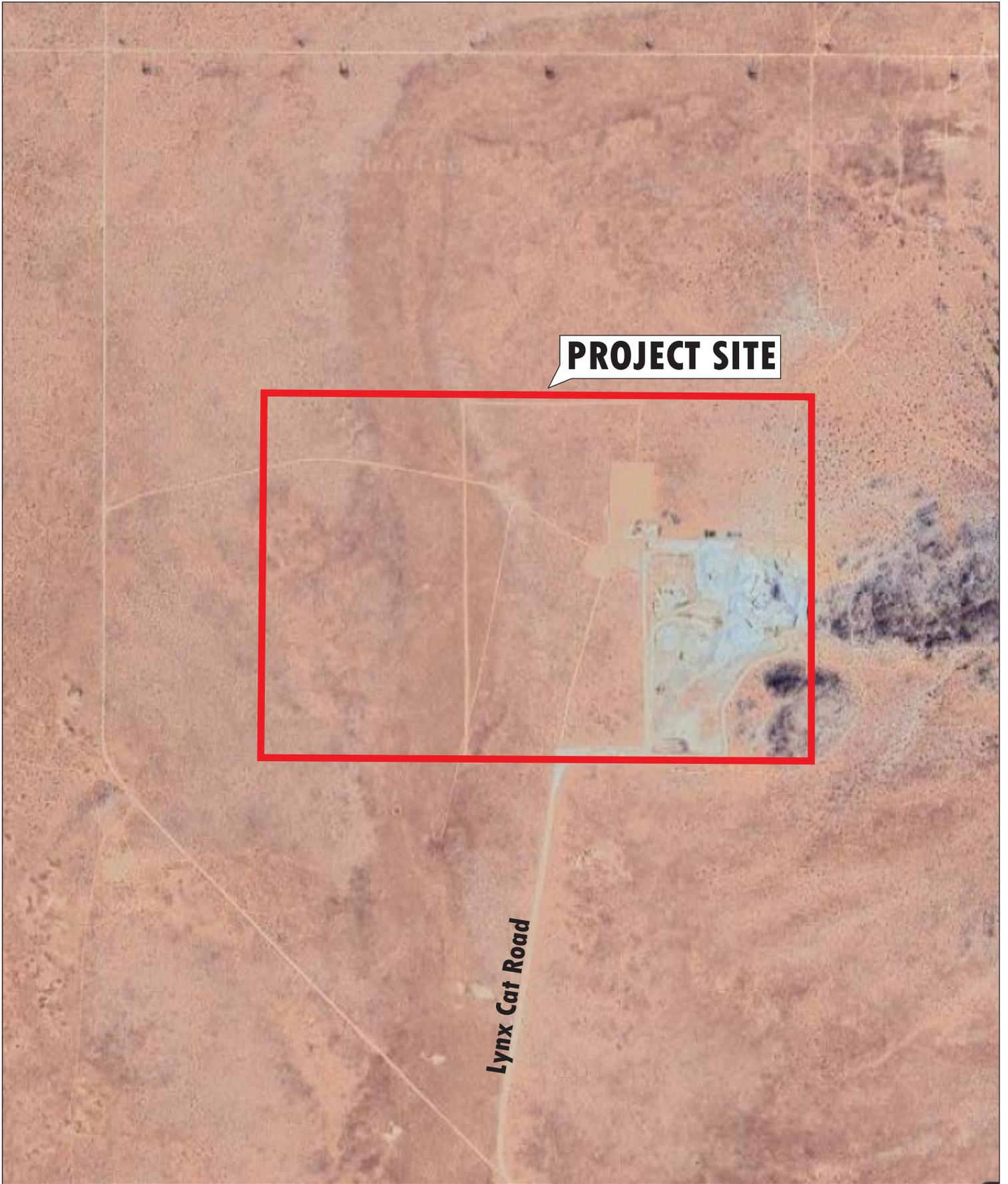
Local: None known



LILBURN
CORPORATION

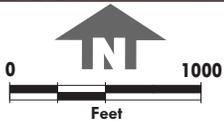
REGIONAL LOCATION
Lynx Cat Mountain Quarry Expansion
San Bernardino County, California

FIGURE 1



PROJECT SITE

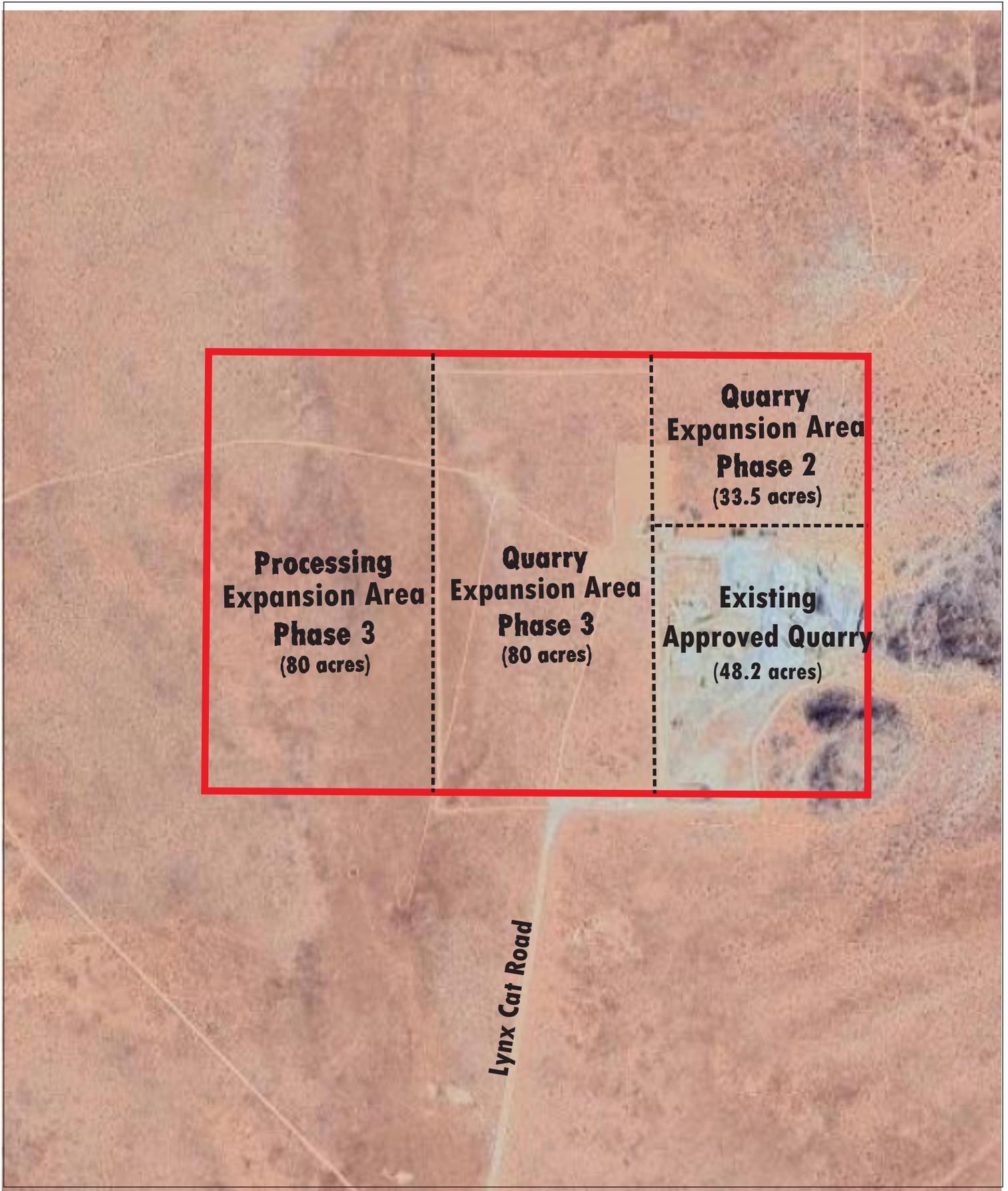
Lynx Cat Road



LILBURN
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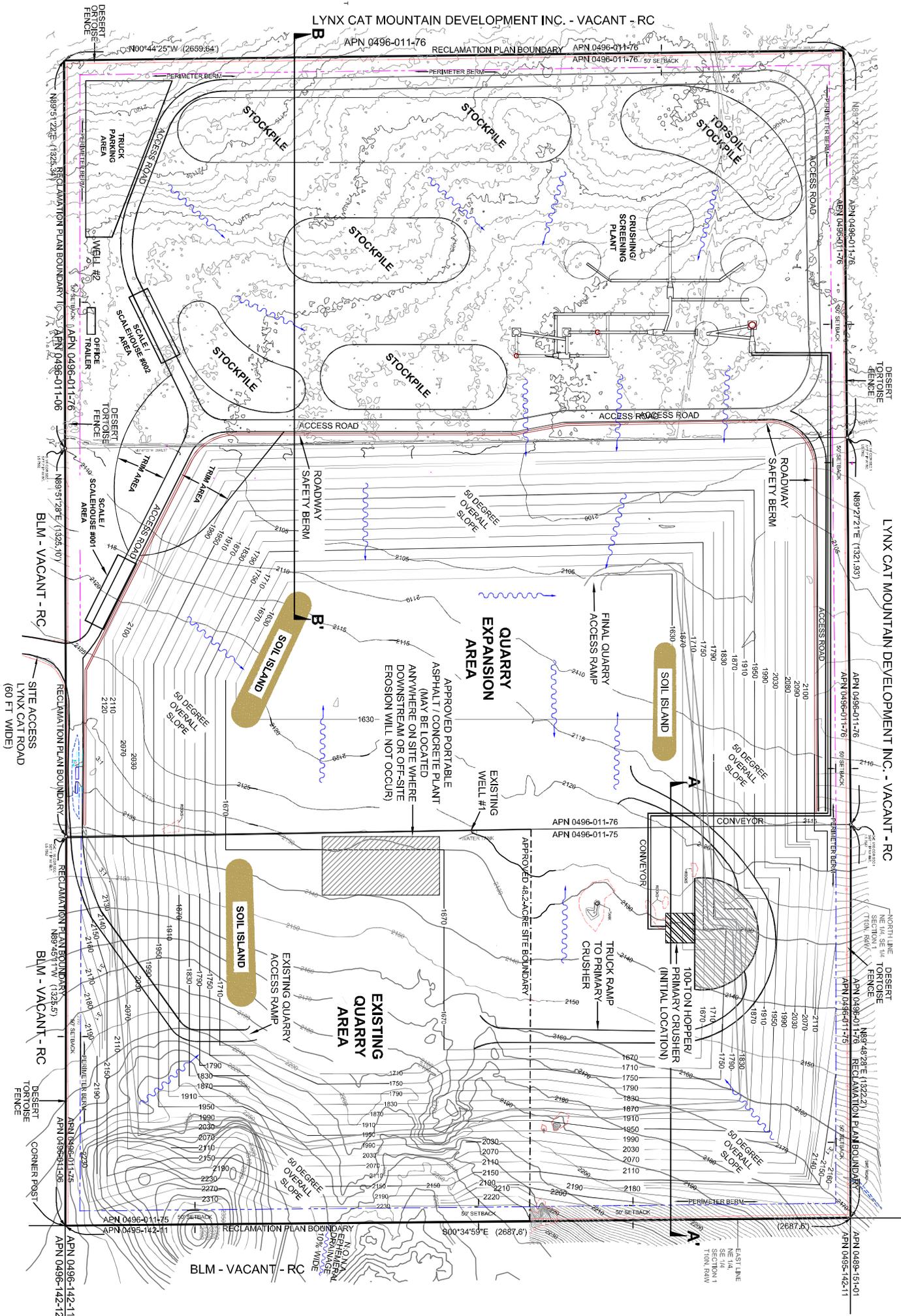
PROJECT VICINITY
Lynx Cat Mountain Quarry Expansion
San Bernardino County, California

FIGURE 2



EXPANSION AREAS

Lynx Cat Mountain Quarry Expansion
San Bernardino County, California



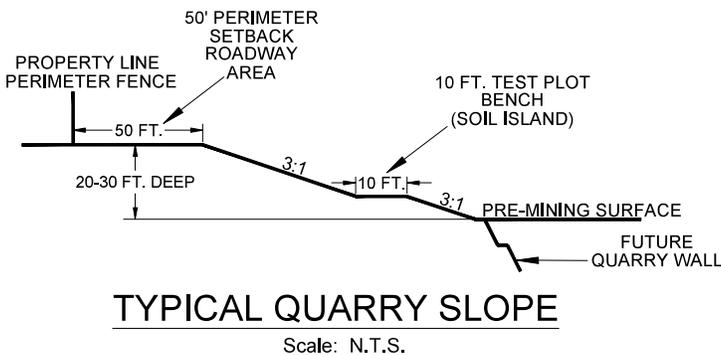
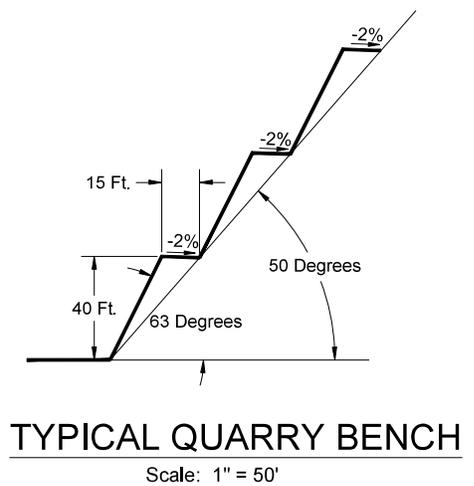
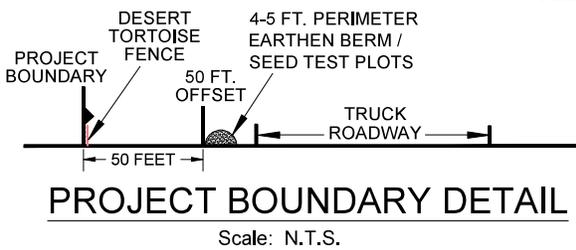
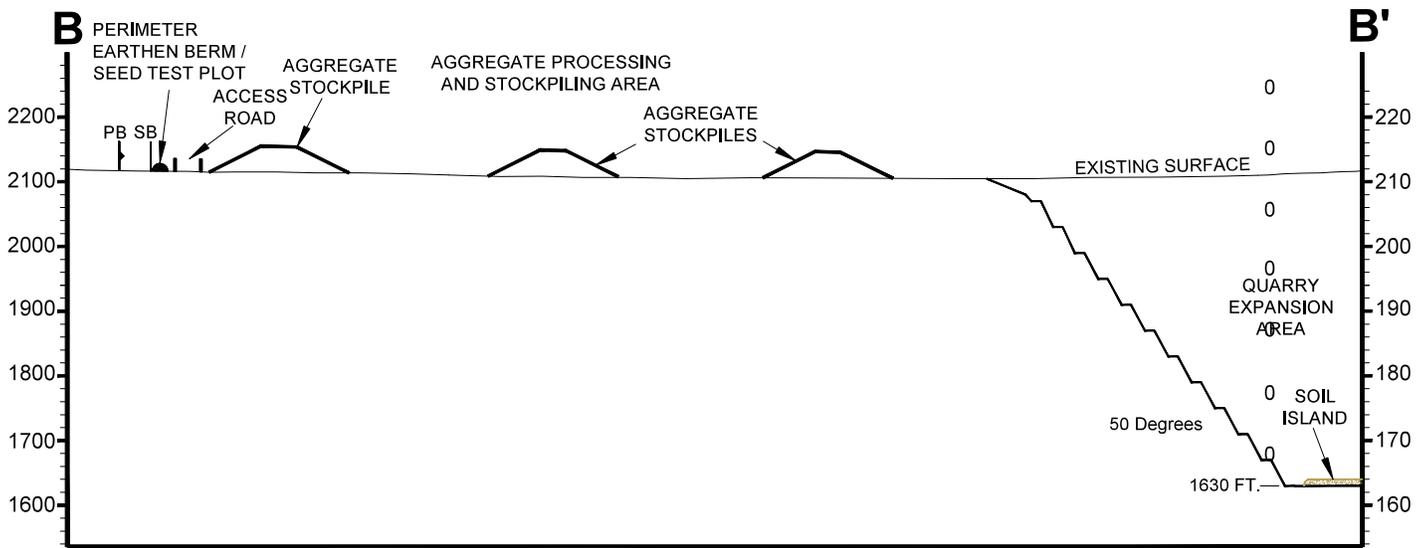
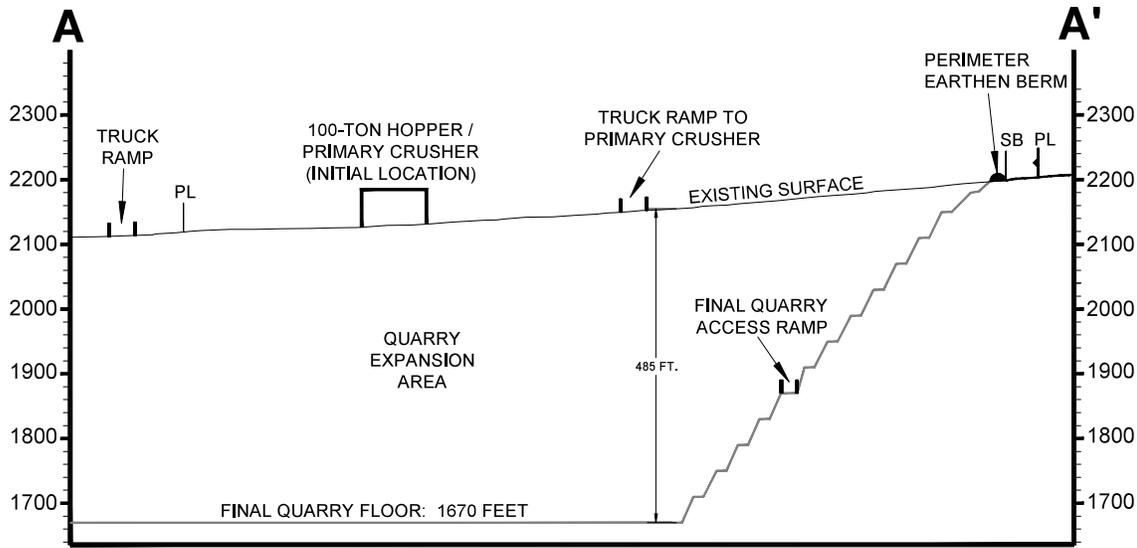
LYNX CAT MOUNTAIN DEVELOPMENT INC. - VACANT - RC

MINE PLAN

Lynx Cat Mountain Quarry Expansion

San Bernardino County, California

FIGURE 4



CROSS SECTIONS

Lynx Cat Mountain Quarry Expansion
San Bernardino County, California

FIGURE 5

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

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

On December 5, 2024, San Bernardino County mailed notification pursuant to AB52 to the following tribes: Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribe, Fort Mojave Indian Tribe, San Gabriel Band of Mission Indians, Gabrieleno Band of Mission Indians – Kizh Nation, Soboba Band of Luiseno Indians, Yuhaaviatam of San Manuel Nation (YSMN), and Morongo Band of Mission Indians. Responses and requests are listed in the table below.

AB 52 Consultation

Tribe	Comment Letter Received	Summary of Response	Conclusion
Twenty-Nine Palms Band of Mission Indians	December 5, 2024	No response received.	No request for consultation.
Colorado River Indian Tribe	December 5, 2024	No response received.	No request for consultation.
Fort Mojave Indian Tribe	December 5, 2024	No response received.	No request for consultation.
San Gabriel Band of Mission Indians	December 5, 2024	No response received.	No request for consultation.
Gabrieleno Band of Mission Indians – Kizh Nation	December 5, 2024	No response received.	No request for consultation.
Soboba Band of Luiseno Indians	December 5, 2024	No response received.	No request for consultation.
Yuhaaviatam of San Manuel Nation (YSMN)	December 5, 2024	Interested in project area	Requested Mitigation Measures added to IS/MND & Conditions
Morongo Band of Mission Indians	No	No response received.	No request for consultation.

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

EVALUATION FORMAT

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

 Signature: Dan Walsh, Chief Engineering Geologist

Date _____

 Signature: Aron Liang, Planning Manager

Date _____

 Signature: Derek Newland, Planner

Date _____

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

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

San Bernardino Countywide Policy Plan, approved October 27, 2020, adopted November 27, 2020; San Bernardino Countywide Policy Plan Draft EIR; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

The Project Site is within the North Desert Region of San Bernardino County. The region provides numerous scenic vistas. No residences, commercial development or recreation areas have visibility to the site. The nearest publicly dedicated road is Santa Fe Avenue approximately 2 miles to the southwest, which is the primary potential viewpoint by the greatest number of individuals in the immediate vicinity. Santa Fe Avenue is a dirt road that is lightly traveled, so only a small number of individuals would typically have the potential to view the mine site. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Lynx Cat Mountain Quarry is located approximately 4 to 5 miles north of State Route 58 (SR-58), four miles northwest of the community of Hinkley, California. SR-58 is a County Scenic Route and Eligible State Scenic Highway.¹ The Project Site is not viewable from SR-58. Furthermore, there are no known scenic resources on the Project Site that would be impacted by mining operations. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is located in a non-urbanized area. Visibility of the Lynx Cat Mountain Quarry is limited to the immediate vicinity west of the site. The existing quarry is on the western portion of a group of small hills, limiting any visibility of the site from the east. The expanded quarry footprint would continue to be positioned to reduce visibility of ongoing operations. The nearest publicly dedicated road is Santa Fe Avenue approximately 2 miles to the southwest, which is the primary potential viewpoint by the greatest number of individuals in the immediate vicinity. Santa Fe Avenue is a dirt road that is lightly traveled, so only a small number of individuals would typically have the potential to view the mine site. There are no residences, commercial developments or developed recreation areas in the vicinity of the Project Site.

The Lynx Cat Mountain Quarry Revision would increase the overall size of mining operations but would remain confined to the western hillside of one of the many small hills in the region. The rock quarry granite deposit would be quickly mined below the existing surface elevation, which would minimize exposure of quarry activities visually. Secondly, the 3 to 4-foot-high perimeter earthen berms along the border of the quarry would also help to obscure the visibility of the quarry during its operational life. As each new level is mined, the westernmost portion of that level would be last to be removed, keeping most activities relatively hidden from view. All other project activities such as crushing, screening, loading, maintenance of equipment, etc. would be minimally noticeable visibly to only the few travelers of Santa Fe Avenue. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

¹ San Bernardino County. Policy Plan web maps. NR-3 "Scenic Routes and Highways." Accessed August 2, 2024.

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

The mine may operate up to 24 hours per day and 7 days per week to maintain project schedules. Typical operation, however, is expected to be 6 days per week and 16 hours per day. Blasting would be restricted to daylight hours, Monday to Friday. In the event lighting is needed, the operator shall comply with the requirements outlined in the San Bernardino County Development Code, Section 83.07.040(a) Glare and Outdoor Lighting – Mountain and Desert Regions, permitted lighting for new construction, unless exempt. The purpose is to preclude light pollution or light trespass on an abutting residential land use zoning district, a residential parcel, or public right-of-way. Proposed light sources are anticipated to be local in nature and would not impact the region’s overall light environment. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

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

SUBSTANTIATION: (Check if project is located in the Important Farmlands Overlay):
Countywide Policy Plan; San Bernardino Countywide Policy Plan web maps

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

No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity.² The nearest farmland to the Project Site occurs approximately 4.2 miles southeast of the property.³ The Proposed Project would not convert farmland to non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is not under or adjacent to any lands under a Williamson Contract.⁴ It has a current zoning of Resource Conservation. The Proposed Project would be consistent with the Countywide Policy Plan and would not conflict with existing zoning for agricultural uses or a Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

² San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed August 26, 2024.

³ San Bernardino County. Policy Plan web maps. NR-5 "Agricultural Resources." Accessed August 26, 2024.

⁴ San Bernardino County Assessor. "Parcels Under Open Space Contract Report." Accessed August 26, 2024.

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

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

No Impact

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

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

No Impact

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

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

No Impact

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

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

applicable federal or state ambient air quality standard?

- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?

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

San Bernardino Countywide Policy Plan; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan; Lilburn Corporation, Air Quality Assessment for Lynx Cat Mountain Quarry CUP and Revision to the Mine and Reclamation Plan, November 2024

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

The total area of the proposed Revised Plan will be approximately 241.7 acres, an increase of about 193.5 acres from the approved 48.2 acres. The Revised Plan incorporates the existing 48.2 acres of permitted quarry with an additional 33.5 acres directly north and 160 acres to the west into the overall Mine and Reclamation Plan area and boundary. The proposed Revised Plan will expand rock and aggregate reserves up to approximately 140 MT and will include an additional 80 acres to crush, screen, process, and store the large volumes of ballast rock, rip rap, and construction aggregates needed the anticipated long-term demand for materials in the High Desert and Southern California over the next 50 years. The reclaimed end use of the site would be open space. The Countywide Policy Plan Land Use Category (LUC) designation is Resources Land Management (RLM) with a zoning of Resource Conservation – RC. Mining is an allowable use on BLM-managed lands with BLM approval of a Plan of Operations, and County approval of a reclamation plan.

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

No Impact

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

An Air Quality Assessment report was prepared for the Proposed Project by Lilburn Corporation in November 2024 (see Appendix B). Air quality analyses for the Proposed Project have been conducted in accordance with the CEQA and Federal Conformity

Guidelines (MDAQMD 2020) and the South Coast Air Quality Management District (SCAQMD) Air Quality Handbook with revisions through 2024.

The existing approved mining and processing operations provide rock and construction aggregate to markets in the upper Mojave Desert area. Three (3) million tons of material is permitted to be loaded by excavators and loaders either directly onto street legal 25-ton haul trucks for export to various construction projects (approximately 1.5 million tons per year (mtpy)) and/or transported to the on-site processing plants (approximately 1.5 mtpy).

The Proposed Project is being proposed to also provide ballast and rock for projects planned in the High Desert. In conjunction with these projects, a rail loop load-out project is being proposed approximately two miles to the south of the Lynx Cat Mountain Quarry. As discussed above, once the nearby rail loading facility is approved and constructed, off-road 65-ton haul trucks would transport the rock and aggregate material from the quarry to this new rail loop loading facility which would be connected to the main line of the BNSF Railway for rail shipment to the various projects across the southwestern U.S. This facility is part of a separate CUP under review by the County. As a condition of approval, production shall be limited to the existing permitted amount of 3.0 MT per year until the rail loadout facility is permitted.

Operational Assumptions for Air Quality Assessment

Same operational hours assumed:

Mining and processing; up to 300 days/year and 16 hours/day; shipping up to 24 hours/day, 7 days/week. All mining and shipping estimates below are based on 300 days/year and up to 16 hours/day.

Existing Mining and Shipping: 3.0 million tons per year (mtpy)

- 3 mtpy mined; 250,000 tons/month; 10,000 tons/day.
- Approximately 1.5 mtpy processed through plant and 1.5 mtpy shipped directly off-site.
- 25-ton street-legal haul trucks: 120,000 trucks/year; 400 trucks/day; 25 trucks/hour.
- On-site: 400 trucks x 0.5 miles round trip (RT) = 200 miles/day.
- Off-site: 400 trucks x 60 miles RT = 24,000 mi/day.

Proposed Mining and Shipping: 4.0 mtpy

- 4 mtpy mined; 333,335 tons/month; 13,335 tons/day.
- Approximately 2 mtpy processed through plant and trucked off-site by 25-ton haul trucks for a 60-mile one way trip estimate. 80,000 25-ton trucks/year; 267 trucks/day; 17 trucks/hour.
- On-site trucks: 267 trucks x 0.5 miles RT = 134 mi/day
- Off-site: 267 trucks x 60 miles RT = 16,020 mi/day
- **Decrease of 133 trucks/day and 8,000 miles/day.**

- **NEW:** Assume 2 mtpy to be trucked by 65-ton haul trucks directly to rail loop loadout (4.5 miles RT). 30,770 trucks/year; 103 trucks/day; 10 trucks/hour. 103 trucks/day x 4.5 miles RT = 464 mi/day.

For the existing project, onsite processing, mobile criteria, and dust emissions were screened using CALEEMOD App. G, Version 2022, 1.1.3, Table G-13, Off-Road Equipment Emissions Factors; the MDAQMD Emissions Inventory Guidance; SCAQMD "Air Quality Handbook"; Emission Factors for On-Road Heavy-Heavy Duty Diesel Trucks (EMFAC2021(v1.0.2) CARB website (October 2024); AP-42 Chapters 11.19 and 13.2.2; and SCAQMD Particulate Matter Emission Factors.

Operational emissions were analyzed with the following assumptions:

- All mobile equipment will meet Tier 4 Final diesel emission standards.
- Annual emissions were estimated based on 300 working days per calendar year.
- Mining equipment and the process plant would operate approximately as estimated in Table 1 subject to change on occasion due to construction demand.
- Off-road 65-ton capacity haul trucks will transport material to the rail loadout 16 hours/day - 103 trips per day.
- Existing on-road 25-ton haul truck trips average 400 trips per operating day for existing conditions; with material proposed to be trucked to the rail loadout, these truck trips decrease to approximately 267 trips/day with the proposed project.
- MDAQMD process plant dust control requirements and Rule 403.1 for fugitive dust control measures are included in the emissions' estimates.
- Air and dust control measures required by MDAQMD and County conditions of approval are incorporated.

The estimated change in air pollutant emissions compared to existing and the proposed projects and their significance as compared to the thresholds above are summarized in Table 2. As shown, the net increase in air emissions from the Proposed Project are less than the annual thresholds of significance. With implementation of the MDAQMD rules, California Air Resources Board's (CARB) Off-Road Diesel Vehicle regulations, and existing Conditions of Approval listed below, air quality impacts are expected to be less than significant.

Table 2
Lynx Cat Mountain Quarry
Estimated Air Pollutant Emissions and Significance (Existing vs. Proposed)
Tons/Year

Equipment / Plant	ROG		NO _x		CO		PM ₁₀		PM _{2.5}	
	Exist.	Prop.	Exist.	Prop.	Exist.	Prop.	Exist.	Prop.	Exist.	Prop.
Site Equipment & Off-Road Trucks Exhaust including trucks to rail loadout	0.33	0.54	1.46	2.35	14.59	23.50	0.12	0.17	0.11	0.16
Processing Plant	---	---	---	---	---	---	2.29	2.95	0.69	0.88
Trucks, Vendors & Employees' Vehicles on-site dust	---	---	---	---	---	---	0.01 ¹ 5.3 ²	0.01 ¹ 5.8 ²	0.01 ¹ 1.1 ²	0.01 ¹ 1.2 ²
Drilling & Blasting			10.2	13.6	40.2	53.6	2.67	3.56	0.55	0.73
Fugitive Dust (loading, unloading, & stockpiles)	---	---	---	---	---	---	0.24	0.22	0.050	0.045
On-Road trucks, Vendors, & Employees Exhaust (on and off-site)	0.22	0.22	13.24	9.07	1.58	1.70	0.29	0.21	0.26	0.19
Emissions Totals	0.55	0.76	24.9	25.0	56.4	78.8	10.92	12.92	2.77	3.22
Change in Emissions	+0.21		+0.1		+22.4		+2.0		+0.45	
MDAQMD CEQA Thresholds (Tons/year)	25		25		100		15		15	
Significant	No		No		No		No		No	

Scenario Year for Emissions: Existing Permitted (2024) & Proposed (2025 and thereafter) depending on demand.
 Emission Sources: EMFAC2021(v1.0.2) CARB website (October 2024) for off-road equipment including off-road trucks; SCAQMD Emission Factors for on-road mobile vehicles; Particulate Matter Emission Factors SCAQMD, July 2010); and AP-42 Section 13.2.2 EPA, November 2006)

Notes/Assumptions:

Mining: Existing - 3 mtpy; Proposed - 4 mtpy.

Processing: Existing – 1.5 mtpy; Proposed – 2 mtpy.

Trucking: Existing – 3 mtpy by 25-ton street legal trucks; Proposed – 2 mtpy by 25-ton street legal trucks and 2mtpy by 65-ton off-highway trucks to rail loadout.

Operations based on 300 days/year with trucking up to 7 days week based on demand.

¹ Exhaust emissions

² Road dust emissions.

Dust related PM2.5 = 0.208 of PM10 (CEIDARS List).

The following existing County approved conditions of approval and mitigation measures (AP20170004 - Conditions of Approval) are currently required to be implemented by Lynx Cat Mountain Quarry Operations. **Additional or updated measures in bold have been incorporated into these conditions.**

25. Air Quality. Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Basin is in non-attainment status for ozone and suspended particulates [PM10 and PM2.5 (State)]. **The operator shall obtain permits to construct and annually renew permits to operate the process plant, ready mix and asphalt facilities, and generators from the MDAQMD and be in compliance with such permits.** To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures.

26. Wind. The Project proponent shall ensure that all disturbance activities are suspended when winds exceed 25 miles per hour; however, measures to mitigate fugitive dust shall be maintained at all times.

27. Diesel Regulations. The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks **and equipment**, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

55. AQ-1 Exhaust Emissions. The mine operator shall maintain and operate construction equipment so as to minimize exhaust emissions. Production shall be scheduled to minimize daily equipment operations. During mining, trucks and vehicles in loading and unloading queues shall have their engines turned off when not in use, to reduce vehicle emissions. **Trucks in loading queues will have their engines turned off when not in use for more than 5 minutes to reduce idling and vehicle emissions in compliance with Title 13, California Code of Regulations, Section 2485 (Anti-Idling Policy).**

56. AQ-2: Vehicle Maintenance. The mine operator shall ensure that all equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.

57. AQ-3: Fuel Sources. The mine operator shall ensure use on-site mobile equipment powered by alternative fuel sources (i.e., methanol, **bio-diesel**, natural gas, propane, or butane) as feasible.

58. AQ-4 Dust Control Measures. The mine operator shall ensure that periodic watering for short-term stabilization of disturbed surface area to minimize visible fugitive dust emissions occurs. For purposes of this requirement, use of a water truck to maintain moist

*disturbed surfaces and actively spread water during visible dusting episodes shall be considered sufficient to maintain compliance. **Additional measures shall include:***

- **Roads shall be treated with EPA approved dust suppressants to prevent dust as needed.**
- **Speed limits on unpaved roads shall be 25 mph.**
- **All loaded trucks leaving from the site onto public roads shall be properly trimmed with a 6-inch freeboard height and/or covered and sprayed with water so as to minimize dust and prevent spillage onto a public roadway per California Vehicle Code 23114.**

59. AQ-5: Track out. *The mine operator shall take actions sufficient to prevent project-related track out onto paved surfaces and cover loaded haul vehicles while operating on publicly maintained paved surfaces.*

60. AQ-6: Graded Surfaces. *The mine operator shall stabilize graded site surfaces upon completion of earth moving activity when subsequent earth moving activity is delayed or expected to be delayed more than 30 days, except when such a delay is due to precipitation that dampens the disturbed surface sufficiently to eliminate visible fugitive dust emissions.*

61. AQ-7: Cleanup. *The mine operator shall clean-up project-related track-out or spills on publicly maintained paved surfaces within 24 hours of notification of track-out occurrences.*

62. AQ-8: Earthmoving Activity. *The mine operator shall reduce nonessential earth-moving activity under high wind conditions. For purposes of this requirement, a reduction in earth-moving activity when visible dusting occurs from moist and dry surfaces due to wind erosion shall be considered sufficient to maintain compliance.*

Compliance with MDAQMD Regulation and Rules

During on-going mining activities, the mine operator is required to comply with all applicable MDAQMD rules and regulations as the MDAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5} (state)). The Proposed Project shall comply with Regulation II which requires the Applicant to obtain and implement conditions for a Permit to Construct and a Permit to Operate the proposed crushing/screening plant and power generator. To limit dust production, the mine operator shall comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACM) for each fugitive dust source. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The mine operator shall implement the following conditions as required by MDAQMD:

1. All equipment used for mining shall be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks to minimize exhaust emissions from truck idling.

3. The operator shall comply with all existing and future CARB and MDAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.
4. The aggregate crusher shall obtain authority to construct and annually renew permits to operate from the MDAQMD and be in compliance with such permits.

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

Less Than Significant Impact with Mitigation

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

The Proposed Project is located in the desert region within a remote area of San Bernardino County with no residences or recreational areas in the immediate vicinity. No residential uses, schools, hospitals, or public facilities are located anywhere near the site. The nearest residence is located approximately 3 miles easterly of the site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

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

No Impact

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

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

Countywide Policy Plan Draft EIR; Hernandez Environmental Services, General Biological Assessment for Assessor's Parcel Number 0496-011-75, February 2024; Hernandez Environmental Services, General Biological Assessment for Assessor's

Parcel Number 0496-011-76, February 2024; Hernandez Environmental Services, General Biological Assessment for Expansion Area 3 Assessor's Parcel Number 0496-011-76, September 2024;

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

A General Biological Assessment report was prepared for each of the expansion areas (refer to Figure 3 above) by Hernandez Environmental Services (February 2024 and September 2024 (see Appendices C1, C2, and C3).

Expansion Areas 1 and 2

Nesting Birds

Migratory non-game native bird species are protected under the federal Migratory Bird Treaty Act. Additionally, Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests. The Project Site contains shrubs that can be utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15. Mitigation Measure BIO-1 shall address potential impacts to nesting birds.

Sensitive Biological Resources

According to the California Natural Diversity Data Base (CNDDDB) and the California Native Plant Society (CNPS), a total of 16 sensitive species of plants and one sensitive habitat have the potential to occur on or within the vicinity of the expansion areas. These include those species listed or candidates for listing by the U. S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and CNPS.

Sensitive Plant Resources:

Based on the biological surveys, three special status plant species as described below have a potential to occur on-site:

- Chaparral sand-verbena (*Abronia villosa var. aurita*) is ranked 1B.1 in the CNPS Rare Plant Inventory. No habitat for this species is present on the expansion areas. This species is not present.
- Lane Mountain milk-vetch (*Astragalus jaegerianus*) is a federally listed Endangered species and is ranked 1B.1 in the CNPS Rare Plant Inventory. The expansion areas are below the elevation range for this species. This species is not present.
- Parish's phacelia (*Phacelia parishii*) is ranked 1B.1 in the CNPS Rare Plant Inventory. No suitable habitat for this species is present on the expansion areas. This species is not present.

Sensitive Wildlife Resources:

According to CNDDDB a total of four wildlife species listed as state and/or federal Threatened, Endangered, or Candidate species have a potential to occur on site. Below are descriptions of these species and other special status species found to have a potential to occur on site or determined to be “not present” based on the field surveys:

- Desert tortoise (*Gopherus agassizii*) is a federally and state-listed Threatened Species. Focused desert tortoise surveys were performed on the site in 2023. During the focused surveys, suitable desert tortoise burrows and desert tortoise signs were found in both Expansion Areas 1 and 2. A live desert tortoise was found in Expansion area 2. This species is present. Implementation of Mitigation Measure BIO-2 would address potential impacts to desert tortoise.
- Loggerhead shrike (*Lanius ludovicianus*) is a CDFW Species of Special Concern. There is suitable habitat present on site for this species. This species has the potential to occur on-site. Implementation of Mitigation Measure BIO-1 would ensure no significant impacts to loggerhead shrike occur.
- American badger (*Taxidea taxus*) is a CDFW Species of Special Concern. This species has the potential to be present. Implementation of Mitigation Measure BIO-3 would ensure no impacts to American Badger occur.
- Le Conte's thrasher (*Toxostoma lecontei*) is a CDFW Species of Special Concern. Suitable habitat occurs on-site. This species has the potential to be present. Implementation of Mitigation Measure BIO-1 would ensure no impacts to Le Conte's thrasher occur.
- Arroyo Toad (*Anaxyrus californicus*) is a federally listed Endangered Species and a CDFW Species of Special Concern. There is no habitat for this species on the expansion areas. This species is not present.
- Western Burrowing Owl (*Athene cunicularia*) (State candidate species): In October 2024, the burrowing owl was officially designated as a State Candidate Species under the California Endangered Species Act (CESA) by the California Fish and Game Commission. For the next 12-18 months, while the CDFW assesses whether this species should be officially listed at the State level, the burrowing owl has all of the same CESA protections as any other State listed species.

No burrowing owl or burrowing owl sign was observed on site during the general biological survey or focused desert tortoise surveys. No burrowing mammals were observed on-site. This species is not present.

- Western snowy plover (*Charadrius alexandrinus nivosus*) is federally listed Threatened Species and a CDFW Species of Special Concern. The expansion areas do not contain suitable habitat for this species. This species is not present.
- Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a federally listed Threatened and state listed Endangered Species. The expansion areas do not contain suitable habitat for this species. This species is not present.

- Yuma Ridgway's rail (*Rallus obsoletus yumanensis*) is a federal listed Endangered and state listed Threatened Species. The expansion areas do not contain suitable habitat for this species. This species is not present.
- Mohave tui chub (*Siphateles bicolor mohavensis*) is a federal and state listed Endangered Species. There is no habitat for this species on the expansion areas. This species is not present.
- Mohave ground squirrel (*Xerospermophilus mohavensis*) is a state listed Threatened species. The expansion areas do not provide suitable habitat for this species. This species is not present.

Expansion Area 3

Nesting Birds

Expansion Area 3 contains shrubs that can be utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15. Mitigation Measure BIO-1 shall address potential impacts to nesting birds.

Sensitive Biological Resources

According to the CNDDDB and the CNPS, a total of 5 sensitive species of plants and one sensitive habitat have the potential to occur on or within the vicinity of the project area. According to CNDDDB a total of 18 sensitive species of wildlife have the potential to occur on or within the vicinity of the project area.

Sensitive Plant Resources

White pygmy-poppy have the potential to occur on-site. There is suitable habitat present on Expansion Area 3. This species has the potential to be present. However, this species is not a federal or state listed species and is therefore not regulated under the federal or state Endangered Species Acts. Furthermore, white pygmy-poppy is not a BLM Sensitive species. The nearest recorded occurrence on CNDDDB is over 15 miles from the site. This species is only listed as a 4.2 ranked species on the CNPS Rare Plant List. A California Rare Plant Rank of 4 is for species of limited distribution that do not meet the criteria of rare, threatened, or endangered under CEQA Guidelines §15380. The white bursage scrub habitat on-site that has the potential to support this species is not sensitive or rare. Therefore, potential impacts to this species with a Rare Plant Rank of 4 would not be considered substantial impacts under CEQA and no mitigation would be required.

Sensitive Wildlife Resources

The following sensitive wildlife species have a potential to occur on-site:

- Desert tortoise burrows and sign were found on-site during focused desert tortoise surveys performed in 2024. Implementation of Mitigation Measure BIO-2 would address potential impacts to desert tortoise.
- There is potential habitat for the Loggerhead shrike and Le Conte's thrasher on-site. These species have the potential to be present. Implementation of Mitigation Measure BIO-1 would ensure no impacts to loggerhead shrike and Le Conte's thrasher occur.

- American badger has the potential to occur on-site. Implementation of Mitigation Measure BIO-3 would ensure no impacts to American Badger occur.
- Mohave ground squirrel habitat include chenopod scrub, Joshua tree woodland, and Mojavean desert scrub. A focused survey would need to be performed by an approved biologist to determine the presence or absence of this species on-site. The proposed mine expansion may result in impacts to this species. Mitigation Measure BIO-4 shall address potential impacts to Mohave ground squirrel.
- No burrowing owl or burrowing owl sign were observed on site during the general biological survey or focused desert tortoise surveys. This species is not present.

Mitigation Measure BIO-1:

Prior to disturbing soil or vegetation between February 1 and September 15, a qualified biologist shall survey all shrubs within the Project Site for nesting birds including loggerhead shrike and Le Conte's thrasher. Surveys shall end no more than three days prior to clearing. Documentation of surveys and findings shall be submitted to the California Department of Fish and Wildlife and County of San Bernardino Planning Division within ten days of the last survey. If no nesting birds are observed, project activities may begin. If an active bird nest is located, the plant in which it occurs should be left in place until the birds leave the nest. If active nests are found during nesting bird surveys, they shall be flagged. A 250-foot buffer shall be marked around songbird nests, and a 500-foot buffer shall be marked around raptor nests.

Mitigation Measure BIO-2:

To establish appropriate avoidance and minimization measures and/or mitigation measures for desert tortoise, the mine operator or its qualified biologist shall consult with the BLM, USFWS, and the CDFW prior to commencing any ground disturbing activities in the project area. (Note that an Incidental Take Permit (ITP) application for desert tortoise and Mojave ground squirrel has been submitted to CDFW in January 2025 and the CDFW determined that the application was complete on February 25, 2025.)

Mitigation Measure BIO-3:

A biological monitor shall be present on-site during all initial ground disturbing activities to ensure no impacts to American badger occur. If American badger is found on-site, the biological monitor shall stop all work and allow the sensitive wildlife to leave the site.

Mitigation Measure BIO-4:

To establish appropriate avoidance and minimization measures and/or mitigation measures for Mohave ground squirrel focused surveys shall be performed by a qualified biologist in Expansion Area 3 during the appropriate season to determine presence or absence on-site. If this species is determined to be present on-site,

consultation shall be initiated with the CDFW prior to commencing any ground disturbing activities in the project area. Any impacts to Mohave ground squirrel would require a CESA 2081 ITP. (Note that an ITP application for desert tortoise and Mojave ground squirrel has been submitted to CDFW in January 2025 and the CDFW determined that the application was complete on February 25, 2025.)

Less than Significant with Mitigation

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

Critical habitat is designated by USFWS for endangered and threatened species per the federal ESA (16 U.S.C. § 1533 (a)(3)), and to the extent prudent and determinable. Special management of critical habitat, including measures for water quality and quantity, host animals and plants, food availability, pollinators, sunlight, and specific soil types is required to ensure the long-term survival and recovery of the identified species. Critical habitat designation delineates all suitable habitat for the species. The Project Site is not located within federally designated critical habitat.

No drainage features with a definable bed, bank, and channel were found on-site. No hydrophytic vegetation or hydric soils occur on-site. The Project Site does not contain CDFW, United States Army Corps of Engineers (USACE), and Regional Water Quality Control Board (RWQCB) jurisdictional waters. Furthermore, no wetlands or vernal pools occur on-site.

Therefore, no impacts are identified or anticipated, and no mitigation measures are required for criteria b and c.

No Impact

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

No wildlife movement corridors were found to be present on the Project Site. There is vacant open desert to the north and west of the Project Site, and rocky mountains to the east. There are no topographic features on the site that would function as a wildlife corridor. The Project Site does not serve a function in local wildlife movement. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The San Bernardino County Development Code Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Per Section 88.01.060 of the San Bernardino County Development Code the following desert native plants or any part of them, except the fruit shall not be removed except under a Tree or Plant Removal Permit:

- The following desert native plants with stems two inches or greater in diameter or six feet or greater in height:
 - *Dalea spinosa* (smoke tree).
 - All species of the genus *Prosopis* (mesquites).
- All species of the family *Agavaceae* (century plants, nolin, yuccas).
- Creosote Rings, ten feet or greater in diameter.
- All Joshua trees.
- Any part of any of the following species, whether living or dead:
 - *Olneya tesota* (desert ironwood).
 - All species of the genus *Prosopis* (mesquites).
 - All species of the genus *Cercidium* (palos verdes).

Section 88.01 requires the issuance of a permit prior to the removal of regulated trees and plants. No desert native plants regulated under Section 88.01.060 of the San Bernardino Development Code are present on the site. No conflicts with local policies or ordinances are expected. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

The Project Site is located within the Desert Renewable Energy Conservation Plan (DRECP). It is located within the BLM Superior-Cronese Area of Critical Environmental Concern (ACEC). However, the Project Site occurs within private lands and according to the DRECP BLM Land Use Plan Amendment (LUPA), "Nonfederal lands within the boundaries of BLM LUPA land use allocations are not affected by the LUPA" (LUPA-LANDS-4). The Project Site is not located within a Community Conservation Plan or Habitat Conservation Plan. Therefore, the Proposed Project would not be anticipated to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, less than significant adverse impacts are identified or anticipated with the implementation of mitigation measures.

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

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

BCR Consulting, LLC, Cultural Resources Assessment, October 9, 2024

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

A Cultural Resources Assessment report, dated October 9, 2024, was prepared for the Proposed Project by BCR Consulting LLC (see Appendix D for report). A cultural resources record search, intensive-level pedestrian field survey, presence/absence test excavation for buried archaeological materials, and Native American Heritage Commission (NAHC) Sacred Lands File Search were conducted for the Proposed Project. The cultural resources records search revealed that six previous cultural resource studies have taken place, and 13 cultural resources have been identified within one mile of the Project Site. One of the previous studies has assessed a portion of the Project Site and no cultural resources have been previously identified within its boundaries. During the field survey, BCR Consulting archaeologists identified 11 cultural resources within the Project Site boundaries, including two historic-period archaeological sites.

BCR Consulting recommends that none of the resources identified during the research and field survey are eligible for the California Register of Historical Resources (California Register). As such, these resources are not recommended historical resources under CEQA. No additional analysis is recommended. However, the prehistoric and historic-period resources recorded during the study, in addition to the cultural resources

identified in the surrounding area during the records search, indicate sensitivity for buried cultural resources within the Project Site. Therefore, Mitigation Measure CR-1 shall be implemented to avoid potential significant impacts to cultural resources.

Mitigation Measure CR-1:

A qualified archaeological monitor shall be present during all initial earthmoving activities related to development of the Project Site. The monitor would work under the direct supervision of a cultural resources professional who meets the U.S. Secretary of the Interior's Professional Qualification Standards for archaeology (the Project Archaeologist). The monitor shall be empowered to temporarily halt or redirect construction work in the vicinity of any find until the project archaeologist can evaluate it. In the event of a new find, salvage excavation and reporting would be required. After initial earthmoving is complete, the Project Archaeologist shall have the authority to diminish, eliminate, or expand archaeological monitoring as conditions and findings warrant.

Less than Significant with Mitigation

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

Findings were negative during the Sacred Lands File search with the NAHC. During the field survey, BCR Consulting archaeologists identified 11 cultural resources within the Project Site boundaries, including three prehistoric archaeological sites and six isolated prehistoric artifacts. Isolated finds are not considered "historical resources" under CEQA and as such do not require further consideration. BCR Consulting recommends that none of the resources identified during the research and field survey are eligible for the California Register of Historical Resources (California Register). No additional analysis is recommended. However, the prehistoric and historic-period resources recorded during the study, in addition to the cultural resources identified in the surrounding area during the records search, indicate sensitivity for buried cultural resources within the Project Site. Mitigation Measure CR-1 identified above shall be implemented to avoid potential significant impacts to cultural resources.

Less than Significant with Mitigation

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

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

Mitigation Measure CR-2:

Should human remains and/or cremations be encountered during any earthmoving activities, all work shall stop immediately in the area in which the find(s) are present

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

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

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

Less than Significant with Mitigation

Therefore, less than significant adverse impacts are identified or anticipated with the implementation of mitigation measures.

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

SUBSTANTIATION: Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

Mining operations and reclamation activities would be limited to consumption of fuel. No natural gas or electricity would be used.

Energy consumption is dependent on the type of vehicles used, number of vehicle trips, vehicle miles traveled, fuel efficiency of vehicles and generators, and travel mode. Temporary transportation fuel use such as gasoline and diesel during mining operations would result from the use of delivery vehicles and trucks, equipment, and employee vehicles. Additionally, most equipment during grading would be powered by diesel. Table 3 shows the modeled fuel consumption for all mining activities. Based on output from the annual production, the Lynx Cat Quarry activities would consume an estimated 964,897 gallons of diesel fuel per year for operation of heavy-duty equipment.

**Table 3
 Equipment Fuel Consumption Estimates**

Number of Days	Offroad Equipment Type	Amount	Total Fuel Consumption (gal Diesel fuel)
300	Loader CAT 980	3	161,661
300	Loader CAT 988	1	30,737
300	Excavator	3	179,326
300	Off-road trucks	3	323,973
300	Dozer	1	24,676
300	Grader	1	9,292
300	Water Pull or truck	1	17,851
300	1000kW Gen Sets	2	150,790
300	25kW Gen Set	1	4,699
300	Atlas T-45 Drill Rig	2	61,893
	Totals	---	964,897

- (1) United States Environmental Protection Agency. 2018. Exhaust and Crankcase Emission Factors for Nonroad Compression-Ignition Engines in MOVES2014b. July 2018. Available at: <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100UXEN.pdf>
- (2) Federal Highway Administration. Highway Statistics 2018, Table VM-1. Accessed 1/30/23 at fhwa.dot.gov/policy-information/statistics/2018/pdf/vm1.pdf: Worksheet available at afdc.energy.gov/data. Last updated 02/11/2020
- (3) CAT Performance Handbook Edition 48, June 2018.
- (4) CalEEMod Load Factors Appendix D January 2023.

As stated previously in Section III, production shall be scheduled to minimize daily equipment operations. During mining, trucks and vehicles in loading and unloading queues shall have their engines turned off when not in use for more than 5 minutes to reduce idling and vehicle emissions in compliance with Title 13, California Code of Regulations, Section 2485 (Anti-Idling Policy). In addition, the mine operator shall ensure use of on-site mobile equipment powered by alternative fuel sources (i.e., methanol, **bio-diesel**, natural gas, propane, or butane) as feasible. All fuel would be provided locally. Therefore, the Proposed Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As stated previously, the Lynx Cat Quarry activities would consume an estimated 964,897 gallons of diesel fuel for operation of heavy-duty equipment. In comparison, the California reported sale of diesel fuel was about 2,016 million gallons in 2023 with a state-wide total of taxable diesel fuel usage of 2,982 million gallons.⁵ The Proposed Project’s demand for diesel fuel would not be significant. In addition, the Proposed Project would not be connecting to electric power or natural gas lines and would therefore not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Less than significant impacts are anticipated, and no mitigation measures are recommended.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VII. GEOLOGY AND SOILS - Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁵ California Energy Commission. California Retail Fuel Outlet Annual Reporting. Accessed November 14, 2024.

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

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District):
Countywide Policy Plan; Submitted Project Materials; CHJ Consultants, Slope Stability Investigation Report, June 30, 2014; Terracon, 2024 Update to Slope Stability Study, October 9, 2024; revised March 14, 2025.

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

A Slope Stability Investigation Report (geologic report), dated June 30, 2014, was prepared for the Lynx Cat Mountain Quarry by CHJ Consultants (see Appendix E1 for report). Updates to the Slope Stability Study Report, dated October 9, 2024 and March 14, 2025, were prepared for the Proposed Project by Terracon (see Appendix E2 for report). These reports are summarized herein. The Lenwood-Lockhart fault is located approximately 4 miles northwest of the site. The Black Mountain fault of the Harper fault zone is located approximately 6 miles northeast of the site. The Helendale-Lockhart fault is located approximately 12 miles southwest of the site. These faults are part of the Eastern California shear zone system, which produced surface rupture during the magnitude 7.3 Landers earthquake in June 1992. The magnitude 7.1 Hector Mine earthquake in October 1999 produced surface rupture along the Lavic Lake, Pisgah-

Bullion and Mesquite Lake faults. Surface rupture was produced by a magnitude 5.2 earthquake along the Galway Lake fault in May 1975. Active faults were not identified within the mine area during CHJ Consultant's review of published and unpublished literature and maps, examination of aerial photographs or field mapping. Accordingly, surface fault rupture in the quarry area is not anticipated. The closest fault to the site, the Lenwood-Lockhart fault, is assigned a characteristic magnitude of 7.5.

Moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation. The final quarry walls would remain stable both statically and dynamically pursuant to the Recommendations section of Terracon's 2025 report. These recommendations are incorporated in the project design by reference and include the following measures to be included as conditions of approval:

- Current COA #35. Slope monitoring. Slope monitoring and geological mapping shall be implemented to ensure that unnecessary hazards are not created with the active or final reclaimed slopes.
- Based on ongoing excavation and slope, individual bench face angles and widths shall be adjusted locally, if necessary, to accommodate the geologic structure exposed in future rock excavations and to produce stable working and final slope configurations
- Inclusion of safety benches (minimum width of 15 feet) and access ramps in the overall slope profiles as designed; and
- Scaling of loose or dislodged blocks from bench face cuts should be performed as necessary at any working level to reduce raveling or rockfall;

Should any final quarry slopes fail to attain the minimum factor of safety standards, the operator would implement such measures necessary to bring the slopes into compliance. No fill slopes or waste/tailings stockpiles would remain subsequent to reclamation. As such, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

As stated previously, moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation. Based on the presence of non-liquefiable bedrock, the potential for liquefaction and other shallow groundwater-related hazards at the site is considered to be very low.⁶ Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

⁶ CHJ Consultants. Slope Stability Investigation Lynx Cat Mountain Quarry. June 30, 2014.

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project Site is neither located in an area with mapped, existing landslides.⁷ Furthermore, given that the Project Site is located in a relatively flat area, the risk of landslides is considered low. The final quarry walls would remain stable both statically and dynamically pursuant to the Recommendations section of the Terracon's Report. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The Lynx Cat Mountain Quarry has been designed to provide for the complete collection and retention of any on-site water flows. The quarry has an approved Notice of Non-Applicability (NONA) General Permit To Discharge Storm Water (WQ Order No. 2014-0057-DWQ) issued by the State Water Resources Board that exempts the mine from Stormwater Pollution Prevention Plans (SWPPP) requirements. Additionally, the expanded quarry footprint area would have 3 to 4-foot-high earthen berms constructed along the outside perimeter of the entire site that would serve as a windbreak and containment barrier to prevent stormwater water from flowing into the site or discharging to off-site areas.

As quarry excavations progress, retention area(s) within the expanded quarry site would be graded and maintained to prevent water from discharging to off-site areas. No headward erosion from the quarry areas is anticipated due to the composition of the generally non-erodible gray granite material. Any erosion sediments would continue to be retained on-site and would not affect off-site properties. Occasional heavy rainfall is the only potential source of erosion and off-site sedimentation, and this occurrence has been anticipated and mitigated by the collection and containment of internal flows of all stormwater into the quarry. No discharge from the expanded footprint would occur once it becomes part of the quarry operation. Additionally, all other active project areas would continue to be graded and inspected monthly. Any rills and gulying would be repaired with compacted non-erodible rock materials to prevent erosion during potentially heavy precipitation events. At the end of mining, any water retained within the project boundary would remain until evaporation and percolation have reduced the quantity of standing water on-site. Any accumulated sediments that may be deposited in the project retention area would be removed and utilized during reclamation activities.

Product stockpiles, quarry roads, and active quarry faces would continue to be periodically sprayed to reduce potential wind erosion. Any stockpiles or mined materials that may remain inactive for an extended period of time would be covered with coarse aggregate or planted with native vegetation to prevent wind/water erosion. Other potential project areas subject to wind/water erosion would receive the same treatment.

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

⁷San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed August 27, 2024.

Less Than Significant Impact

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

As discussed above, the potential for liquefaction at the Project Site is very low. Moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation. The final quarry walls would remain stable both statically and dynamically pursuant to the Recommendations section of the Terracon's report. The Project Site is neither located in an area with mapped, existing landslides⁸ nor is it located in an area susceptible to landslides, as noted above. Although the Project Site's susceptibility to subsidence is unknown at this time, reclamation of the mine would be undertaken at the completion of mining operations. As the Project Site is not located in an area susceptible to liquefaction, the Proposed Project would not be susceptible to lateral spreading. Less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. The mine is located in a rocky hillside area mantled with and surrounded by aprons of unconsolidated alluvial and colluvial sediments, typical of the Mojave Desert province. The terrain in the mine area includes boulder outcrops and surface deposits/mantle of colluvium and alluvium. Bedrock types in the quarry area include Mesozoic-age quartz monzonite and quartz diorite (located off site to the east). The oldest rocks in the mine area consist of Mesozoic intrusive quartz monzonite while young colluvium and alluvium form a mantle on flatter slopes and low-lying areas of the site. One soil type occurs on the Project Site; The on-site soils are composed of Cajon sand (113), 2 to 9 percent slopes.⁹ The Project Site does not contain expansive soil. In addition, no permanent structures are on or planned for the site. Therefore, less than significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Septic tanks and/or alternative wastewater supply systems do not exist at the mine site. Portable toilets are supplied for use by employees and are located on-site at the

⁸ San Bernardino County. Policy Plan web maps. HZ-2 "Liquefaction and Landslide Hazards." Accessed August 27, 2024.

⁹ United States Department of Agriculture. Web Soil Survey. Accessed November 14, 2024.

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

No Impact

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

The Cultural Resources Assessment report includes a vertebrate paleontological resources overview. The geologic units underlying the Project Site are mapped as mixed-aged Pleistocene units, along with a portion of a Miocene-aged unit of biotite granite. Pleistocene units are considered to be highly paleontologically sensitive. Western Science Center does not have localities within the Project Site or within a 1 mile radius but does have localities within similarly mapped units in Southern California. Any fossil specimen from the Lynx Cat Mountain Quarry Expansion Project would be scientifically significant. Excavation activity associated with the development of the project area would impact the paleontologically sensitive Pleistocene alluvial units. Therefore, Mitigation Measure GEO-1 shall be implemented to ensure no significant impacts to paleontological resources occur.

Mitigation Measure GEO-1:

A paleontological resource mitigation program, with the mitigation monitoring procedures outlined below, shall be put in place to monitor, salvage, and curate any recovered fossils associated with the study area.

1. All mitigation programs should be performed by a qualified professional (project) paleontologist, defined as an individual with a master's or doctorate degree in paleontology or geology who has proven experience in San Bernardino County paleontology and who is knowledgeable in professional paleontological procedures and techniques. Fieldwork shall be conducted by a qualified paleontological monitor, defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall always work under the direction of a qualified paleontologist.
2. Monitoring of mass grading and excavation activities shall be performed by a qualified paleontologist or paleontological monitor. Full-time monitoring for paleontological resources starting at three feet below the surface will be conducted in areas where grading, excavation, or drilling activities occur in undisturbed alluvium to mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources. Monitoring is not warranted in disturbed soils, such as artificial fill.
3. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface or, if they are present, are determined upon exposure and

examination by qualified paleontological personnel to have low potential to contain fossil resources.

4. In accordance with the “Microfossil Salvage” section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) shall be performed if the deposits are identified to possess indications of producing fossil “microvertebrates” to test the feasibility of the deposit to yield fossil bones and teeth.
5. Preparation of recovered specimens to a point of identification and permanent preservation will be conducted, including screen washing sediments to recover small vertebrates and invertebrates if indicated by the results of test sampling. Preparation of any individual vertebrate fossils is often more time-consuming than preparation for accumulations of invertebrate fossils.
6. All fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. The San Bernardino County Museum in Redlands, California, is the preferred institution for fossils recovered within the County of San Bernardino. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the receiving institution, are the responsibility of the Mine Operator.
7. Preparation of a final monitoring and mitigation report of findings and significance shall be completed, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution must be included in the final report. The report, when submitted to and accepted by the appropriate lead agency (e.g., the County of San Bernardino), shall signify satisfactory completion of the project program to mitigate impacts to any nonrenewable paleontological resources.

Implementation of Mitigation Measure GEO-1 would prevent potential impacts on significant paleontological resources or reduce such impacts to a level less than significant.

Less than Significant with Mitigation

Therefore, potential impacts can be reduced to a less than significant level with implementation of the Mitigation Measure above.

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

purpose of reducing the emissions of greenhouse gases?

SUBSTANTIATION:

Countywide Policy Plan; San Bernardino County Greenhouse Gas Emissions (GHG) Reduction Plan (September 2011); Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

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

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

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

However, specific requirements for mining projects to reduce emissions of GHGs have not been adopted and thus the Revised Plan would not conflict with the County’s Greenhouse Gas Reduction Plan. GHG is inherently a cumulative issue, because no single project would be expected to result in a measurable change in global climate. The cumulative nature of GHG is considered by agencies in adopting significance

thresholds and adopted significance thresholds represents levels at which a project is considered cumulatively significant.

As a condition of approval, production shall be limited to the existing permitted amount of 3.0 MT per year until the rail loadout facility is permitted. The Proposed Project's increase in production will be conditional upon approval of the rail loadout facility. The Proposed Project's change in GHG emissions was compared to the existing project, the MDAQMD threshold of 100,000 tons/year and the screening threshold of 3,000 MTCO_{2e} per year adopted by the County as potentially significant to global warming (see Appendix B). The change in the annual operational GHG emissions amount to a decrease of approximately 2,904 MTCO_{2e} per year based on 300 days of operations per year. This is due to the reduction in the number of trips and milage traveled for the 25-ton street-legal haul trucks off-site due to the utilization of larger haul trucks shipping material to the nearby rail load-out facility (see Section III for breakdown of trips). The change in GHG would not exceed the MDAQMD's or the County's thresholds and no significant GHG impacts are expected.

Project-related GHG emissions from on-site equipment, power generators, and trucks are shown in Table 4. The CEQA threshold of 100,000 MTCO_{2e} per year has been utilized by the MDAQMD as potentially significant to global warming. Utilizing this threshold, proposed operations of the mine project would likely decrease and therefore the change in GHG compared to existing conditions would be below the threshold. In addition, the GHG emissions generated from project activities are also less than the County's GHG Plan Screening Guidance Standard of 3,000 MTCO_{2e}.

In a broader sense, the Proposed Project is providing rock, ballast, and aggregate material to large-scale ongoing and future construction projects in the High Desert from a local source. Local-sourced material in conjunction with the utilization of an adjacent rail load-out facility, will substantially reduce truck trips, miles driven, fuel consumption, air pollutant and GHG emissions, and degradation of public roads. To the extent that a project reduces vehicle miles driven, GHG emissions, particularly CO₂, may be reduced. GHG impacts for the operation of the proposed mine site is deemed to cause a less than significant impact to climate change.

Table 4
Lynx Cat Mountain Quarry
Greenhouse Gas Emissions
Operational Annual Emissions (MTCO_{2e})

Source/Phase	CO ₂		CH ₄	
	Existing	Proposed	Existing	Proposed
Truck Trips	12,357	8,511	0.29	0.31
Onsite Equipment & Trucks	1,497	2,439	1.28	2.03
Total per Year	13,854	10,950	1.57	2.34
	Existing Total		Proposed Total	
Total MTCO_{2e}	13,856		10,952	
Change in GHG	-2,904			

MDAQMD Threshold	100,000
Significant	No
County's GHG Plan	3,000
Significant	No

The existing County condition of approval below will reduce GG emissions:

63. Green House Gas Monitoring and Mitigation. *The mine operator shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:*

- a) *Waste Stream Reduction. The mine operator shall provide to all project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.*
- b) *Vehicle Trip Reduction. The mine operator shall provide to all project employees. County approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.*
- c) *Select construction equipment based on low-emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.*
- d) *All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.*

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

The state and local regulatory programs for GHG emissions and climate change are described above. There are no existing GHG plans, policies, or regulations that have been adopted by CARB or MDAQMD that would apply to project emissions. If CARB does develop performance standards, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulation. Furthermore, as concluded above, the Proposed Project greenhouse gas emissions would be below MDQAMD thresholds and County's GHG Plan Screening Guidance Standard of 3,000 MTCO₂e. Therefore, impacts would be less than significant, and no mitigation would be required.

Less Than Significant Impact

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

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

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

Equipment and vehicle maintenance servicing may produce waste oils, lubricants and solvents. It is projected that maintenance of processing equipment would generally occur on-site during periods of maximum production and may require screen and jaw change-outs and replacements. When on-site maintenance does occur, all servicing of equipment would be performed consistent with San Bernardino County Department of Environmental Health Services and County Fire Department regulations for draining/collecting waste oils and other hazardous materials. All collected waste oils, lubricants and solvents shall be placed in covered containers and stored within secondary containment structures while on-site. These collected materials would continue to be transferred to a County-approved hazardous waste handler for proper disposal or to an approved re-use facility. Ordinary refuse would continue to be collected in standard 40-cubic-yard roll-off bins and disposed of at permitted landfills. The operator shall remove any soils that become chemically contaminated to a County-approved disposal site so as to preclude any chemical leaching into the local ground water supply over time. Other chemicals or hazardous materials are not proposed during normal operations at the Project Site, and no flotation, amalgamation, smelting, leaching or other processes would occur throughout the life of the Proposed Project. No on-site storage of explosives would occur throughout the life of the project. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Mine Operator maintains a business plan and spill prevention control and counter measure plan (SPCC) with Best Management Practices (BMPs) to ensure that on-site materials are stored appropriately and contained in the event uncontrolled release. The SPCC procedures would be adhered to and any releases would be reported to the County as required, based on the nature and extent of the release. Fuel storage specifications apply to all above ground fuel containers. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

No existing school facilities or proposed school facilities are located within one-quarter mile radius of the Project Site.¹⁰ Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

¹⁰ San Bernardino County. Policy Plan web maps. HW-1 "Education Facilities." Accessed August 30, 2024.

No Impact

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

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.¹¹ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. The nearest cleanup site is inactive and located approximately 1.4 miles southeast of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

The nearest airport to the Project Site is Barstow-Daggett Airport, located approximately 25 miles southeast. The Project Site is not located within an Airport Runway Protection Zone or Airport Noise Contours. However, the Project Site is located within the low-altitude/high speed military airspace (Airport Safety Review Area 4 [AR4]). An Avigation Easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The quarry is located 5 miles north of SR-58, which is an evacuation route.¹² Approximately half of the quarry's annual material produced would be delivered via the new proposed rail load out facility (under a separate CUP). The Proposed Project would therefore minimize traffic congestion on the I-15 and SR-58. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

¹¹California Department of Toxic Substances Control. EnviroStor. Accessed August 30, 2024.

¹² San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed August 30, 2024.

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.¹³ Therefore, the Proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X.	HYDROLOGY AND WATER QUALITY - Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹³ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed August 30, 2024.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

SUBSTANTIATION:

Countywide Policy Plan; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan; Merrell Johnson Companies, Hydrology Study for Lynx Cat Mountain Quarry Operations, LLC, October 25, 2024; and Greg Hamer, P.G. 3878, C.Hg. 634, C.E.G. 1211, Sr. Geohydrologist; Lynx Cat Quarry Replacement Well Evaluation, January 2024.

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

Lynx Cat Mountain Quarry has been designed to provide for the complete collection and retention of any on-site water flows. The quarry has an approved Notice of Non-Applicability (NONA) General Permit To Discharge Storm Water (WQ Order No. 2014-0057-DWQ) issued by the State Water Resources Board that exempts the mine from SWPPP requirements.

The site lies within the Harper Valley Groundwater Basin of the South Lahontan Hydrologic Region. The Harper Valley Groundwater Basin is a 640-square-mile basin drained by numerous ephemeral streams towards Harper (dry) Lake. Quaternary lacustrine and alluvial deposits, including unconsolidated younger alluvial fan material and unconsolidated to semi-consolidated older alluvium, can be water-bearing within the basin.

Water is supplied by the drilled well for on-site dust suppression. Groundwater-level measurements in the on-site well indicate groundwater elevation rises to a depth of between 200 – 820 feet bgs with a very low water yield of 5-30 gpm. The current well was drilled to a depth of 1,040 feet bgs. It is expected that the lowest mine elevation proposed of approximately 500 feet bgs at the end of 50 years of mining would still be well above the existing groundwater level. The quarry is situated in solid granite formation that extends well above a very deep regional aquifer. The quantity of water produced from the low flow on-site well would not permanently affect the quantity, quality, or depth of groundwater in the region.

The proposed operation would not introduce any toxic substances, contaminants, or degrade the quality of groundwater in any other way. The site is also not within, or upstream of, any State or County constructed ground water recharge area. There are no stream gauging stations within the site nor are any proposed.

The area does experience periodic heavy showers, occasionally subjecting the region to flash flooding. There are no large areas that drain into the site; water flows that occur on-site generally are from precipitation that falls directly onto the site. Throughout the proposed mining project, the only alteration of drainage patterns would be the maintenance of site- terminating flows. This would continue to result in complete

retention of erosion sediments on the site. Water flows would continue to be directed into depressions (or low spots) within the working quarry area. Further, the 3 to 4-foot-high earthen berm constructed along the outside perimeter of the quarry would serve not only as a windbreak and barrier from intrusion but also as containment to prevent stormwater flows into or out of the quarry and processing areas. By retaining flows on-site, adverse effects to adjacent properties would continue to be insignificant.

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

Less Than Significant Impact

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

Water is supplied by the drilled well for on-site dust suppression. Groundwater-level measurements in the on-site well indicate groundwater elevation rises to a depth of between 200 – 820 feet bgs with a very low water yield of 5-30 gallons per minute. The current well was drilled to a depth of 1,040 feet bgs. It is expected that the lowest mine elevation proposed of approximately 500 feet bgs at the end of 50 years of mining would still be well above the existing groundwater level. The quarry is situated in solid granite formation that extends well above a very deep regional aquifer. The quantity of water produced from the low flow on-site well would not permanently affect the quantity, quality, or depth of groundwater in the region.

The site lies within the Harper Valley Groundwater Basin of the South Lahontan Hydrologic Region. The basin has a total storage capacity of approximately 7,000,000 acre-feet, and natural recharge is estimated at approximately 13,600 acre-feet per year.

The proposed operation would not introduce any toxic substances, contaminants, or degrade the quality of groundwater in any other way. The site is also not within, or upstream of, any State or County constructed ground water recharge area. There are no stream gauging stations within the site nor are any proposed. Therefore, the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

As quarry excavations progress, retention area(s) within the expanded quarry site would be expanded and maintained to prevent water from discharging to off-site areas. All drainage across the site from west to east would drain in the direction of the quarry to be collected for re-use as feasible.

No headward erosion from the quarry areas is anticipated due to the composition of the generally non-erodible gray granite material. Any erosion sediments would continue to be retained on-site and would not affect off-site properties. Occasional heavy rainfall is the only potential source of erosion and off-site sedimentation, and this occurrence has been anticipated and addressed by the internal flows of all stormwater into the quarry. No discharge from the expanded footprint would occur once it becomes part of the quarry operation. Additionally, all other active project areas would continue to be graded and inspected monthly. Any rills and gulying would be repaired with compacted non-erodible rock materials to prevent erosion during potentially heavy precipitation events. At the end of mining, any water retained within the project boundary would remain until evaporation and percolation have reduced the quantity of standing water on-site. Any accumulated sediments that may be deposited in the project retention area would be removed and utilized during reclamation activities.

Product stockpiles, quarry roads, and active quarry faces would continue to be periodically sprayed to reduce potential wind erosion. Any stockpiles or mined materials that may remain inactive for an extended period of time would be covered with coarse aggregate or planted with native vegetation to prevent wind/water erosion. Other potential project areas subject to wind/water erosion would receive the same treatment.

Erosion occurring within the quarry area during and after reclamation would be limited by the non-erosional aspect of the granite rock. Any water retained within the quarry would not impact local roads or adjacent properties due to the lack of discharge from the Project Site.

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

Less Than Significant Impact

- ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;*
- 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?*

A Hydrology Study, dated October 25, 2024, was prepared for the Lynx Cat Mountain Quarry by Merrel Johnson Companies (see Appendix F). There is evidence of minor runoff in the form of sheet flows across the Project Site, and evidence of scour within the tributary area from larger storm events that generally follows the existing swales. Under proposed conditions, the drainage flows would be captured as they enter the Project Site along the project boundaries. This storm runoff would flow into the excavated quarry and is captured for infiltration. Excess runoff is recycled and used in the crushing process and for on-site dust control. The locations of mining equipment within the quarry are situated to allow separation from storm water storage areas. It's anticipated that captured storm water runoff would not leave the Project Site.

The flow spreads at the blue line stream which crosses the southern project boundary due to the existing terrain. A drainage levee would be constructed along the western, downstream side of this flow path to direct runoff flows into the quarry area. This runoff would be used in the mining and dust control processes.

Throughout the proposed mining project, the only alteration of drainage patterns would be the maintenance of site-terminating flows. This would continue to result in complete retention of erosion sediments on the site. Water flows would continue to be directed into depressions (or low spots) within the working quarry area. Further, the 3 to 4-foot-high earthen berm constructed along the outside perimeter of the quarry would serve not only as a windbreak and barrier from intrusion but also as containment to prevent stormwater flows into or out of the quarry and processing areas. By retaining flows on-site, adverse effects to adjacent properties would be insignificant.

The Project Site is not located within a recognized floodway or 100-year floodplain but is occasionally subject to flash flooding. The project design to retain rainfall within the quarry would lessen any potential impacts of flash flooding. The Proposed Project activities would not intensify flooding effects on surrounding property as the quarry is designed to collect and retail stormwater within the site. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. Additionally, the site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone nor a 500-year FEMA flood zone.¹⁴ A portion of the Project Site does lie within a Department of Water Resources 100-year flood awareness.¹⁵ As stated previously, water flows would continue to be directed into depressions (or low spots) within the working quarry area. Further, the 3 to 4-foot-high earthen berm constructed along the outside perimeter of the quarry would serve not only as a windbreak and barrier from intrusion but also as containment to prevent stormwater flows into or out of the quarry and processing areas. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

¹⁴ San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed September 4, 2024.

¹⁵ San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed September 4, 2024

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

SUBSTANTIATION:
Countywide Policy Plan; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

a) *Physically divide an established community?*

The total area of the Revised Plan will be approximately 241.7 acres, an increase of about 193.5 acres from the approved 48.2 acres. The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. Vehicle access to the site from SR-58 is provided by Hinkley Road, Santa Fe Avenue, and then a BLM-managed dirt road designated as Lynx Cat Road. Use of this road through the BLM-managed properties is pursuant to a Right-Of-Way (ROW) grant between the mine owner and the BLM currently approved through December 31, 2044, and renewable thereafter. Therefore, the Proposed Project would not require construction of any linear features. Furthermore, the site is surrounded by vacant, open desert lands. Therefore, the Proposed Project would not physically divide an established community. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

b)

The Proposed Project is consistent with the Countywide Policy Plan zoning of Resource Conservation. Additionally, the Project Site is located in a Mineral Resource zone for aggregate resources.¹⁶ The Project Site is not located within or near an environmental

¹⁶ San Bernardino County. Policy Plan web maps. NR-4 “Mineral Resource zones” web map. Accessed September 4, 2024.

justice area.¹⁷ The Project Site is surrounded by vacant land and the nearest residence is approximately 3 miles away from the mine site boundary. The Proposed Project would not cause a significant environmental impact due to conflict with any land use plans or policies. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

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

Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan; Countywide Policy Plan web maps

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The Project Site is located in a Mineral Resource zone for aggregate materials.¹⁸ The purpose of the Revised Plan is to revise the approved Mining CUP and Mine and Reclamation Plan 90M-010 to include the following:

- To expand the current quarry from 48.2 acres to 161.7 acres of actual quarry to the north 33.5 acres and to the west by approximately 80 acres (an increase of 113.5 acres)

¹⁷ San Bernardino County. Policy Plan web maps. HZ-10 “Environmental Justice & Legacy Communities” web map. Accessed September 4, 2024.

¹⁸ San Bernardino County. Policy Plan web maps. NR-4 “Mineral Resource zones” web map. Accessed November 22, 2022.

- To expand the crushing, screening, processing and product stockpile areas onto the adjoining 80 acres of contiguous adjacent vacant property privately owned by Lynx Cat Mountain Development on the west side of the expanded quarry; and
- To increase the quarry depth from 250 to 600 feet below the ground surface (bgs) with an average pit floor depth of +/- 500 feet bgs; and
- To extend the operation life of the mine for additional **50 years** until December 31, 2074.

The Proposed Project would not result in lack of availability of a mineral resource, but rather, make use of it. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District <input type="checkbox"/> or is subject to severe noise levels according to the Countywide Policy Plan Noise Element <input type="checkbox"/>):				

Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

The County's approval of the Proposed Project would include Conditions of Approval for reclamation activities to conform to all applicable noise control regulations. Ambient noise levels are currently affected during drill blasting operations and when blasted rock is stockpiled. Drilling would be conducted up to 5 days a week, 8 hours per day as needed with depths of approximately 40 to 50 feet. Blasting activities would take place during daylight hours on weekdays (Monday through Friday). No blasting shall be allowed after dark. Per the Mine Safety and Health Administration (MSHA) regulations, all miners would be wearing hearing protectors.

The Project Site is surrounded by vacant land. Noise generated by the on-site equipment and trucks would not be audible from the nearest residences 3 miles away from the Project Site. Therefore, less than significant impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

Vibration would be generated as a result of drilling and blasting. Drilling would be conducted up to 5 days a week, 8 hours per day as needed with depths of approximately 40 to 50 feet. Blasting activities would take place during daylight hours on weekdays (Monday through Friday). No blasting shall be allowed after dark. The Project Site is surrounded by vacant land. Any vibration generated would not be perceptible from the nearest residences 3 miles away from the Project Site. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The nearest airport to the Project Site is Barstow-Daggett Airport, located approximately 25 miles southeast. The Project Site is not located within an Airport Runway Protection Zone or Airport Noise Contours. However, the Project Site is located within the low-altitude/high speed military airspace AR4. An Avigation Easement shall be granted to the appropriate military agency and recorded before the issuance of a building permit for those uses established within an AR4. Although mine workers would be exposed to noise due to an occasional aircraft, it would not be significant as mining operations would also generate infrequent noise. In addition, aircraft noise would be short-term and temporary. Therefore, the Proposed Project would not expose people residing or working in the

project area to excessive noise levels. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

SUBSTANTIATION:

Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

- 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)?*

Project operations would require approximately 10 to 12 employees on-site per shift during the projected two shifts per day. Because of the low employment demand, the Proposed Project would not induce substantial unplanned population growth by creating new jobs. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

No Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan; San Bernardino Countywide Policy Plan Draft EIR

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

Fire Protection?

The Project Site is located within the service area of the San Bernardino County Fire Protection District. The Project Site is not located within a High or Very High Fire Hazard Severity Zone.¹⁹ The Proposed Project does not involve operations that would induce or exacerbate fires. Therefore, the Proposed Project is not anticipated to result in the need for new or physically altered fire protection facilities. Less than significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

¹⁹ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed August 30, 2024.

Police Protection?

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

Less Than Significant Impact

Schools?

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

No Impact

Parks?

Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing. Furthermore, there are no parks in the vicinity of the Proposed Project that would be visited by project employees.²⁰ The reclamation activities would not involve the introduction of a new permanent human population into the area. Therefore, the Proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

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

No Impact

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

²⁰ San Bernardino County. Policy Plan web maps. NR-2 "Parks and Open Space Resources." Accessed September 5, 2024.

<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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XVI. RECREATION

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan; San Bernardino Countywide Policy Plan Draft EIR

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

Project operations would require approximately 10 -12 employees on-site per shift during the projected two shifts per day. The Proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. Moreover, there are no neighborhood or regional parks near the Project Site.²¹ Therefore, the Proposed Project would not result in an increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

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

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

²¹ San Bernardino County. Policy Plan web maps. NR-2 "Parks and Open Space Resources." Accessed September 5, 2024.

No Impact

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

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

SUBSTANTIATION:

Countywide Policy Plan; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

Future bicycle facilities are a mixture of Class I, Class II, Class III, and Class IV facilities. These facilities are consistent with San Bernardino County Transportation Authority’s (SBCTA) Active Transportation Plan.²² Transit in the County consists of Metrolink, bus rapid transit, and local bus routes. Major transit improvements include proposed bus rapid transit along several major arterials.²³

²² Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Transportation and Traffic. June 2019.

²³ Placeworks. San Bernardino Countywide Policy Plan Draft EIR. Transportation and Traffic. June 2019.

There are no existing or planned transit, bicycle, or pedestrian facilities in the vicinity of the Project Site.²⁴ The nearest planned facility is a Class II bicycle path in Barstow approximately 7.3 miles southeast of the Project Site.²⁵

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

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

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

Consistent: Although the Proposed Project would not directly reduce VMT, any increase in VMT would be insignificant given the low employment demand.

Goal TM-4: On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas

Policy TM-4.5: We support and work with local transit agencies to generate public transportation systems that provide access to job centers and reduce congestion in tourist destinations in unincorporated areas.

Consistent: The nature, function, and location of the Proposed Project does not provide opportunities to make on- or off-street improvements that would further Goal TM-4, but it does not preclude the development of these functional alternatives on adjacent areas outside of the project.

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

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

Consistent: The Proposed Project's increase in production would be dependent on approval of the nearby rail loading facility. Once the nearby rail loading facility under a separate CUP is approved and constructed, trucks would transport approximately half of the aggregate material from the quarry approximately 2.2 miles to this new rail loop loading facility. The rail loop would be connected to the main line of the BNSF Railway for rail shipment to the various projects across the southwestern U.S. There are no residences between the quarry and the proposed nearby rail loading facility. The other half of the aggregate material would be shipped by street legal 25-ton trucks via the

²⁴ San Bernardino County. Policy Plan web maps. TM-4 "Bicycle and Pedestrian Planning." Accessed September 10, 2024.

²⁵ San Bernardino County. Policy Plan web maps. TM-4 "Bicycle and Pedestrian Planning." Accessed September 10, 2024.

SR-58. There are very few scattered residences between the quarry and SR-58. Therefore, the Proposed Project would not result in significant impacts to residents.

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

Consistent: Trucks would transport approximately half of the aggregate material from the quarry to the new rail loop loading facility. The rail loop would be connected to the mainline of the BNSF Railway for rail shipment to the various projects across the southwest. The other half of the aggregate material would be shipped by street legal 25-ton trucks via the SR-58. There are very few scattered residences between the quarry and SR-58. Therefore, the Proposed Project is not anticipated to interfere with safe routes to school.

The Project Site is not located within or near an environmental justice area.²⁶ The nearest environmental justice focus area is located 3 miles south of the Project Site.²⁷ Haul trucks would not be passing through this environmental justice focus area.

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

Less Than Significant Impact

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

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

The mine may operate up to 24 hours per day and 7 days per week to maintain project schedules. Typical operation, however, is expected to be 6 days per week and 16 hours per day. Trucks would transport half of the aggregate material from the quarry approximately 2.2 miles to the new proposed rail loop loading facility which would be connected to the main line of the BNSF Railway for rail shipment to the various projects across the southwestern U.S. The other half of the aggregate material would be shipped by street legal 25-ton trucks via the SR-58. Note that as a condition of approval, production shall be limited to the existing permitted amount of 3.0 MT per year until the rail loadout facility is permitted.

The change in trips is as follows:

²⁶ San Bernardino County. Policy Plan web maps. HZ-10 "Environmental Justice & Legacy Communities" web map. Accessed September 4, 2024.

²⁷ San Bernardino County. Policy Plan web maps. HZ-10 "Environmental Justice & Legacy Communities" web map. Accessed September 4, 2024.

Existing Mining and Shipping: 3.0 million tons per year (mtpy)

- 3 mtpy mined; 250,000 tons/month; 10,000 tons/day.
- Approximately 1.5 mtpy processed through plant and 1.5 mtpy shipped directly off-site.
- 25-ton street-legal haul trucks: 120,000 trucks/year; 400 trucks/day; 25 trucks/hour.
- On-site: 400 trucks x 0.5 miles round trip (RT) = 200 miles/day.
- Off-site: 400 trucks x 60 miles RT = 24,000 mi/day.

Proposed Mining and Shipping: 4.0 mtpy

- 4 mtpy mined; 333,335 tons/month; 13,335 tons/day.
- Approximately 2 mtpy processed through plant and 2 mtpy shipped directly off-site.
- 2 mtpy trucked by 25-ton haul trucks and 2 mtpy to rail loop loadout by 65-ton off-road haul trucks.
- Assume 2 mtpy to be trucked by 25-ton haul trucks for a 60-mile one way trip estimate.
6,667 tons/day.
- 80,000 25-ton trucks/year; 267 trucks/day; 17 trucks/hour.
- On-site: 267 trucks x 0.5 miles RT = 134 miles/day
- Off-site: 267 trucks x 60 miles RT = 16,020 miles/day
- **Decrease of 133 trucks/day and 8,000 miles/day.**

- **NEW:** Assume 2 mtpy to be trucked by 65-ton haul trucks to rail loop loadout (4.5 miles RT).
- 2 mtpy; 6,667 tons/day.
- 30,770 trucks/year; 103 trucks/day; 10 trucks/hour.
- 103 trucks/day x 4.5 miles RT = 464 miles/day.

With the Revised Plan, there would be a net decrease of 7,536 vehicle miles traveled of 25-ton and 65-ton haul trucks. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required. As a condition of approval, production shall be limited to the existing permitted amount of 3.0 MT per year until the rail loadout facility is permitted.

Less Than Significant Impact

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

Vehicle access to the site from SR-58 is provided by Hinkley Road, Santa Fe Avenue, and then a BLM-managed dirt road designated as Lynx Cat Road. The Operator would construct safety benches with berms, and inactive ramps and roads in mining areas would be blocked to prevent access. Mining operations are conditionally permitted

within the Project Site zoning of Resource Conservation. Furthermore, the Project Site is surrounded by vacant and undeveloped land. The Proposed Project does not involve any changes to road design features that could substantially increase hazards due to a geometric design feature or incompatible uses. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Result in inadequate emergency access?*

Vehicle access to the site from SR-58 is provided by Hinkley Road, Santa Fe Avenue, and a BLM-managed dirt road designated as Lynx Cat Road. The nearest publicly dedicated road is Santa Fe Avenue approximately 2 miles to the southwest. Santa Fe Avenue is a dirt road that is lightly traveled. Parcels surrounding and adjacent to the increased production site are vacant and undeveloped property in mostly public ownership under the jurisdiction of the BLM. No schools, hospitals, homes, or public facilities are located anywhere near the site, and the nearest residence is located approximately 3 miles easterly of the site. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, mining operations would not result in inadequate emergency access. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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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

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<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>
consider the significance of the resource to a California Native American tribe?				

SUBSTANTIATION:
AB52 Consultation; BCR Consulting, LLC, Cultural Resources Assessment, October 9, 2024

- 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;*

Findings were negative during the Sacred Lands File search with the NAHC. During the field survey, BCR Consulting archaeologists identified 11 cultural resources within the Project Site boundaries, including three prehistoric archaeological sites and six isolated prehistoric artifacts. Isolated finds are not considered “historical resources” under CEQA and as such do not require further consideration. BCR Consulting recommends that none of the resources identified during the research and field survey are eligible for the California Register of Historical Resources (California Register). No additional analysis is recommended. However, the prehistoric and historic-period resources recorded during the study, in addition to the cultural resources identified in the surrounding area during the records search, indicate sensitivity for buried cultural resources within the Project Site. Mitigation Measure CR-1 identified above shall be implemented to avoid potential significant impacts to cultural resources. No additional mitigation measures are required.

Less than Significant with Mitigation

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

California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead

agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

The County, serving as the Lead Agency, is responsible for conducting government-to-government consultation with local tribes as requested per AB52. The County initiated consultation on December 5, 2024. Tribal letter public notice mailers were sent to the following tribes:

- Twenty-Nine Palms Band of Mission Indians
- Colorado River Indian Tribe
- Fort Mojave Indian Tribe
- San Gabriel Band of Mission Indians
- Gabrieleno Band of Mission Indians – Kizh Nation
- Soboba Band of Luiseno Indians
- Yuhaaviatam of San Manuel Nation (YSMN)
- Morongo Band of Mission Indians

YSMN responded, stating that the project has moderate potential for inadvertent discoveries of TCRs. Therefore, they requested that the following Mitigation Measures be added:

Mitigation Measure CUL-1 Monitoring and Treatment Plan

A Monitoring and Treatment Plan that is reflective of the project mitigation (“Cultural Resources” and “Tribal Cultural Resources”) shall be completed by the archaeologist and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians). Once all parties review and approve the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

Mitigation Measure CUL-2 Archaeological Monitoring (similar to CR-1)

Due to the heightened cultural sensitivity of the proposed project area, an archaeological monitor with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). 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.

Mitigation Measure CUL-3 Worker Environmental Awareness Program

Prior to project initiation, a qualified archaeologist shall be retained to conduct a Worker's Environmental Awareness Program (WEAP) training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The training should be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology. Tribal representatives from the Consulting Tribes, such as Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN, also known as San Manuel Band of Mission Indians) will be allowed to attend and/or participate in the WEAP training should they elect to and will be given ten days' notice prior to the training. Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

Mitigation Measure TCR-1 Tribal Monitoring

Due to the heightened cultural sensitivity of the proposed project area, at the discretion of the consulting tribe(s), Tribal monitor(s) authorized to represent YSMN shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). At the discretion of the consulting tribes, a sufficient number of Tribal 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 that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist, as detailed within CUL-1, and submitted to the Lead Agency for dissemination to the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN). Once all parties review and agree to the plan, it shall be adopted by the Lead Agency – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

Mitigation Measure TCR-2 Treatment of Cultural Resources During Project Implementation

If a pre-contact cultural resource is discovered during project implementation, ground-disturbing activities shall be suspended 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, the Archaeologist, and the Lead Agency shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the resource's archaeological significance, its potential as a Tribal Cultural Resource (TCR), and avoidance (or other appropriate treatment) of the discovered resource. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal

monitor representing the Tribe, unless otherwise decided by YSMN. All plans for analysis shall be reviewed and approved by the applicant and YSMN prior to implementation, and all removed material shall be temporarily curated on-site.

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 appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Project operator/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.

Mitigation Measure TCR-3 Inadvertent Discoveries of Human Remains (similar to CR-2)

If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Less than Significant with Mitigation

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

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

SUBSTANTIATION:

Countywide Policy Plan; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

Water shall be provided for project operations by the on-site well. Bottled water is delivered to the site for drinking water. The Proposed Project would not require the relocation or construction of new or expanded water utilities.

Storm runoff water would continue to be directed into the on-site containment areas within the quarry excavations where it either evaporates or percolates back to the water table. Therefore, the Proposed Project would not require the relocation or construction of new storm water drainage facilities.

Only portable toilet facilities with handwashes would be used for the workers. No septic systems are, or would be, installed on-site. The Proposed Project would not require sewer collection or treatment services and therefore no off-site discharge of treated wastewater would occur.

Power for the Proposed Project would be supplied by 2 to 3 generators. There would be one diesel and one gasoline storage tanks at the mine along with a fuel truck all equipped with appropriate spill containment.

The Proposed Project would not require natural gas and would therefore not connect to natural gas facilities.

The Proposed Project would not require construction of telecommunications facilities as cellular service is not necessary.

Therefore, the Proposed Project would not require the relocation or construction of electric power, natural gas, or telecommunications facilities.

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

Less Than Significant Impact

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

The Project Site lies within the Harper Valley Groundwater Basin of the South Lahontan Hydrologic Region. The basin has a total storage capacity of approximately 7,000,000 acre-feet, and natural recharge is estimated at approximately 13,600 acre-feet per year. Water for the Lynx Cat Quarry is supplied by a drilled well. Groundwater-level measurements in the on-site well indicate groundwater elevation rises to a depth of between 200 – 820 feet bgs with a very low water yield of 5-30 gpm.

Fresh water would be used at the Project Site for dust suppression activities and aggregate washing. At maximum production of operations, up to 180,000 gallons per day (gpd) of water may be utilized for dust suppression and aggregates washing. Up to 70% of aggregate wash water (approximately 160,000 gpd when operational) would be recycled through a sedimentation retention pond system (if constructed), so approximately 68,000 gallons of fresh water per day would be consumed by project

operations (48,000 gpd for washing and 20,000 gpd for dust control). Annual use is estimated at approximately 60 acre-feet per year based on 250 to 300 days of operations. Water supplies are anticipated to sufficiently serve the Proposed Project into the future. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

There is no sewer service at the mine site and the Proposed Project would not require sewer collection or treatment services. Therefore, no off-site discharge of treated wastewater would occur. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

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

Mining activities at the Lynx Cat Mountain Quarry site produce three types of waste: overburden (topsoil), waste oils/solvents, and domestic garbage.

Overburden on the Project Site primarily consists of seed-containing "topsoil", silty-sand, rock dust and rubble and generally comprises the top 0" to 12" of surface material. The overburden material is not consistent throughout the site, especially in the hard rock-exposed areas. This material would be removed from the surface where it exists, and stockpiled in the perimeter earth berms which would serve as a windbreak, stormwater containment, and as seed test beds and the soil islands for subsequent use during revegetation. The total quantity of actual topsoil material and seed bed material qualifying as capable growth medium is expected to be low.

Equipment and vehicle maintenance servicing may produce waste oils, lubricants and solvents. It is projected that maintenance of processing equipment would generally occur on-site during periods of maximum production and may require screen and jaw change-outs and replacements. All collected waste oils, lubricants and solvents shall be placed in covered containers and stored within secondary containment structures while on-site. These collected materials would continue to be transferred to a County-approved hazardous waste handler for proper disposal or to an approved re-use facility.

Ordinary refuse would continue to be collected in standard 40-cubic yard roll-off bins and disposed of at the Barstow landfill. The operator shall remove any soils that become chemically contaminated to a County approved disposal site.

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

Less Than Significant Impact

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

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

SUBSTANTIATION:

Countywide Policy Plan; Lilburn Corporation, MATCON Corporation, and Webber & Webber Mining Consultants, Inc. Lynx Cat Mountain Quarry Revision to Mining and Reclamation Plan

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

The quarry is located 5 miles north of SR-58, which is an evacuation route.²⁸ Approximately half of the quarried material would be delivered via the new proposed

²⁸ San Bernardino County Policy Plan web maps. PP-2 "Evacuation Routes." Accessed August 30, 2024.

rail load out facility (under a separate CUP), thereby minimizing traffic congestion on the I-15 and SR-58. No schools, hospitals, homes, or public facilities are located anywhere near the site and the nearest residence is located approximately 3 miles easterly of the site. All vehicles and stationary equipment would be staged off public roads and would not block emergency access routes. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

The Project Site is not located within a High or Very High Fire Hazard Severity Zone.²⁹ Therefore, risks associated with exposing project employees to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors, exacerbate wildfire risks is unlikely. Furthermore, the Proposed Project does not include construction of habitable structures nor are there any such existing structures. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

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

No Impact

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

The Project Site is not within a 100-Year Federal Emergency Management Agency (FEMA) flood zone nor a 500-year FEMA flood zone.³⁰ A portion of the Project Site does lie within a Department of Water Resources 100-year flood awareness.³¹ As stated previously, water flows would continue to be directed into depressions (or low spots) within the working quarry area. Further, the 3 to 4-foot-high earthen berm

²⁹ San Bernardino County. Policy Plan web maps. HZ-5 "Fire Hazard Severity Zones." Accessed August 30, 2024.

³⁰ San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed September 4, 2024.

³¹ San Bernardino County. Policy Plan web maps. HZ-4 "Flood Hazards" web map. Accessed September 4, 2024

constructed along the outside perimeter of the quarry would prevent stormwater from flowing into or out of the quarry and processing areas. The Project Site is not located within a High or Very High Fire Hazard Severity Zone.³² As stated previously, the Project Site is neither located in an area with mapped, existing landslides nor is it located in an area susceptible to landslides. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

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

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³² San Bernardino County. Policy Plan web maps. HZ-5 “Fire Hazard Severity Zones.” Accessed August 30, 2024.

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

The Project Site contains shrubs that can be utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15. Mitigation Measure BIO-1 shall address potential impacts to nesting birds. According to the CNDDDB and the California Native Plant Society CNPS, a total of 11 sensitive species of plants and one sensitive habitat have the potential to occur on or within the vicinity of Expansion Areas 1 and 2. According to CNDDDB a total of 16 sensitive species of wildlife have the potential to occur on or within the vicinity of Expansion Areas 1 and 2. According to the CNDDDB and the CNPS, a total of 5 sensitive species of plants and one sensitive habitat have the potential to occur on or within the vicinity of Expansion Area 3. According to CNDDDB, a total of 18 sensitive species of wildlife have the potential to occur on or within the vicinity of Expansion Area 3. Suitable desert tortoise burrows, desert tortoise sign, and live desert tortoise were found during focused surveys. Implementation of Mitigation Measure BIO-2 would address potential impacts to desert tortoise. There is suitable habitat present on site for loggerhead shrike and Le Conte's thrasher. Implementation of Mitigation Measure BIO-1 would ensure no impacts to these species occur. American badger has the potential to be present. Implementation of Mitigation Measure BIO-3 would ensure no impacts to American Badger occur. The proposed mine expansion may result in impacts to Mohave ground squirrel. Mitigation Measure BIO-4 shall address potential impacts to this species.

The cultural resources records search conducted by BCR Consulting revealed that six previous cultural resource studies have taken place, and 13 cultural resources have been identified within one mile of the Project Site. One of the previous studies has assessed a portion of the project site and no cultural resources have been previously identified within its boundaries. During the field survey, BCR Consulting archaeologists identified 11 cultural resources within the Project Site boundaries, including three prehistoric archaeological sites, two historic-period archaeological sites, and six isolated prehistoric artifacts Mitigation Measures CR-1 & 2; CUL-1, 2, & 3; and TCR 1, 2, & 3, shall be implemented to ensure no adverse impacts to cultural resources and Tribal Cultural Resources occur.

Less than Significant with Mitigation

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

Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely

related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

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

The increase in greenhouse emissions resulting from the Proposed Project would not exceed MDAQMD or County thresholds. Therefore, impacts from greenhouse gas emissions are not cumulatively considerable. In addition, the increase in criteria pollutant emissions would not exceed MDAQMD thresholds. Development of the Proposed Project would be conditioned to comply with current MDAQMD rules and regulations to minimize impacts to air quality.

The rail loadout facility would require a separate CUP and a separate CEQA analysis. As demonstrated in this Initial Study, with a production of 4 MT per year allowed with approval of the rail loadout facility, the Proposed Project would have less than significant impacts with regards to air quality, greenhouse gas, energy, and transportation. As a condition of approval, production shall be limited to the existing permitted amount of 3 MT per year until the rail loadout facility is permitted.

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

Less Than Significant Impact

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

All blast related activities would be performed and managed by a blasting contractor licensed with the BATF&E for transporting, handling, storage, and use of explosive materials, blasting agents, and blasting equipment. Equipment and vehicle maintenance servicing may produce waste oils, lubricants and solvents. When on-site maintenance does occur, all servicing of equipment would be performed consistent with San Bernardino County Department of Environmental Health Services and County Fire Department regulations for draining/collecting waste oils and other hazardous materials. All collected waste oils, lubricants and solvents shall be placed in covered containers and stored within secondary containment structures while on-site. These collected materials would continue to be transferred to a County-approved hazardous waste handler for proper disposal or to an approved re-use facility. The operator shall remove any soils that become chemically contaminated to a County approved disposal site.

The Mine Operator maintains a business plan and spill prevention control and counter measure plan with BMPs to ensure that on-site materials are stored appropriately and contained in the event uncontrolled release. The final quarry walls would remain stable both statically and dynamically pursuant to the Recommendations section of Terracon's report. Should any final quarry slopes fail to attain the minimum factor of safety standards, the operator would implement such measures necessary to bring the slopes into compliance.

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

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

Less Than Significant Impact

Therefore, less than significant adverse impacts are identified or anticipated with incorporation of mitigation measures.

GENERAL REFERENCES

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