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:	0503-341-01	***USGS Quad:***	Red Mountain Quadrangle
Applicant:	Gold Discovery Group LLC 2549 Eastbluff Drive, Suite B-499 Newport Beach CA 92660	***T, R, Section:***	Township 30 South, Range 41 East, Section 20
Location	The project's mining activities would be located in San Bernardino County near the Atolia area, approximately 6.3 miles south of Johannesburg. This Project site is situated in San Bernardino County parcels 050334101 and 050308113.	***Coordinates***	35.307489, -117.612285
Project No:	MRP-2023-00001	***Community:***	Red Mountain
Rep:	Sean Tucker	***LUZD:***	Resource Conservation (RC)
Proposal:	Placer Mine project.	***Overlays:***	

PROJECT CONTACT INFORMATION:

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

Contact person: Derek Newland
Phone No: (909) 387-8311 ***Fax No:*** (909) 387-3223
E-mail: derek.newland@lus.sbcounty.gov

PROJECT DESCRIPTION SUMMARY:

Gold Discovery Group LLC (GDG) proposes placer mining activities for the Persistence Mine Project (Project). The activities would occur on four unpatented placer claims in the vicinity of Atolia within San Bernardino County, California, on public lands administered and managed by the Bureau of Land Management (BLM), California Desert District Office, Ridgecrest Field Office.

GDG submitted a Plan of Operations (Plan) for the proposed placer activities in accordance with Bureau of Land Management (BLM) regulations published in the Code of Federal Regulations (CFR) in 43 CFR 3809 and 43 CFR 3715 (GDG 2024a). Pursuant to requirements under the California Environmental Quality Act of 1970 (CEQA) and the California Surface Mining and Reclamation Act of 1975 (SMARA) for projects that would entail over one acre of surface disturbance, GDG submitted a Reclamation Plan to San Bernardino County (County) to address the reclamation activities that would be undertaken following completion of the proposed activities (GDG 2024b).

GDG proposes to extract desert placer-style gold and silver from semi-consolidated to unconsolidated sands and silts (sediments) from placer mining claims in San Bernardino County near the Atolia area. This area is referred to as the “Project site”. GDG would develop two open pits at the Project site, with a total surface disturbance of 125.5 acres. Excavated material would be processed on-site. Development of the open pits would occur roughly in two phases: Phase 1 would entail creating a wash plant pad site within the footprints of the open pits and completing an initial box cut of the open pits. Phase 2 would entail sequential block or strip mining of the open pits. The approximate layout of the Project site during Phase 2 is shown in Figure 3. All surface disturbances associated with the Project would be reclaimed after mining activities are completed. The reclamation activities would include backfilling the pits following the completion of material processing and reinstating the BLM road that currently passes through the Project site. Reclamation of disturbed areas resulting from the proposed Project would be completed in accordance with 43 Code of Federal Regulations (CFR) 3809.420 and requirements under the SMARA. Construction and mining activities would occur for approximately 33 months, but reclamation monitoring would continue for as long as necessary to fulfill BLM and San Bernardino County reclamation requirements. Water for the Project would

either be obtained from an existing well owned by Rand Communities Water District (RCWD), or GDG would develop two well sites with a total disturbance of 0.56 acres. The well sites would be located in Kern County and are not subject to permitting requirements of San Bernardino County.

SURROUNDING LAND USES AND SETTING

The area surrounding the Project site consists of federal public lands administered by BLM and are zoned by the County for Resource Conservation. There are no adjacent or nearby sensitive land uses. The nearest residences are located approximately 6.3 miles north of the Project site in the town of Johannesburg.

Existing Land Use and Land Use Zoning Districts		
Location	**Existing Land Use**	**Land Use Zoning District**
Project Site	Exploration drilling and open space on federal lands under the jurisdiction of the BLM.	Resource Conservation (RC)
North	open space on federal lands under the jurisdiction of the BLM	Resource Conservation (RC)
South	open space on federal lands under the jurisdiction of the BLM	Resource Conservation (RC)
East	open space on federal lands under the jurisdiction of the BLM	Resource Conservation (RC)
West	open space on federal lands under the jurisdiction of the BLM	Resource Conservation (RC)

PROJECT SITE LOCATION, EXISTING SITE LAND USES AND CONDITIONS

GDG plans to extract desert placer-style gold and silver from semi to unconsolidated sands and silts (sediments) from placer mining claims. This operation is referred to as the Persistence Mine by GDG (referred to in this document as the Project).

The mining activities of the Project would be located in San Bernardino County near the Atolia area, approximately 6.3 miles south of Johannesburg (Figure 1). This Project site is located within Township 30 South, Range 41 East, Section 20, and within San Bernardino County parcels 050334101 and 050308113. The Project site would be accessed by turning east off U.S. Highway 395 onto BLM off-highway vehicle open route (BLM route) RM109. BLM routes are commonly referred to by the public as open-use jeep trails. An alternate access on BLM route RM0078 area may also be used occasionally for equipment and supply deliveries to the Project site. Access between the two pits would be along a private road on land owned by GDG (Figure 2).

The Project site encompasses 126.06 acres of public lands within San Bernardino County, California that are administered by the BLM Ridgecrest Field Office. The Project site is open to mineral entry under the Mining Law of 1872. There are no active land use authorizations other than the existing authorization for GDG for exploratory drilling (CACA105847437 and CACA105846362, totaling 20 acres). Existing land use at the Project site consists of recreational and wildlife uses. The conditions of the Project site are described in further detail within each checklist resource section.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: Bureau of Land Management, United States Fish and Wildlife Service (USFWS), State Historic Preservation Office.

State of California: California Environmental Protection Agency, California Department of Fish and Wildlife, California Department of Conservation Division of Mine Reclamation and the State Mining and Geology Board.

County of San Bernardino: Land Use Services Department.

Regional: Mojave Desert Air Quality Management District.

Local: None.

SITE PHOTOGRAPHS

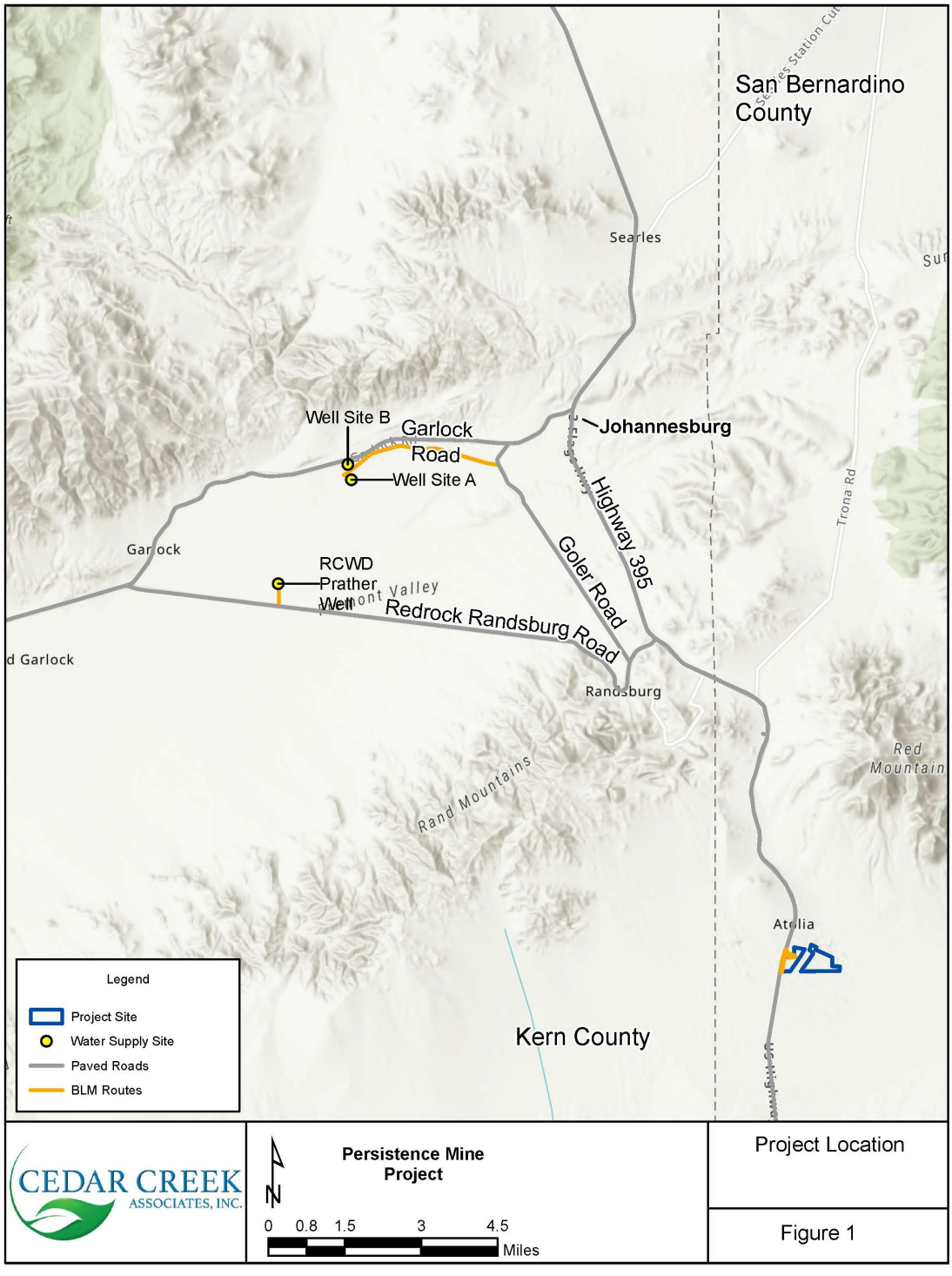


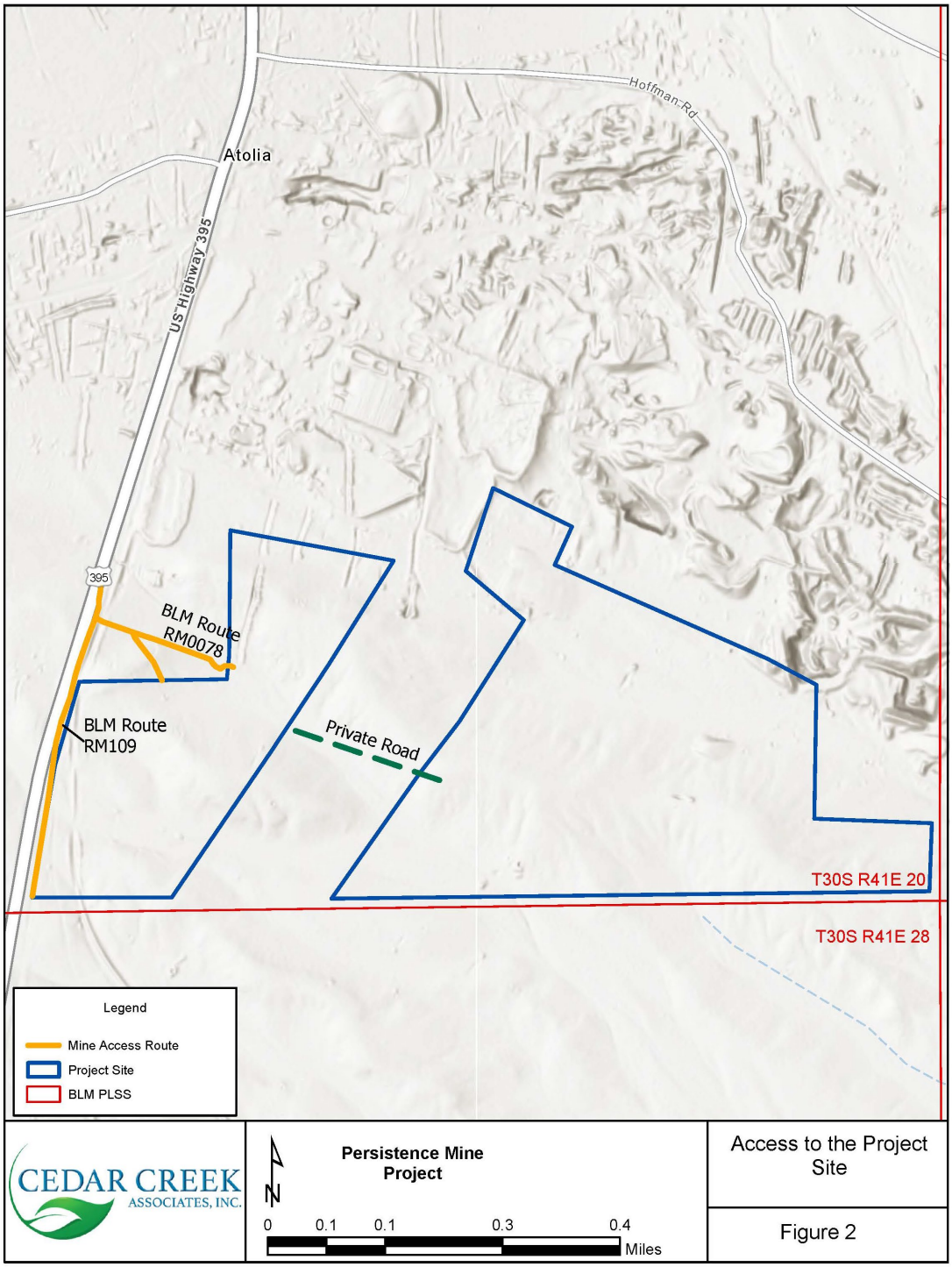
Photo 1 Property



Photo 2 Project Vicinity

SITE FIGURES




Hoffman Rd
Atolia
US Highway 395
395
BLM Route
RM0078
BLM Route
RM109
Private Road
T30S R41E 20
T30S R41E 28
Legend
Mine Access Route
Project Site
BLM PLSS
CEDAR CREEK
ASSOCIATES, INC.
N
Persistence Mine
Project
0 0.1 0.1 0.3 0.4
Miles
Access to the Project
Site
Figure 2

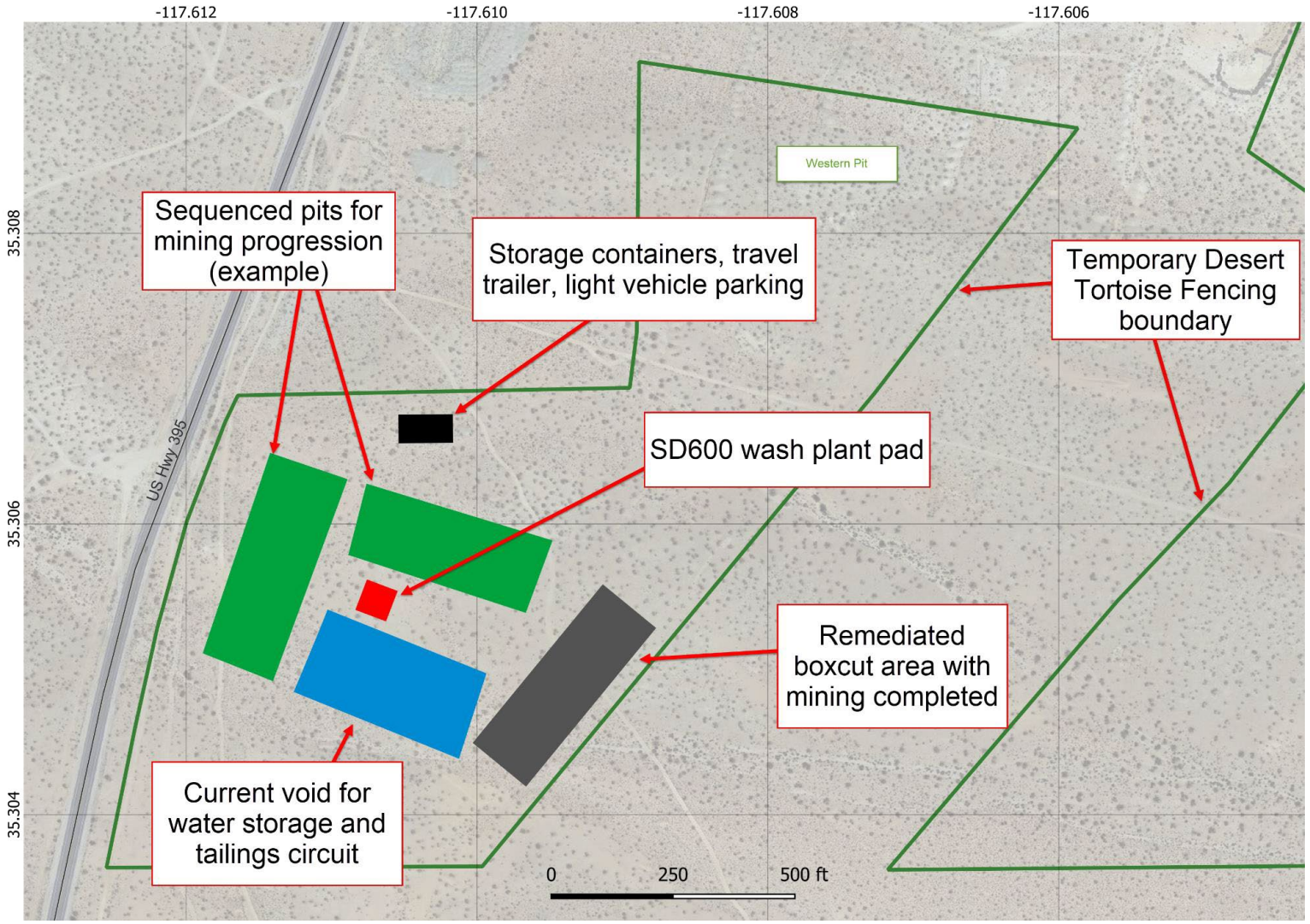


Figure 3: Phase 2 Site Layout

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

On June 18, 2024, the County Land Use Services Department initiated an environmental review under the CEQA for the proposed Project. In accordance with Assembly Bill 52 (AB 52), which added various provisions to the California Public Resources Code (PRC) that concern Tribal Cultural Resources, including Section 21080.3.1(d), the County notified the Twenty-Nine Palms Band of Mission Indians on December 20, 2024 the opportunity to consult on this Project. The County will continue coordinating with California Native American tribes on this Project pursuant to Public Resources Code section 21080.3.1.

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 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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

Derek Newland — 7-8-2025

Signature: Derek Newland, Planner — Date

A. L. — 7.8.2025

Signature: Aron Liang, Planning Manager — Date

Dan P. Walsh — 7/8/2025

Signature: Dan Walsh, Chief Engineering Geologist — Date

INITIAL STUDY CHECKLIST

AESTHETICS ISSUES

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

AESTHETICS ENVIRONMENTAL SETTING

Using the BLM's Visual Resource Inventory (VRI) system, the Project site and surrounding area were characterized for scenic quality and sensitivity that the public may have on changes to landscape character. The following VRI characteristics are assigned to the Project site and the surrounding 5-mile buffer:

The Project site and surrounding landscape are within scenic quality Class C (low scenic value) landscapes. Scenic quality is a measure of the visual appeal of a tract of land and areas with the most visual variety and most harmonious compositions having the highest scenic value.

The Project site is within an area of high visual sensitivity. Visual sensitivity reflects people's attitudes and perceptions regarding the landscape and, in general, the public's level of sensitivity to visual change in the landscape. An area rated as high sensitivity implies a high level of sensitivity to visual change.

The Project site is within a foreground-middle ground distance zone, which means the area is visible within five miles of viewing locations.

The Project site is in a Class III Visual Resource Management (VRM) area. The objective of Class III is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention, but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

AESTHETICS SUBSTANTIATION

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

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials.

a) **Less Than Significant Impact:** No, the Project would not have a substantial adverse effect on a scenic vista. The Project site is not located near a scenic vista . Surface disturbances and activities would occur at the Project site, located near U.S. Highway 395. The Project site and surrounding landscape are within scenic quality Class C (low scenic value) landscapes. As a result, the Project would have a less than significant impact on a scenic vista.

b) **No Impact.** The Project would not remove or damage trees, rock outcroppings, or historical buildings because there are none in the Project site. See the response to CEQA Criteria a) above regarding state scenic highway. As a result, the Project is anticipated to have no impact on scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

c) **Less than Significant Impact.** No, the Project would not substantially degrade the existing visual character or quality of public views of the Project site and its

surroundings. The Project is within a rural environment based on the California Site Check mapping tool (https://sitecheck.opr.ca.gov/). Vehicles traveling along U.S. 395 would see a high degree of visual contrast, consisting of changes in line, color, and form resulting from open pit operations and equipment. The contrast created by the Project would not be expected to change the skyline view or the overall characteristic landscape of the surrounding environment. These changes would be short-term in nature. Applicant-committed protection measures to minimize visual contrast would include beginning reclamation of areas as soon as practicable, measures to minimize erosion and fugitive dust, and utilizing existing disturbed and reclaimed roads to the extent possible to minimize new changes to color, line, and form. Following Project activities, all surface disturbances would be reclaimed, including backfilling the pits. Reclamation of all surface disturbances would restore the landscape to its existing form, line, color, and shape. The management objectives of BLM VRM Class III would be maintained. As a result, the Project would have a less than significant impact on the existing visual character and quality of public views of the site and its surroundings.

d) **Less than Significant Impact.** Nighttime lighting would be used in the Project site up to six nights a week. GDG would follow “Dark Sky” lighting practices throughout the life of the Project, such as using shielded lights, using the lowest practical light settings, and limiting the number of lights required to operate safely. Nighttime lighting would be most visible near U.S. Highway 395. Nighttime views are already limited by the vehicles traveling along this highway at night due to headlight use. The Project’s lighting would be shielded from the highway to prevent glare or disruption to drivers along this road. As a result, the Project is anticipated to have a less than significant impact on nighttime views in the area.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required beyond the protection measures identified by GDG’s Plan.

AGRICULTURE AND FORESTRY RESOURCES ISSUES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
II.	**AGRICULTURE AND FORESTRY RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

AGRICULTURE AND FORESTRY SUBSTANTIATION

SUBSTANTIATION: *(Check ☐ if project is located in the Important Farmlands Overlay):*

San Bernardino Countywide Policy Plan 2023*; *California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

a) **No Impact**. The Project site is not used for any type of agricultural activity. According to the California Department of Conservation (DOC) California Important Farmland Finder, the Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site is not subject to a Williamson Act contract. As a result, the Project would have no impact on converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

b) **No Impact**. The Project site is not subject to a Williamson Act contract. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. The Project would have no impact on agricultural or Williamson Act contract areas.

c) **No Impact**. The Project site has never served as a forestry resource and does not contain any trees. The Project site does not meet the definition of forest land or timberland, as defined by Public Resource Code (PRC) Sections 12220(g), 4526, and 51104(g). No changes would occur from implementing the Project that would trigger or result in the rezoning of forest land or timberland. The Project would have no impact of caused by conflicts with existing zoning for, or rezoning of forest land, timberland, or timberland zoned.

d) **No Impact**. The Project site does not meet the definition of forest land or timberland, as defined by PRC Sections 12220(g), 4526, and 51104(g). Therefore, the Project would have no impact on forest land or timberland due to loss of forest land or conversion of forest land to non-forest use.

e) **No Impact.** The Project would not involve conversion of farmland to non-agricultural use or conversion of forest land to non-forest land use. Therefore, the Project would

have no impact caused by converting farmland to non-agricultural use or converting forest land to non-forest land use.

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

AIR QUALITY ISSUES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
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?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

AIR QUALITY ENVIRONMENTAL SETTING

The Project is in the Mojave Desert California Air Basin, which is regulated by the Mojave Desert Air Quality Management District (MDAQMD). The Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (USEPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. Areas are classified as “attainment” (meeting all NAAQS) or “nonattainment” (an exceedance of one or more criteria pollutants). The County in which the proposed Project would be held (San Bernardino County, California) is (in part) classified as a nonattainment area for two pollutants: ozone and PM_{10}. The CAA general conformity rules apply in nonattainment areas; because of this, the proposed Project must conform to the State Implementation Plan (SIP) to remedy the air pollution problem.

AIR QUALITY SUBSTANTIATION

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

San Bernardino Countywide Policy Plan 2023*; *Submitted Project Materials

a) **Less than Significant Impact.** The proposed Project would not conflict with or obstruct the implementation of the SIP. A Project emissions inventory was completed. The inventory uses daily and annual use of equipment to estimate annual emissions from project construction, operations, and worker daily commuting activities. Development of the open pit (construction) would occur concurrently with material processing (operations), and therefore, emissions were estimated for these activities occurring simultaneously. The emission factors of vehicles and equipment are based on equipment horsepower, load factor, and USEPA emission tiers. The emissions inventory was prepared utilizing a model provided by the BLM. The emissions calculations detail is shown in Cedar Creek (2025). A summary of air emissions from activities associated with the Project were estimated as shown in Table 1.

Table 1 Project Potential Emissions (Tons per Year)

Source	NOx	CO	VOC	SOx	PM_{10}	$PM_{2.5}$	HAPS
Project Emissions[1]	17.71	3.60	0.66	0.04	1.07	0.11	1.35
MDAQMD Significant Emissions Thresholds[2]	25	100	25	25	15	15	8
De Minimis Limits[3]	100	100	100	100	70	70	10
USEPA Significant Emission Rate	40	100	40	40	15	10	15

Notes: Source: Cedar Creek (2025).
1 Project emissions are shown here for construction plus operations activities, as development of the open pit will occur concurrently with material processing.
2 MDAQMD Federal Conformity Guidelines, February 2020.
3 De Minimis emission threshold rates in 40 CFR § 93.153(b)(1) and (b)(2). PM2.5 and PM10 reflect "Serious NAAs".

These estimates show that the Project would be below MDAQMD thresholds of significance, Federal Conformity *de minimus* thresholds, and USEPA significant emission rates. The Project

would generate air pollutant emissions that are inconsequential on a regional basis. As a result, the Project would have a less than significant impact on air quality and would not conflict with the implementation of the MDAQMD air quality plan.

GDG would be required to take sufficient action necessary to ensure that the Project meets local, state, and federal CAA requirements. GDG's Plan includes dust control measures. Dust control measures must be in compliance with MDAQMD Rules 401 (limiting visible emissions); 402 (avoid nuisance emissions to people or businesses or property); and 403 (prohibits visible dust from crossing property lines and controlling fugitive dust). The main dust control method would be the water spraying of roads, operational mine areas, and any active stockpiles. A water truck equipped with sprayers would be used for dust control as required. Water for dust control would be obtained from sources in the Randsburg area, which includes purchasing from the Rand Communities Water District or pumping from a well(s) that may be drilled in Rand County.

Haul roads to the plant from the active pit would be compacted with a general wheel loader and machinery, which would reduce dust and erosion. This would be complemented with water spraying from the water truck as required. No chemical dust control is proposed to ensure that a low-contamination site is maintained.

In addition, any portable crushing/screening plants occasionally used onsite by outside contractors would be required to be permitted by the MDAQMD and to implement applicable dust control measures. The following BLM Conservation Management Actions (CMAs) would be required of GDG in conformance with BLM requirements:

LUPA-AIR-1: All activities must meet the following requirements: a) Applicable National Ambient Air Quality Standards (Section 109); b) State Implementation Plans (Section 110); c) Control of Pollution from Federal Facilities (Section 118) including non-point source; d) Prevention of Significant Deterioration, including visibility impacts to mandatory Federal Class I Areas (Section 160 et seq.); e) Conformity Analyses and Determinations (Section 176[c]); f) Apply best management practices on a case by case basis; g) Applicable local Air Quality Management Jurisdictions (e.g., 403 SCAQMD).

- The Project would comply with applicable State of California and San Bernardino County Air District rules for fugitive dust emissions and greenhouse gas emissions and significance thresholds would not be exceeded. The project would comply with the CMA.

LUPA-AIR-2: Because project authorizations are a federal undertaking, air quality standards for fugitive dust may not exceed local standards and requirements.

- The Project would comply with applicable State of California and San Bernardino County Air District rules for fugitive dust emissions and greenhouse gas emissions and significance thresholds would not be exceeded. The project would comply with the CMA.

b) **Less Than Significant Impact.** The Project would not 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. As shown in Table 1, Project emissions would be below significant threshold criteria. As a result, the Project would have a less than significant impact on a cumulatively considerable net increase of any criteria pollutant under an applicable federal or state ambient air quality standard.

c) **Less Than Significant Impact.** The proposed Project would not expose sensitive receptors to substantial pollutant concentrations. The Project site is in a remote area of San Bernardino County, near a major highway. The MDAQMD defines sensitive receptors as locations where people are more vulnerable to the effects of air pollution. These locations include residences, schools, daycare centers, playgrounds, and medical facilities. As per the MDAQMD's Guidelines, the following project types located within a specified distance to an existing or planned sensitive receptor land use must be evaluated to determine exposure of substantial pollutant concentrations to sensitive receptors:

- Any industrial project within 1,000 feet;
- A distribution center (40 or more trucks per day) within 1,000 feet;
- A major transportation project (50,000 or more vehicles per day) within 1,000 feet;
- A dry cleaner using perchloroethylene within 500 feet; or
- A gasoline dispensing facility within 300 feet.

The nearest sensitive receptors to the Project would be located in Johannesburg, approximately 6.3 miles north of the Project site. Therefore, the Project is not within the above specified

distances to an existing or planned sensitive receptor that would require evaluation to determine exposure of substantial pollutant concentrations to sensitive receptors. As a result, the Project would have a less than significant impact on sensitive receptors to substantial pollutant concentrations.

d) **Less Than Significant Impact.** The proposed Project would not create objectionable odors affecting a substantial number of people. Individual responses to odors are highly variable and can result in a variety of effects. Generally, the impact of an odor results from a variety of factors, such as frequency, duration, offensiveness, location, and sensory perception. Potential Project sources that may emit odors would include emissions from diesel equipment that would occur during construction and operations of the Project. The objectionable odors that may be produced by the Project would be temporary to short term and would not likely be noticeable for extended periods of time beyond the Project site's boundaries because the Project is in a remote area. Through compliance with the applicable regulations that reduce odors and due to the transitory nature of odors, a less than significant odor impact would occur from the Project.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required beyond the mitigation measures identified for air quality.

BIOLOGICAL ISSUES

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

PROJECT TECHNICAL STUDIES

ELMT Consulting Inc. (ELMT). 2024a. Results of a Desert Tortoise (*Gopherus agassizii*) Presence/Absence Survey for Two Four-Acre Mill Sites Located in Kern County, California. Letter to S. Tucker, October 28.

____. 2024b. Burrowing Owl Focused Survey Report. Prepared for Gold Discovery Group Inc. July.

____. 2024c. Results of a Desert Tortoise (*Gopherus agassizii*) Presence/Absence Survey for Gold Discovery Group's Persistence Mine Project Located in Unincorporated San Bernardino County, California. Letter to S. Tucker. June 18.

____. 2024d. Results of a Desert Tortoise (*Gopherus agassizii*) Presence/Absence Survey for Along an Approximately 4.1 Mile Portion of BLM R110 Located in Kern County, California. Letter to S. Tucker. October 28.

South Environmental. 2022. Rare, Threatened, and Endangered ("Special-Status") Plant Survey on 128-Acres Proposed Mining Project South of Red Mountain in San Bernardino County, California. Letter to S. Tucker. June 24.

BIOLOGICAL ENVIRONMENTAL SETTING

The area of analysis for wildlife is the Project site plus a 500-foot buffer, with the exception of threatened and endangered species, which were analyzed within the Project site boundary.

The Project lies in the northern portion of the Mojave Desert in the Basin and Range ecoregion. Elevation ranges from approximately 2,900 to 3,600 feet above sea level. The climate is typical of the Mojave Desert, with long and hot summers and cool, shorter winters. Biological surveys for the Project were completed in 2022 (South Environmental 2022) and 2024 (ELMT 2024a, ELMT 2024b, ELMT 2024c, ELMT 2024d). These data were supplemented with record searches in the CDFW California Natural Diversity Database (CNDDB), a query through USFWS Information for Planning and Consultation (IPaC), and a review of the BLM sensitive species lists (BLM 2019, BLM 2022) to characterize the types of plant and wildlife species potentially occurring in the analysis area.

General Vegetation Alliances

The Project site is not located within critical habitat for any federally or state listed plant species and no federally listed plant species has been observed in this area. Botanical surveys identified a total of 40 vascular plant species, most of which are species native to California, in the Project site. Most of the species were annual herbs and shrubs with only a few perennial herbs and no trees or vines identified.

Two natural vegetation communities were identified within the Project site, following California Native Plant Society (CNPS) guidelines: Creosote-White Burrobush (*Larrea tridentata – Ambrosia dumosa*) Shrubland Alliance and Allscale (*Atriplex polycarpa*) Shrubland Alliance. The Water Supply Sites consist of partially disturbed land; where not barren or disturbed, the Creosote-White Burrobush vegetation community was also described for the sites (ELMT 2024a).

Special Status Plants

Queries of rare, threatened, and endangered plant species in the region from CNPS and the CNDBB online databases identified 12 species with the potential to occur in the region. Using the online BIOS, no special-status plant species have been recorded for the Project area in the past (CDFW 2022). Analysis of the potential for BLM Sensitive plant species to occur at the Project site, based on field-level habitat data and recorded occurrences within the immediate area, identified two species with a medium potential to occur: Barstow woolly sunflower and red rock poppy. During botanical surveys in 2022, no BLM Sensitive plants were observed.

Barstow wooly sunflower (*Eriophyllum mohavense*) has a California Rare Plant Ranking of 1B.2, indicating the species is rare throughout its entire range and is moderately threatened in California. The species inhabits chenopod scrub, Mojavean desert scrub and playas. It blooms from March to May and is found between 1,640 and 3,150 feet above mean sea level (amsl). The Project site has Mojavean desert scrub, and there have been several occurrences in the immediate area. However, this species was not observed during field surveys for the Project.

Rock poppy (*Eschscholzia minutiflora ssp. twisselmannii*) has a California Rare Plant Ranking of 1B.2 indicating the species is rare throughout its entire range and is moderately threatened in California. The species inhabits Mojavean desert scrub and playas. It blooms from March to May and is found between 2,230 and 4,035 feet amsl. The Project site has Mojavean desert

scrub and there here have been several occurrences in the immediate area. However, this species was not observed during field surveys for the Project.

General Wildlife

The Project site does not form part of a federal or state-designated wildlife movement corridor or habitat linkage and is not located within a habitat Landscape Block or Linkage Design as established by the SC Wildlands (CDFW 2024). Biological surveys in 2024 observed small mammal burrows at the Project site, typically situated directly beneath dense brush, that were associated with white-tailed antelope ground squirrel (*Ammospermophilus leucurus*), black-tailed jackrabbit (*Lepus californicus*), or other small mammal species (e.g., rodents).

Migratory Birds and Raptors

Based on a review of CDFW's CNDDB, raptors with the potential to occur in the analysis area could include prairie falcons (*Falco mexicanus*) or long-eared owls (*Asio otus*). A burrowing owl (*Athene cunicularia*) survey was also completed for the Project site in 2024. These raptors are CDFW species of concern. In addition, the Western burrowing owl has been proposed for listing under the California Endangered Species Act (ESA).

Raptor species observed during field investigations at the Project site included red-tailed hawks (*Buteo jamaicensis*) and turkey vultures (*Cathartes aura*). There are no records of golden or bald eagle nests within two miles of the Project site.

Other migratory bird species observed during the field investigation include black-throated sparrow (*Amphispiza bilineata*), bell's sparrow (*Artemisiospiza belli*), ash-throated flycatcher (*Myiarchus cinerascens*), common raven (*Corvus corax*), horned lark (*Eremophila alpestris actia*), say's phoebe (*Sayornis saya*), California towhee (*Melozone crissalis*), house finch (*Haemorhous mexicanus*), yellow-rumped warbler (*Setophaga coronata*), western meadowlark (*Sturnella neglecta*), mourning dove (*Zenaida macroura*), and white-crowned sparrow (*Zonotrichia leucophrys*). Migratory birds could utilize the Project area for foraging, resting, or finding refuge. CNDDB records include Le Contes thrashers (*Toxostoma lecontei*) and loggerhead shrikes (*Lanius ludovicianus*) within the generalized quad map for Red Mountain. Ground nesting birds could use this area during the nesting season. There are no suitable nesting substrates for cliff or tree-dwelling raptors in the analysis area.

Special status wildlife species include federal ESA-listed species, California ESA-listed species, BLM Sensitive wildlife species, and CDFW Species of Concern. The following describes special status wildlife species that may occur or are known to occur at the Project site.

American Badger (*Taxidea taxus*): American badgers are identified by CNDDB with the potential to occur. This species is uncommon in California but where found, is a permanent resident in most of the state, except in the northern North Coast area (CDFW 2024). Suitable habitat for badgers is characterized by herbaceous, shrub, and open stages of most habitats with dry, friable soils. They are carnivorous mammals that eat fossorial rodents and sometimes reptiles, insects, birds, and carrion. No observations of American badgers were made at the Project site and the burrows observed at the Project site during western burrowing owl surveys (ELMT 2024b) would be too small for American badgers. The Project site could be used by badgers as a foraging site and therefore has a low potential to occur.

Bats: Several bat species are BLM sensitive species and CDFW species of concern. CNDDB records include observations of pallid bats (*Antrozous pallidus*) and Townsend's big-eared bats (*Corynorhinus townsendii*) within one mile of the Project site. These species roost in rock outcrops, underground mines and caves, hollow trees, buildings, and bridges. These types of structures do not occur at the Project site, and therefore, it would be unlikely for these species to roost at the Project site, but these species may forage in or around the Project site. Other BLM sensitive bat species with a potential to forage in the Project site include long-eared myotis (*Myotis evotis*), Western mastiff-bat (*Eumops perotis*), and Yuma myotis (*Myotis yumanensis*).

Mohave Ground Squirrel (*Xerospermophilus mohavensis*): There are CNDDB records of Mohave ground squirrel observations more than four miles from the proposed open pit areas. The Mohave Ground Squirrel is a California state-threatened species. Its range is only within the western portion of the Mojave Desert in parts of Inyo, Kern, Los Angeles, and San Bernardino counties. This species prefers open desert scrub, alkali desert scrub, Joshua tree, and annual grasslands with sandy to gravelly soils and uses burrows at the base of shrubs for cover. It is a diurnal species active primarily in the early spring and summer and stays underground in burrows during the remaining parts of the year. Mohave ground squirrels feed on leaves and stems of shrubs, such as winterfat (*Krascheninnikovia lanata*), spiny hopsage (*Grayia spinosa*), and saltbush (*Atriplex spp*.), and leaves of forbs, such as the freckled milkvetch (*Astragalus lentiginosus*). Mating occurs after emerging from hibernation and typically lasts from February to

mid-March. The amounts of fall and winter rainfall influence reproductive success as it is related to the availability of plant food sources (CDFW 2019).

Desert Tortoise: The Mojave population of the desert tortoise was listed as a federally threatened species on April 2, 1990, and a recovery plan (revised May 2011) was published in June 1994 to describe a strategy for recovering it. The recovery plan identified five recovery units and provided recommendations for a system of Desert Wildlife Management Areas (DWMAs) within them. In 2016, BLM's Desert Renewable Energy Conservation Plan (DRECP) identified Areas of Critical Environmental Concern (ACECs). For resource management purposes, ACECs have replaced the DWMAs identified in the Recovery Plan.

Based on the Desert Tortoise Revised Recovery Plan (USFWS 2011), the Project site is located within the Western Mojave Recovery Unit but is not located within designated desert tortoise critical habitat.

Desert tortoises primarily inhabit creosote bush scrub and Joshua tree woodland communities in the Mojave Desert, with the typical habitat at elevations below 5,500 feet. The desert tortoise lives in habitats typically consisting of alluvial fans and plains and colluvial/bedrock slopes, including washes and canyons, where suitable friable soils for den construction may be found. Preferred habitat has vegetation alliances of creosote bush (*Larrea tridentata*) or, less commonly, blackbrush (*Coleogyne ramosissima*), Joshua tree (*Yucca brevifolia*), and even juniper (*Juniperus sp*.) at higher elevations and saltbush (*Atriplex sp*.) at lower elevations (Nussear et al. 2009). This species spends much of its life underground in burrows. In late winter or early spring, they emerge from their wintering dens, and in a typical year, they will remain active through the fall season. During the summer months, activity slows, but they will emerge from their burrows to take advantage of summer rains to drink available surface water. The breeding season occurs during summer, spring, and fall, with reproductive success being dependent on a variety of factors, including environment, habitat, availability of forage and drinking water, and physiological conditions.

The nearest CNDDB observation for desert tortoise is approximately 7.6 miles southwest of the Project site, recorded in 2005. Desert tortoise presence/absence surveys were completed in the Project site in 2024 (ELMT 2024a, ELMT 2024c, ELMT 2024d). The areas surveyed included all areas potentially directly or indirectly affected by the Project, consistent with 50 CFR 402.02. The surveys reported that there were no live desert tortoises, potential desert tortoise burrows,

or signs of desert tortoises observed within the surveyed areas. The estimated desert tortoise abundance is directly proportional to the number of tortoises observed above ground. Since no live desert tortoises were observed during the surveys, the estimated number of desert tortoises within the survey areas is zero.

Monarch Butterfly (*Danaus plexippus*): The Monarch butterfly is a federal candidate species. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.). Multiple generations of monarchs are produced during the breeding season, with most adult butterflies living approximately two to five weeks; overwintering adults enter reproductive diapause (suspended reproduction) and live six to nine months. In many regions where monarchs are present, they breed throughout the year. In the fall, Monarchs begin migrating to overwintering sites. Three overwintering populations of monarchs have been documented in canyons approximately 100 miles north in Saline Valley. No monarch butterfly observations were recorded at the Project site (CNDDB 2024).

Western Burrowing Owl: The Western burrowing owl is a CDFW California Species of Special Concern, a BLM sensitive species, and is a migratory bird protected by the Migratory Bird Treaty Act of 1918 (MBTA). On October 15, 2024, the species was proposed for listing under the California ESA. Western burrowing owls are grassland specialists that inhabit a wide variety of arid and semi-arid environments with well-drained, level to gently-sloping areas characterized by sparse vegetation and bare ground (Haug et al 1993). Burrowing owls depend upon the presence of fossorial mammals whose burrows are used for roosting and nesting (Haug et al. 1993). Where mammal burrows are scarce, burrowing owls have been found occupying artificial cavities, such as buried and non-functioning drainpipes, standpipes, and dry culverts.

The CNDDB records indicate that the nearest burrowing owl nests were observed approximately 9.5 miles southeast of the Project site. Burrowing owl surveys were conducted in 2024 at the Project site plus a 500-foot buffer. No burrowing owls or evidence of recent or historic use by burrowing owls were observed. In general, habitat in the Project site is shrub-dominated with few perennial herbs in the understory, which is marginally suitable for burrowing owls.

BIOLOGICAL SUBSTANTIATION

SUBSTANTIATION:	*(Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☐):*
San Bernardino Countywide Policy Plan 2023*; *Submitted Project Materials	

a) **Less than Significant Impact with Mitigation.** The proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. There are two special status plant species and ten special status wildlife species that have a potential to occur at the Project site. However, none of these species were found in surveyed areas.

The proposed Project would be limited in scope and duration. To ensure the Project's potential adverse impacts on sensitive plant and wildlife species and habitats are avoided, several Conservation Management Actions (CMAs), in conformance with BLM's Land Use Plan requirements, and additional proponent-committed avoidance and protection measures would be implemented, as listed below. These measures are incorporated into this analysis as "mitigation measures." Through the implementation of the mitigation measures, the Project would not have an adverse effect, either directly or indirectly, or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. As a result, Project impacts would be less than significant with mitigation incorporated and would therefore have no 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. Explanations about how the CMAs and protection measures would mitigate impacts are presented below.

Required CMAs and proponent-committed protection measures (Mitigation Measures):

LUPA-BIO-1: Conduct a habitat assessment of Focus and BLM Special Status Species' suitable habitat for all activities and identify and/or delineate the DRECP

vegetation types, rare alliances, and special features (e.g., Aeolian sand transport resources, Joshua tree, microphyll woodlands, carbon sequestration characteristics, seeps, climate refugia) present using the most current information, data sources, and tools (e.g., DRECP land cover mapping, aerial photos, DRECP species models, and reconnaissance site visits) to identify suitable habitat for Focus and BLM Special Status Species. If required by the relevant species specific CMAs, conduct any subsequent protocol or adequate presence/absence surveys to identify species occupancy status and a more detailed mapping of suitable habitat to inform siting and design considerations. If required by relevant species specific CMAs, conduct analysis of percentage of impacts to suitable habitat and modeled suitable habitat. BLM will not require protocol surveys in sites determined by the designated biologist to be unviable for occupancy of the species, or if baseline studies inferred absence during the current or previous active season. Utilize the most recent and applicable assessment protocols and guidance documents for vegetation types and jurisdictional waters and wetlands that have been approved by BLM, and the appropriate responsible regulatory agencies, as applicable.

- **How the Project would comply with the CMA:** A habitat assessment and protocol presence/absence species surveys were conducted in the Project area in 2021, 2022, and 2024. These surveys are on file with the BLM Ridgecrest Field Office and the County. The project would comply with the CMA. Implementing this measure would identify species' presence and their habitat to enable the proponent to avoid and minimize impacts on plant and wildlife species.

LUPA-BIO-2: Designated biologist(s) will conduct and oversee where appropriate activity-specific required biological monitoring during pre-construction, construction, and decommissioning to ensure that avoidance and minimization measures are appropriately implemented and are effective. The appropriate required monitoring will be determined during the environmental analysis and BLM approval process. The designated biologist(s) will submit monitoring reports directly to BLM.

- **How the Project would comply with the CMA:** Required pre-clearance surveys and continued monitoring would take place during stated phases of the Project by a BLM-approved biologist per the monitoring plan provided by GDG in the Plan of

Operations. Further mitigation would not be necessary in addition to the monitoring plan. The project would comply with the CMA. Conducting pre-clearance surveys and monitoring during the Project would avoid impacts by identifying sensitive and protected species that require avoidance and minimization measures (individual measures are described in subsequent CMAs).

LUPA-BIO-3: Resource setbacks have been identified to avoid and minimize the adverse effects to specific biological resources. Setbacks are not considered additive and are measured as specified in the applicable CMA. Allowable minor incursions, as per specific CMAs do not affect the following setback measurement descriptions. Generally, setbacks (which range in distances for different biological resources) for the appropriate resources are measured from:

- The edge of each of the DRECP desert vegetation types, including but not limited to those in the riparian or wetland vegetation groups (as defined by alliances within the vegetation type descriptions and mapped based on the vegetation type habitat assessments described in LUPA-BIO-1).

-The edge of the mapped riparian vegetation or the Federal Emergency Management Agency (FEMA) 100-year floodplain, whichever is greater, for the Mojave River.

- The edge of the vegetation extent for specified Focus and BLM sensitive plant species.

-The edge of suitable habitat or active nest substrates for the appropriate Focus and BLM Special Status Species.

- **How the Project would comply with the CMA:** Avoidance buffers to protect special status species such as migratory birds and raptors would be implemented for active nests. Therefore, impacts on species or their nests would be avoided. The project would comply with the CMA.

LUPA-BIO-4: For activities that may impact Focus and BLM Special Status Species, implement all required species-specific seasonal restrictions on pre-construction, construction, operations, and decommissioning activities. Species-specific seasonal restriction dates are described in the applicable CMAs. Alternatively, to avoid a

seasonal restriction associated with visual disturbance, installation of a visual barrier may be evaluated on a case-by-case basis that will result in the breeding, nesting, lambing, fawning, or roosting species not being affected by visual disturbance from construction activities subject to seasonal restriction. The proposed installation and use of a visual barrier to avoid a species seasonal restriction will be analyzed in the activity/project specific environmental analysis.

- **How the Project would comply with the CMA:** Seasonal restrictions and requirements are specified in the species-specific CMAs. See LUPA-BIO-IFS-4 regarding desert tortoise clearance surveys and early fencing. Fencing and seasonal restrictions would avoid impacts on these species. The project would comply with the CMA.

LUPA-BIO-5: All activities, as determined appropriate on an activity-by-activity basis, will implement a worker education program that meets the approval of the BLM. The program will be carried out during all phases of the project (site mobilization, ground disturbance, grading, construction, operation, closure/decommissioning or project abandonment, and restoration/reclamation activities). The worker education program will provide interpretation for non-English speaking workers, and provide the same instruction for new workers prior to their working on site. As appropriate based on the activity, the program will contain information about:

-Site-specific biological and nonbiological resources.

- Information on the legal protection for protected resources and penalties for violation of federal and state laws and administrative sanctions for failure to comply with LUPA CMA requirements intended to protect site-specific biological and nonbiological resources.

- The required LUPA and project-specific measures for avoiding and minimizing effects during all project phases, including but not limited to resource setbacks, trash, speed limits, etc.

- Reporting requirements and measures to follow if protected resources are encountered, including potential work stoppage and requirements for notification of the designated biologist.

- Measures that personnel can take to promote the conservation of biological and nonbiological resources.

- **How the Project would comply with the CMA:** A worker education program, food/trash abatement measures, domestic pet prohibition, wildlife entrapment protective measures, speed limits, and minimizing vegetative disturbance would be implemented for the Project, which would avoid impacts on sensitive species. The project would comply with the CMA.

LUPA-BIO-6: Subsidized predator standards, approved by BLM, in coordination with the USFWS and CDFW, will be implemented during all appropriate phases of activities, including but not limited to renewable energy activities, to manage predator food subsidies, water subsidies, and breeding sites including the following:

- Common Raven management actions will be implemented for all activities to address food and water subsidies and roosting and nesting sites specific to the Common Raven. These include identification of monitoring reporting procedures and requirements; strategies for refuse management; as well as design strategies and passive repellant methods to avoid providing perches, nesting sites, and roosting sites for common ravens.

- The application of water and/or other palliatives for dust abatement in construction areas and during project operations and maintenance will be done with the minimum amount of water necessary to meet safety and air quality standards and in a manner that prevents the formation of puddles, which could attract wildlife and wildlife predators.

- Following the most recent national policy and guidance, BLM will take actions to not introduce, dispose of, or release any non- native species into areas of native habitat, suitable habitat, and natural or artificial waterways/water bodies containing native species.

- All activity work areas will be kept free of trash and debris. Particular attention will be paid to “micro-trash” (including such small items as screws, nuts, washers, nails, coins, rags, small electrical components, small pieces of plastic, glass or wire, and any debris or trash that is colorful or shiny) and organic waste that may subsidize predators. All trash will be covered, kept in closed containers, or otherwise removed from the project site at the end of each day or at regular intervals prior to periods when workers are not present at the site.

- In addition to implementing the measures above on activity sites, each activity will provide compensatory mitigation that contributes to LUPA-wide raven management.

- **How the Project would comply with the CMA:** These measures would be adopted as Environmental Protection Measures by GDG to avoid impacts on these species. The project would conform with this CMA.

LUPA-BIO-7: Where DRECP vegetation types or Focus or BLM Special Status Species habitats may be affected by ground- disturbance and/or vegetation removal during pre-construction, construction, operations, and decommissioning related activities but are not converted by long-term (i.e., more than two years of disturbance, see Glossary of Terms) ground disturbance, restore these areas following the standards, approved by BLM authorized officer, following the most recent BLM policies and procedures for the vegetation community or species habitat disturbance/impacts as appropriate, summarized below:

- Implement site-specific habitat restoration actions for the areas affected including specifying and using: The appropriate seed (e.g., certified weed- free, native, and locally and genetically appropriate seed); Appropriate soils (e.g., topsoil of the same original type on site or that was previously stored by soil type after being salvaged during excavation and construction activities); Equipment; Timing (e.g., appropriate season, sufficient rainfall); Location; Success criteria; Monitoring measures; Contingency measures, relevant for restoration, which includes seeding that follows BLM policy when on BLM administered lands.

- Salvage and relocate cactus, nolina, and yucca from the site prior to disturbance using BLM protocols. To the maximum extent practicable for short-term disturbed areas, the cactus and yucca will be re-planted back to the original site.

- Restore and reclaim short-term (i.e. 2 years or less, see Glossary of Terms) disturbed areas, including pipelines, transmission projects, staging areas, and short-term construction-related roads immediately or during the most biologically appropriate season as determined in the activity/project specific environmental analysis and decision, following completion of construction activities to reduce the amount of habitat converted at any one time and promote recovery to natural habitats and vegetation as well as climate refugia and ecosystem services such carbon storage.

- **How the Project would comply with the CMA:** The Project would reclaim all proposed surface disturbances using site- appropriate, BLM-approved native seed mixtures that are weed-free and compatible with landscape conditions. GDG's Reclamation Plan describes measures that would be implemented for revegetation. Should additional revegetation measures be deemed necessary by BLM or the County in combination with those outlined in the Reclamation Plan, this CMA would be implemented. The project would comply with the CMA. Implementation of these reclamation activities would reduce the duration of impacts on species' habitat.

LUPA-BIO-8: All activities that are required to close and decommission the site (e.g., renewable energy activities) will specify and implement project-specific closure and decommissioning actions that meet the approval of BLM, and that at a minimum address the following:

- Specifying and implementing the methods, timing (e.g., criteria for triggering closure and decommissioning actions), and criteria for success (including quantifiable and measurable criteria).

- Recontouring of areas that were substantially altered from their original contour or gradient and installing erosion control measures in disturbed areas where potential for erosion exists. Restoring vegetation as well as soil profiles and functions that will

support and maintain native plant communities, associated carbon sequestration and nutrient cycling processes, and native wildlife species.

- Vegetation restoration actions will identify and use native vegetation composition, native seed composition, and the diversity to values commensurate with the natural ecological setting and climate projections.

- **How the Project would comply with the CMA:** These measures are described in GDG's Reclamation Plan. The project would comply with the CMA. Implementation of these reclamation activities would reduce the duration of impacts on species' habitat.

LUPA-BIO-9: Implement the following general LUPA CMA for water and wetland dependent resources:

- Implement construction site standard practices to prevent toxic chemicals, hazardous materials, and other fluids from entering vegetation type streams, washes, and tributary networks through water runoff, erosion, and sediment transport by, at a minimum, implementing the following:

a) On project sites, vehicles and other equipment will be maintained in proper working condition and only stored in designated containment areas where runoff is collected or controlled and that are located outside of streams, washes, and distributary networks to minimize accidental fluids and hazardous materials spills.

b) Hazardous material leaks, spills, or releases will be immediately cleaned and equipment will be repaired upon identification. Removal and disposal of spill and related clean-up materials will occur at an approved off-site landfill.

c) Maintenance and operations vehicles will carry the appropriate equipment and materials to isolate, clean up, and repair any hazardous material leaks, spills, or releases.

- Activity-specific drainage, erosion, and sedimentation control actions, which meet the approval of BLM and the applicable regulatory agencies, will be carried out during all appropriate phases of the approved project. These actions, as needed, will address measures to ensure the proper protection of water quality, site-specific stormwater and

sediment retention, and design of the project to minimize site disturbance, including the following:

a) Identify site-specific surface water runoff patterns and implement measures to prevent excessive and unnatural soil deposition and erosion.

b) Implement measures to maintain natural drainages and to maintain hydrologic function in the event drainages are disturbed.

c) Reduce the amount of area covered by impervious surfaces through use of permeable pavement or other pervious surfaces. Direct runoff from impervious surfaces into retention basins.

d) Stabilize disturbed areas following grading in the manner appropriate to the soil type so that wind or water erosion is minimized.

e) Minimize irrigation runoff by using low or no irrigation native vegetation landscaping for landscaped retention basins.

f) Conduct regular inspections and maintenance of long-term erosion control measures to ensure long-term effectiveness.

g) Project applicants for sites that may affect intermittent and perennial streams, springs, swales, ephemeral washes, wetland vegetation, other DRECP water land covers, or sites occupied by aquatic or riparian Focus and BLM Special Status Species due to groundwater or surface water extraction will conduct hydrologic studies during project planning to determine the potential effect of groundwater and surface water extraction on the hydrologic unit. These studies will include both watershed effects as well as effects on perched, alluvial, and regional aquifers. Projects that are likely to affect ground-water resources in a manner that would result in substantial loss of riparian or wetland communities or habitat for riparian or aquatic Focus and BLM Special Status Species are prohibited.

h) The use of evaporation ponds for water management will be avoided when the water could harm birds or other terrestrial wildlife due to constituents of concern present in the wastewater (e.g., selenium, hypersalinity, etc.). Evaporation ponds will be configured to minimize attractiveness to shorebirds (e.g., maintain water depths

over two feet; maintain steep slopes along edge; enclose evaporation ponds in long-term structures; or obscure evaporation ponds from view using materials that blend in with the natural surroundings).

- Ramps that allow the egress of wildlife from ponds or other water management infrastructure will be installed.

- **How the Project would comply with the CMA:** The Project does not trigger any waste discharge requirements under Title 27, CCR, Section 20005 et seq. The Project site is not in a high-risk receiving waters area. BMPs would be installed to manage disturbed surfaces. GDG would prepare a Hazardous Materials Business Plan (HMBP) and a Business Emergency/Contingency Plan for the Project, which would include a hazardous materials inventory and Spill Prevention Control and Countermeasure Plan (SPCC Plan). GDG would obtain a Construction Stormwater General Permit if required pursuant to CGP Regulation (NPDES No. CAS000002; SWRCB Order No. 2022-0057-DWQ). Further mitigation would not be necessary in addition to these measures. All of these measures would minimize or avoid impacts on species' habitat.

LUPA-BIO-10: Consistent with BLM state and national policies and guidance, integrated weed management actions will be carried out during all phases of activities, as appropriate, and at a minimum will include the following:

a) Thoroughly clean the tires and undercarriage of vehicles entering or reentering the project site to remove potential weeds.

b) Store project vehicles on site in designated areas to minimize the need for multiple washings whenever vehicles re-enter the project site.

c) Properly maintain vehicle wash and inspection stations to minimize the introduction of invasive weeds or subsidy of invasive weeds.

d) Closely monitor the types of materials brought onto the site to avoid the introduction of invasive weeds and non-native species.

e) Reestablish native vegetation quickly on disturbed sites.

f) Monitor and quickly implement control measures to ensure early detection and eradication of weed invasions to avoid the spread of invasive weeds and non-native species on site and to adjacent off-site areas.

g) Use certified weed-free mulch, straw, hay bales, or equivalent fabricated materials for installing sediment barriers.

- **How the Project would comply with the CMA:** The Project would implement weed management per the Plan of Operations and Reclamation Plan. Additional measures under this CMA, as applicable and determined by the BLM, would be implemented if needed. These measures would minimize impacts on species' habitat.

LUPA-BIO-11: Implement the following CMAs for controlling nuisance animals and invasive species:

a) No fumigant, treated bait, or other means of poisoning nuisance animals including rodenticides will be used in areas where Focus and BLM Special Status Species are known or suspected to occur.

b) Manage the use of widely spread herbicides and do not apply herbicides effective against dicotyledonous plants within 1,000 feet from the edge of a 100-year floodplain, stream and wash channels, and riparian vegetation or to soils less than 25 feet from the edge of drains. Exceptions will be made when targeting the base and roots of invasive riparian species such as tamarisk and Arundo donax (giant reed). Manage herbicides consistent with the most current national and California BLM policies.

c) Minimize herbicide, pesticide, and insecticide treatment in areas that have a high risk for groundwater contamination.

d) Clean and dispose of pesticide containers and equipment following professional standards. Avoid use of pesticides and cleaning containers and equipment in or near surface or subsurface water.

e) When near surface or subsurface water, restrict pesticide use to those products labeled safe for use in/near water and safe for aquatic species of animals and plants.

- **How the Project would comply with the CMA:** Any proposed use of herbicide, pesticides, rodenticides, or insecticides would be approved by BLM through a Pesticide Use Plan and would comply with this CMA. Herbicides would be used only on the recommendation of a California Licensed Qualified Applicator in conjunction with a qualified revegetation specialist. These measures would reduce impacts on species' habitat.

LUPA-BIO-13: Implement the following CMA for project siting and design:

- To the maximum extent practicable site and design projects to avoid impacts to vegetation types, unique plant assemblages, climate refugia as well as occupied habitat and suitable habitat for Focus and BLM Special Status Species (see "avoid to the maximum extent practicable" in Glossary of Terms).

- The siting of projects along the edges (i.e. general linkage border) of the biological linkages identified in Appendix D (Figures D-1 and D-2) will be configured (1) to maximize the retention of microphyll woodlands and their constituent vegetation type and inclusion of other physical and biological features conducive to Focus and BLM Special Status Species' dispersal, and (2) informed by existing available information on modeled focus and BLM Special Status Species habitat and element occurrence data, mapped delineations of vegetation types, and based on available empirical data, including radio telemetry, wildlife tracking sign, and road-kill information.

-Additionally, projects will be sited and designed to maintain the function of Special Status Species connectivity and their associated habitats in the following linkage and connectivity areas:

- Within a 5-mile-wide linkage across Interstate 10 centered on Wiley's Well Road to connect the Mule and McCoy mountains (the majority of this linkage is within the Chuckwalla ACEC and Mule-McCoy Linkage ACEC).

- Within a 3-mile-wide linkage across Interstate 10 to connect the Chuckwalla and Palen mountains.

- Within a 1.5-mile-wide linkage across Interstate 10 to connect the Chuckwalla Mountains to the Chuckwalla Valley east of Desert Center.

- The confluence of Milpitas Wash and Colorado River floodplain within 2 miles of California State Route 78 (this linkage is entirely within the Chuckwalla ACEC)."

- Delineate the boundaries of areas to be disturbed using temporary construction fencing and flagging prior to construction and confine disturbances, project vehicles, and equipment to the delineated project areas to protect vegetation types and focus and BLM Special Status Species.

- Long-term nighttime lighting on project features will be limited to the minimum necessary for project security, safety, and compliance with Federal Aviation Administration requirements and will avoid the use of constant-burn lighting.

- All long-term nighttime lighting will be directed away from riparian and wetland vegetation, occupied habitat, and suitable habitat areas for Focus and BLM Special Status Species. Long- term nighttime lighting will be directed and shielded downward to avoid interference with the navigation of night-migrating birds and to minimize the attraction of insects as well as insectivorous birds and bats to project infrastructure.

- To the maximum extent practicable, restrict construction activity to existing roads, routes, and utility corridors to minimize the number and length/size of new roads, routes, disturbance, laydown, and borrow areas."

- To the maximum extent practicable, confine vehicular traffic to designated open routes of travel to and from the project site, and prohibit, within project boundaries, cross- country vehicle and equipment use outside of approved designated work areas to prevent unnecessary ground and vegetation disturbance.

- To the maximum extent practicable(see Glossary of Terms), construction of new roads and/or routes will be avoided within Focus and BLM Special Status Species suitable habitat within identified linkages for those Focus and BLM Special Status Species, unless the new road and/or route is beneficial to minimize net impacts to natural or ecological resources of concern. These areas will have a goal of “no net gain” of project roads and/or routes.

- To the maximum extent practicable, any new road and/or route considered within Focus and BLM Special Status Species suitable habitat within identified linkages for

those Focus and BLM Special Status Species will not be paved so as not to negatively affect the function of identified linkages.

- Use nontoxic road sealants and soil stabilizing agents.

- **How the Project would comply with the CMA:** The Project would implement measures to minimize surface disturbance and vegetation disturbance would be avoided to the maximum extent possible per the Plan of Operations and the Reclamation Plan. Impacts on special status plant and wildlife species are analyzed. Additional measures under this CMA, as applicable and determined by the BLM, would be implemented. The project would comply with the intent of the CMA. Implementation of these measures would reduce impacts on species' habitat.

LUPA-BIO-14: Implement the following general standard practices to protect Focus and BLM Special Status Species:

- Feeding of wildlife, leaving of food or trash as an attractive nuisance to wildlife, collection of native plants, or harassing of wildlife on a site is prohibited.

- Any wildlife encountered during the course of an activity, including construction, operation, and decommissioning will be allowed to leave the area unharmed.

- Domestic pets are prohibited on sites. This prohibition does not apply to the use of domestic animals (e.g., dogs) that may be used to aid in official and approved monitoring procedures/protocols, or service animals (dogs) under Title II and Title III of the American with Disabilities Act.

- All construction materials will be visually checked for the presence of wildlife prior to their movement or use. Any wildlife encountered during the course of these inspections will be allowed to leave the construction area unharmed.

- All steep-walled trenches or excavations used during the project will be covered, except when being actively used, to prevent entrapment of wildlife. If trenches cannot be covered, they will be constructed with escape ramps, following up-to-date design standards to facilitate and allow wildlife to exit, or wildlife exclusion fencing will be installed around the trench(s) or excavation(s). Open trenches or other excavations will

be inspected by a designated biologist immediately before backfilling, excavation, or other earthwork.

f) Minimize natural vegetation removal through implementation of crush and drive or cut or mow vegetation rather than removing entirely.

- **How the Project would comply with the CMA:** These measures would be adopted as Environmental Protection Measures by GDG. The project would conform with this CMA. Implementation of these measures would avoid impacts on species and minimize impacts on species' habitat.

LUPA-BIO-15: Use state-of-the-art, as approved by BLM, construction and installation techniques, appropriate for the specific activity/project and site, that minimize new site disturbance, soil erosion and deposition, soil compaction, disturbance to topography, and removal of vegetation.

- **How the Project would comply with the CMA:** The Project is designed to minimize impacts to the environment, and additional measures would be implemented as appropriate as determined by the BLM. The project would comply with the CMA.

LUPA-BIO-16: For activities that may impact Focus and BLM sensitive birds, protected by the ESA and/or Migratory Bird Treaty Act of 1918, and bat species, implement appropriate measures as per the most up-to-date BLM state and national policy and guidance, and data on birds and bats, including but not limited to activity specific plans and actions. The goal of the activity-specific bird and bat actions is to avoid and minimize direct mortality of birds and bats from the construction, operation, maintenance, and decommissioning of the specific activities.

Activity-specific measures to avoid and minimize impacts may include, but are not limited to:

- Siting and designing activities will avoid high bird and bat movement areas that separate birds and bats from their common nesting and roosting sites, feeding areas, or lakes and rivers.

- For activities that impact bird and bat Focus and BLM Special Status Species, during project siting and design, conducting monitoring of bird and bat presence as well as bird and bat use of the project site using the most current survey methods and best procedures available at the time.

- Reusing or co-locating new transmission facilities and other ancillary facilities with existing facilities and disturbed areas to reduce habitat destruction and avoid additional collision risks.

- Reducing bird and bat collision hazards by utilizing techniques such as unguyed monopole towers or tubular towers. Where the use of guywires is unavoidable, demarcate guywires using the best available methods to minimize avian species strikes.

- When fencing is necessary, use bird and bat-compatible design standards.

- Using lighting that does not attract birds and bats or their prey to project sites including using non-steady burning lights (red, dual red and white strobe, strobe- like flashing lights) to meet Federal Aviation Administration requirements, using motion or heat sensors and switches to reduce the time when lights are illuminated, using appropriate shielding to reduce horizontal or skyward illumination, and avoiding the use of high-intensity lights (e.g., sodium vapor, quartz, and halogen).

- Implementing a robust monitoring program to regularly check for wildlife carcasses, document the cause of mortality, and promptly remove the carcasses.

- Incorporating a bird and bat use and mortality monitoring program during operations using current protocols and best procedures available at time of monitoring.

- **How the Project would comply with the CMA:** These measures would be adopted as Environmental Protection Measures by GDG. The project would conform with this CMA. Implementation of these measures would minimize impacts on species and their habitat.

LUPA-BIO-PLANT-1: Conduct properly timed protocol surveys in accordance with the BLM's most current (at time of activity) survey protocols for plant Focus and BLM Special Status Species.

- **How the Project would comply with the CMA:** A habitat assessment and species surveys were conducted in the Project site in 2021, 2022, and 2024. These surveys are on file with the BLM Ridgecrest Field Office and the County. The project would comply with the CMA. This measure would help to avoid species impacts by identifying their presence on site.

LUPA-BIO-VEG-1: Management of cactus, yucca, and other succulents will adhere to current up-to-date BLM policy.

- **How the Project would comply with the CMA:** Protocol plant surveys were conducted in the project area in 2021 and 2022. Two species of cactus were observed: silver cholla (*CYLINDROPUNTIA ECHINOCARPA*), and beavertail cactus (*OPUNTIA BASILARIS VAR. BASILARIS*). Any potential disturbance would be minimized per the measures in the Reclamation Plan, which includes salvage and re-locating plants as appropriate. This CMA would be implemented should additional measures be determined necessary by the BLM for impact minimization to these species.

LUPA-BIO-VEG-2: Promote appropriate levels of dead and downed wood on the ground, outside of campground areas, to provide wildlife habitat, seed beds for vegetation establishment, and reduce soil erosion, as determined appropriate on an activity-specific basis.

- **How the Project would comply with the CMA:** The detailed Reclamation Plan has been submitted to the County Planning Department, which identifies appropriate measures using existing dead/downed wood. This CMA would be required as appropriate. Implementing this measure would minimize impacts on species' habitat.

LUPA-BIO-VEG-3: Allow for the collection of plant material consistent with the maintenance of natural ecosystem processes.

- **How the Project would comply with the CMA:** GDG's Reclamation Plan describes native seed collection, salvage and stockpiling, and plant and cutting relocation to promote the restoration of natural ecosystem processes. The project

would comply with the CMA. Implementing this measure would minimize impacts on species' habitat.

LUPA-BIO-VEG-5: All activities will follow applicable BLM state and national regulations and policies for salvage and transplant of cactus, yucca, other succulents, and BLM Sensitive plants.

- **How the Project would comply with the CMA:** GDG's Reclamation Plan describes native seed collection, salvage and stockpiling, and plant and cutting relocation to promote the restoration of natural ecosystem processes. The project would comply with the CMA. Implementing this measure would minimize impacts on species' habitat.

LUPA-BIO-IFS-4: In areas where protocol and clearance surveys are required (see Appendix D), prior to construction or commencement of any long-term activity that is likely to adversely affect desert tortoises, desert tortoise exclusion fencing shall be installed around the perimeter of the activity footprint in accordance with the Desert Tortoise Field Manual (USFWS 2009) or most up-to- date USFWS protocol. Additionally, short-term desert tortoise exclusion fencing will be installed around short-term construction and/or activity areas (e.g., staging areas, storage yards, excavations, and linear facilities), as appropriate, per the Desert Tortoise Field Manual (USFWS 2009) or most up- to-date USFWS protocol.

- Exemption from desert tortoise protocol survey requirements can be obtained from BLM, in coordination with USFWS, and CDFW as applicable, on a case-by-case basis if a designated biologist determines the activity site does not contain the elements of desert tortoise habitat, is unviable for occupancy, or if baseline studies inferred absence during the current or previous active season.

- Construction of desert tortoise exclusion fences will occur during the time of year when tortoise are less active in order to minimize impacts and to accommodate subsequent desert tortoise surveys. Any exemption or modification of desert tortoise exclusion fencing requirements will be based on the specifics of the activity and the site-specific population and habitat parameters. Sites with low population density and disturbed, fragmented, or poor habitat are likely to be candidates for fencing

requirement exemptions or modifications. Substitute measures, such as on-site biological monitors in the place of the fencing requirement, may be required, as appropriate.

- After an area is fenced, and until desert tortoises are removed, the designated biologist is responsible for ensuring that desert tortoises are not being exposed to extreme temperatures or predators as a result of their pacing the fence. Remedies may include the use of shelter sites placed along the fence, immediate translocation, removal to a secure holding area, or other means determined by the BLM, USFWS, and CDFW, as applicable.

- Modification or elimination of the above requirement may also be approved if the activity design will allow retention of desert tortoise habitat within the footprint. if such a Modification is approved, modified protective measures may be required to minimize impacts to desert tortoises that may reside within the activity area.

- Immediately prior to desert tortoise exclusion fence construction, a designated biologist will conduct a clearance survey of the fence alignment to clear desert tortoises from the proposed fence line's path.

- All desert tortoise exclusion fencing will incorporate desert tortoise proof gates or other approved barriers to prevent access of desert tortoises to work sites through access road entry points.

- Following installation, long-term desert tortoise exclusion fencing will be inspected for damage quarterly and within 48 hours of a surface flow of water due to a rain event that may damage the fencing.

- All damage to long-term or short-term desert tortoise exclusion fencing will be immediately blocked to prevent desert tortoise access and repaired within 72 hours.

- **How the Project would comply with the CMA:** GDG's Plan of Operations describes the implementation of temporary desert tortoise exclusion fencing and other monitoring measures, which will be in accordance with current USFWS protocol. The project will comply with the CMA. Implementing this measure would avoid impacts on this species.

LUPA-BIO-IFS-5: Following the clearance surveys within sites that are fenced with long-term desert tortoise exclusion fencing, a designated biologist will monitor initial clearing and grading activities to ensure that desert tortoises missed during the initial clearance survey are moved from harm's way. A designated biologist will inspect construction pipes, culverts, or similar structures: (a) with a diameter greater than 3 inches, (b) stored for one or more nights, (c) less than 8 inches aboveground and (d) within desert tortoise habitat (such as, outside the long-term fenced area), before the materials are moved, buried, or capped. As an alternative, such materials shall be capped before storing outside the fenced area or placing on pipe racks. Pipes stored within the long-term fenced area after completing desert tortoise clearance surveys will not require inspection.

- **How the Project would comply with the CMA:** GDG's Plan of Operations describes the implementation of desert tortoise exclusion fencing and other monitoring measures which will be in accordance with current USFWS protocol. The project will comply with the CMA. Implementing this measure would avoid impacts on this species.

LUPA-BIO-IFS-8: Inspect the ground under the vehicle for the presence of desert tortoise any time a vehicle or construction equipment is parked in desert tortoise habitat outside of areas fenced with desert tortoise exclusion fencing. If a desert tortoise is seen, it may move on its own. If it does not move within 15 minutes, a designated biologist may remove and relocate the animal to a safe location.

- **How the Project would comply with the CMA:** GDG Plan of Operations includes this CMA and other monitoring measures to protect desert tortoises. The project will comply with the CMA.

LUPA-BIO-IFS-9: Vehicular traffic will not exceed 15 miles per hour within the areas not cleared by protocol level surveys where desert tortoise may be impacted.

- **How the Project would comply with the CMA:** All activities for the Project where desert tortoises may be impacted will be within areas cleared by protocol-level surveys, such that additional speed limits are not anticipated to be needed. However, should vehicle traffic require access to areas not cleared by survey, the

project would comply with the CMA. Implementing this measure would avoid impacts on this species.

LUPA-BIO-IFS-12: If burrowing owls are present, a designated biologist will conduct appropriate activity-specific biological monitoring to ensure avoidance of occupied burrows and establishment of the 656 feet (200 meter) setback to sufficiently minimize disturbance during the nesting period on all activity sites, when practical.

- **How the Project would comply with the CMA:** The project is partially within the DRECP species distribution model. However, occurrences of species or this species' nests have not been observed within the Project site. Pre-clearance surveys would be required prior to surface disturbance and if the species or active burrows are found in the Project site, this CMA would be implemented to the extent practicable or LUPA-BIO-IFS-13 would be alternatively implemented. Implementing this measure would identify the species' presence to enable the proponent to avoid impacts on this species.

LUPA-BIO-IFS-13: If burrows cannot be avoided on-site, passive burrow exclusion by a designated biologist through the use of one-way doors will occur according to the specifications in Appendix D or the most up-to-date agency BLM or CDFW specifications. Before exclusion, there must be verification that burrows are empty as specified in Appendix D or the most up-to-date BLM or CDFW protocols. Confirmation that the burrow is not currently supporting nesting or fledgling activities is required prior to any burrow exclusions or excavations.

- **How the Project would comply with the CMA:** The project is partially within the DRECP species distribution model. However, occurrences of species or this species' nests have not been observed within the Project site. Pre-clearance surveys would be required prior to surface disturbance, and if the species or active burrows are found in the Project site, this CMA would be implemented as needed. Implementing this measure would identify the species' presence to enable the proponent to avoid impacts on this species.

LUPA-BIO-IFS-14: Activity-specific active translocation of burrowing owls may be considered, in coordination with CDFW.

- **How the Project would comply with the CMA:** The project is partially within the DRECP species distribution model. However, occurrences of species or this species' nests have not been observed within the Project site. Pre-clearance surveys would be required prior to surface disturbance and if the species or active burrows are found in the Project site, this CMA would be implemented as needed. Implementing this measure would identify the species' presence to enable the proponent to avoid impacts on this species.

LUPA-BIO-IFS-39: During the typical active Mohave ground squirrel season (February 1 through August 31), conduct clearance surveys throughout the site, immediately prior to initial ground disturbance in the areas depicted in Appendix D. In the cleared areas, perform monitoring to determine if squirrels have entered cleared areas. Contain ground disturbance to within areas cleared of squirrels. Detected occurrences of Mohave ground squirrel will be flagged and avoided, with a minimum avoidance area of 50 feet, until the squirrels have moved out of harm's way. A designated biologist may also actively move squirrels out of harm's way.

- **How the Project would comply with the CMA:** Preconstruction surveys would occur prior to any surface disturbing activities as outlined in the measures in the Plan, and this CMA would be implemented if necessary in coordination with the BLM. Implementing this measure would identify the species' presence to enable the proponent to avoid impacts on this species.

LUPA-BIO-IFS-41: For any ground-disturbing (e.g., vegetation removal, earthwork, trenching) activities, occurrences of Mohave ground squirrel will be flagged and avoided, with a minimum avoidance area of 50 feet, until the squirrels have moved out of harm's way. A designated biologist may also actively move squirrels out of harm's way.

- **How the Project would comply with the CMA:** Preconstruction surveys would occur prior to any surface disturbing activities as outlined in the measures in the Plan, and this CMA would be implemented if necessary in coordination with the BLM. Implementing this measure would identify the species' presence to enable the proponent to avoid impacts on this species.

b) **No Impact.** No, the proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. There are no riparian habitats or sensitive natural communities identified in the Project site. There would be no discharges outside the Project site that could impact sensitive communities or riparian habitat in adjacent areas. As a result, there would be no 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, and there would be no impact.

c) **Less Than Significant Impact with Mitigation.** No, the Project would not have a substantial adverse effect on state or federally protected wetlands. There are no wetlands, permanent waterways, streams, or diversion channels within or adjacent to the Project site, and none are proposed as a result of Project development. There are shallow, dry, ephemeral stream channels that cross the Project site. These water resources originate end at Cuddeback Lake, a dry lake that is not a traditional navigable water. Based on the definitions, regulations, and guidance for jurisdictional waters under the CWA, none of the features are expected to fall under the jurisdiction of the USACE because they are isolated with no connection to a traditional navigable water. All features potentially fall under the jurisdiction of the California Regional Water Quality Control Board (RWQCB) and the CDFW. GDG would obtain the requisite approvals from the RWQCB and CDFW for any impacts on state jurisdictional resources. If state jurisdictional waters are identified on the Project site, the RWQCB and the CDFW would identify mitigation measures to address impacts. The mitigation would specify the extent to which compliance with these permits would avoid and make up for any loss of jurisdictional waters and habitat. As a result of obtaining these permits, the Project would therefore not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means, and there would be less than significant impacts with mitigation. The following mitigation measure is identified for the Project:

BIO-27: Before ground-disturbing activities begin, the Project proponent shall be responsible for obtaining approval as needed from the RWQCB, and/or the CDFW for any jurisdictional water features in the Project site. Such approvals may require a jurisdictional water preconstruction survey conducted by a biologist or regulatory specialist. The purpose of this survey is to confirm the extent of jurisdictional waters as defined by state and federal law within the project footprint. These survey results would then be used by RWQCB and CDFW to calculate impact acreages and determine the amount of compensatory mitigation required by the proponent to offset the loss of wetland functions and values.

d) **Less than Significant Impact with Mitigation.** No, the proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or disrupt native nursery sites. The Project site is not located within a BLM or CDFW-designated wildlife corridor. Additionally, as stated above, no permanent waterways, streams, or diversion channels occur within or adjacent to the Project site that could harbor migratory fish species.

As with any undeveloped area, the Project site would have some potential to provide upland wildlife movement opportunities across the Project site. However, since the majority of adjacent lands have been disturbed by historical mining, and the Project site is directly adjacent to a U.S. highway, wildlife movement opportunities through the Project site would remain limited. The mitigation measures provided in response to item a) would ensure the Project would not substantially interfere with any migratory species that may happen to move through the Project area. These mitigation measures include conducting pre-clearance surveys for animals and their nests or burrows, which would avoid inadvertent mortalities to nesting birds in accordance with LUPA-BIO-2, LUPA-BIO-4, LUPA-BIO-16, and LUPA-BIO-IFS-4 through LUPA-BIO-IFS-41. Should active nests be identified during the pre-clearance surveys, GDG would implement appropriate avoidance buffers around the nest in coordination with the BLM based on the nest species identified. LUPA-BIO-12 would be implemented to minimize noise impacts on wildlife species, including bats and other BLM sensitive species. Should golden eagles or golden eagle nests be identified during pre-clearance surveys, CMA LUPA-BIO-IFS-24 would be implemented to minimize impacts

of surface disturbance within one mile of active golden eagle nests or territories. Vehicle speed limits will be adhered to on site to reduce the potential for collisions with wildlife.

With these mitigation measures in place, no impacts on migratory birds, including golden or bald eagles, would be anticipated, and GDG's use of the Project site would not impact wildlife movement opportunities or prevent the surrounding habitat from continuing to function as a wildlife corridor. As a result, the Project would not 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, and there would be less than significant impacts with mitigation incorporated.

e) **Less Than Significant Impact:** No, the proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The San Bernardino Countywide Plan, as amended through 2022 (County Plan, San Bernardino County 2022), and the County Code of Ordinances (San Bernardino County 2024) were reviewed. Specifically, the Natural Resource and Conservation Elements of the County Plan describe goals and policies for tree and riparian vegetation protection. County ordinances regarding grading, erosion, and tree removal were also reviewed. Table 2 summarizes potentially applicable County Plan element aspects and ordinances pertaining to biological resources and tree preservation policies. The Project would not remove or replace any trees, and there is no riparian vegetation at the Project site. The Project would conform with policies and ordinances protecting biological resources, including tree preservation policies. Per the discussions above, the Project is consistent with, and would not interfere substantially with, any local policies or ordinances protecting biological resources. As a result, there would not be any conflict with local policies or ordinances protecting biological resources such as tree preservation policy or ordinance, and impacts are less than significant with no mitigation required**.**

Table 2 San Bernardino Protections in Place

Provision or Protection Aspect	General Plan Language	Specific Ordinance
Tree Retention/ Replacement Provisions	The County shall encourage use of conservation practices in the management of grading, replacement of ground cover, protection of soils, natural drainage, and the protection and replacement of trees.	Plant Protection Ordinance requires a tree removal permit. Violators guilty of a misdemeanor ($500-$1,000 fine or 6 months in jail) and must replace trees, with the help of an expert, post a bond, and replant dead trees within 2 years.
Tree Protection During Construction	None	Plant Protection Ordinance prohibits enclosing tree trunks within roof or decking, attachment of utilities and signs to trees, changes in grade that undercut roots.
Riparian Vegetation Protections	General Plan establishes 50-100 feet riparian setbacks that prohibit removal of mature natural vegetation.	Plant Protection Ordinance prohibits removal of vegetation within 200 feet of a stream without a tree permit and environmental review with mitigations imposed.
Canopy Retention Requirements	None	Plant Protection Ordinance prohibits commercial harvesting (6 inch diameter at breast height native trees) on public and private land without a tree permit or Timber Harvest Plan.
Woodland Conservation Program	General Plan calls for long- term comprehensive plans for native species.	None

f) **Less Than Significant Impact with Mitigation:** See response to CEQA Criteria e) above. No, the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State HCP. The Project site is not within a County-designated habitat conservation area. The Project site is within the BLM DRECP and would conform to all mitigation measures and requirements of that LUPA. The proposed Project is covered by the BLM's 2017 Biological Opinion for activities in the California Desert Conservation Area, with tortoise conservation measures and reporting requirements. Project protections specific to the desert tortoise are also described in the mitigation measures in a). As a result, the Project would not conflict

with the provisions of any adopted HCP, NCCP (i.e., DRECP), or other approved local, regional, and/or state habitat conservation plan, and there would be less than significant impacts with mitigation incorporated**.**

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required beyond the measures identified in this section.

CULTURAL ISSUES

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

PROJECT TECHNICAL STUDIES

DeLeon, A., S. Wood, L. Kolesky, and J. George. 2022. Class III Cultural Resource Survey for the Southwest Mine Project near Atolia, San Bernardino County, California. Prepared for Bureau of Land Management by Applied EarthWorks Inc. October.

CULTURAL ENVIRONMENTAL SETTING

A review of BLM cultural program records for the Project site was conducted by BLM Cultural Resource Program staff (BLM 2023). The BLM determined that the Project site has been surveyed to the level of a Class III inventory. Class I and Class III surveys refer to different levels of archaeological and historical resource investigations as defined by the BLM. A Class I survey is a desktop review of existing data and records. It does not involve fieldwork. A Class III survey is an intensive, systematic field survey where archaeologists physically inspect the land surface for cultural resources. The inventories completed for the Project site meet current BLM standards for the identification of cultural resources. None of the resources identified in the surveyed areas were determined to be eligible for the National Register of Historic Places (NRHP) (DeLeon et al. 2022). the National Historic Preservation Act (NHPA) review by the BLM resulted in a finding of no effect on historic properties for the Project site (BLM 2023).

CULTURAL SUBSTANTIATION

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

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **No Impact.** The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to California Code of Regulations (CCR) Title 14, Section 15064.5 because no NRHP-eligible historical resources were identified on the Project site. The NHPA review by the BLM resulted in a finding of no effect on historic properties for the Project site (BLM 2023). As a result, the Project would have no impact on historical resources pursuant to §15064.5.

b) **No Impact.** The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CCR Title 14, Section 15064.5 because no NRHP-eligible archaeological resources were identified on the Project site. As a result, the Project would have no impact on archaeological resources pursuant to §15064.5.

c) **Less Than Significant Impact.** The Project would not disturb any human remains, including those interred outside of dedicated cemeteries. There are no cemeteries or findings of human remains at the Project site. Nonetheless, all ground-disturbing activities have the potential to unearth unrecorded archaeological sites or human remains. All such discoveries on federal lands would be treated in accordance with the Native American Graves and Repatriation Act (NAGPRA) (25 United States Code [USC] 30001-3013). If human remains are encountered during Project construction on federal lands, NAGPRA, as implemented by 43 CFR Sections 10.4–10.6, presents the procedures for the treatment of human remains, associated funerary objects, sacred objects, and objects of cultural patrimony located on federal land. As the lead federal agency on the Project, the BLM should be notified immediately. The BLM will be responsible for government-to-government consultation with affected Native American Tribes concerning all potential NAGPRA issues. As a result, the Project would have a less than significant impact to disturb any human remains, including those outside of formal cemeteries.

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

ENERGY ISSUES

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

ENERGY SUBSTANTIATION

SUBSTANTIATION: ***San Bernardino Countywide Policy Plan 2023; GDG Plan of Operations and Reclamation Plan.***

a) **Less Than Significant Impact.** No, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction, operation, or reclamation. The proposed Project would align with the County's energy efficiency policies as described in b) below. The Project would use renewable energy sources for lighting where available. Vehicle travel routes are minimized to the extent practicable. The Project's design is compact to minimize surface disturbance footprint, which also minimizes the need for equipment and vehicle movement and energy expenditure. GDG would consider other opportunities to incorporate energy conservation measures where practicable. As a result, the Project would have a less than significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction, operation, or reclamation and no mitigation is required.

b) **No Impact.** No, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The Project would not conflict with the California Energy

Commission’s state energy efficiency initiatives for building and appliance standards and regulations (e.g., Title 20, Title 24 Part 6) because there are no existing or proposed buildings (or appliance use) associated with the Project. The Project would not conflict with the state’s renewable energy policies, which apply to utility and renewable energy projects. The San Bernardino County's General Plan includes a dedicated Renewable Energy and Conservation Element**,** which outlines the County's policies on renewable energy development and energy efficiency. This element reflects the County's commitment to balancing environmental sustainability with community values and economic development.

The County’s renewable energy policies include:

- **Abundant Renewable Resources**: The County possesses significant renewable energy resources, including solar, wind, and biomass. Notably, it has some of the highest solar energy potential in the United States, making it a prime location for solar energy facilities.
- **Community-Oriented Development:** While large-scale renewable energy projects exist, the County emphasizes the development of community-oriented renewable energy facilities that produce electricity for local consumption. This approach aims to minimize negative effects on sensitive biological species, habitats, visual resources, cultural resources, and nearby communities.
- **Environmental Compatibility:** The County supports renewable energy systems that are consistent with the orientation, scale, and character of existing development, ensuring that such systems are compatible with the surrounding environment.

The proposed Project is not a renewable energy project but would not conflict with the County’s policies on such projects.

The County’s energy efficiency policies include:

- **Energy Conservation Measures:** The County has considered how to reduce energy use through energy efficiency and conservation measures. These efforts are part of a broader strategy to achieve a clean energy future that aligns with local values.
- **Integration into Land Use Planning:** Energy efficiency and conservation are integrated into land use decisions, ensuring that new developments adhere to energy-efficient practices and contribute to the County's sustainability goal.

The proposed Project would align with the County's energy efficiency policies. The Project would use renewable energy sources for lighting where available. Vehicle travel routes are minimized to the extent practicable. The Project's design is compact to minimize surface disturbance footprint which also minimizes the need for equipment and vehicle movement. GDG would consider other opportunities to incorporate energy conservation measures where practicable. As a result, the Project would have no impact on a state or local plan for renewable energy or energy efficiency.

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

GEOLOGY AND SOILS ISSUES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
VII.	**GEOLOGY AND SOILS** - Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii. Strong seismic ground shaking?	☐	☐	☒	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv. Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

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

GEOLOGY AND SOILS ENVIRONMENTAL SETTING

The Project site lies within the Randsburg area, a geologic area situated along the Garlock Fault, a major east-west trending fault that marks the boundary between the Mojave Desert and the Transverse Ranges. The Randsburg area has been subjected to a series of deformational events that have resulted in the development of a complex system of faults and shear zones. These faults and shear zones have played a major role in forming the mineral deposits in the area.

The Rand Mountains, north of the Project site, are part of the Transverse Ranges, a series of mountain ranges that run perpendicular to the California coastline. The Rand Mountains are composed of a sequence of metamorphic and igneous rocks subjected to intense deformation and metamorphism. The oldest rocks in the area are the Rand Schist, a sequence of metasedimentary rocks that have been intruded by granitic rocks of the Rand Pluton.

The Project site is part of the Atolia placer deposit, a pediment partly covered with alluvium (Lemmon and Dorr 1940). The Project site lies immediately south of the former Atolia mining district, which was an area of former tungsten mining by numerous prospectors. High-grade tungsten was actively mined in the district from approximately 1905 until 1950. Many abandoned mines and tailings deposits remain in this area from early mining.

Geological units within the Project site consist of surficial quaternary alluvium fan deposits and igneous and metamorphic rocks. Water Supply Sites A and B occur on young alluvial fan deposits. These units are unassociated with any geologic formations known to produce scientifically significant paleontological resources. The underlying igneous and metamorphic rocks of the Atolia area are represented by Precambrian metamorphic rocks (Archean Rand biotite schists) intruded by Mesozoic (late Jurassic) granitic rocks (Atolia quartz monzonite). These Precambrian sequences contain high-grade gold-tungsten-bearing fissure veins, which were the source of placer gold deposits at Atolia (Morehouse 1988).

No soils information from the Natural Resources Conservation Service (NRCS) is available for the Project site. However, as observed during previous exploration activities by GDG and from

environmental surveys, soils in the Project site consist of unconsolidated (to semi-cemented), dry, moderately sorted sands. Sands are observed with peddle to cobble size inclusions but are not consistent, and some clay bands are also noted. The bedrock layer outcrops in the west and dips away to the east, consisting of the Rand Schist with relatively low saprock horizon development. The majority of soils in the Project site persist in relatively natural states except for those areas that were previously impacted by materials extraction activities, exploratory mining, and access road installation and maintenance.

Paleontological resource occurrences are known to correlate with mapped geologic units (i.e., formations). The BLM has created a Potential Fossil Yield Classification (PFYC) system based on available geologic maps. The PFYC system assigns a class value to each geological unit, ranging between 1 (very low potential) and 5 (very high potential). This range represents the potential abundance and significance of paleontological resources that occur in that geological unit. The PFYC system did not classify the geologic units in the majority of the Project site. However, alluvial fan geologic units immediately surrounding the Project site are mapped as PFYC Class 2. Class 2 geologic units have a low likelihood of containing paleontological resources.

GEOLOGY AND SOILS SUBSTANTIATION

SUBSTANTIATION:	*(Check ☐ if project is located in the Geologic Hazards Overlay District):* ***San Bernardino County General Plan, 2007; Submitted Project Materials***
San Bernardino Countywide Policy Plan 2023; Submitted Project Materials	

a) **Less Than Significant Impact**: No, the proposed Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death due to earthquakes and/or slope instability.

Fault Rupture: No, the proposed Project would not significantly cause a substantial adverse impact, either directly or indirectly, involving the rupture of an earthquake fault mapped as part of an Alquist-Priolo Earthquake Fault Zone (APZ). According to the California DOC California Earthquake Hazards Zone Application (EQ Zapp), the Project site does not fall within a currently designated California Geological Survey (CGS) Earthquake Fault Rupture Hazard (“Alquist-

Priolo") Zone, nor is it located within a fault-rupture hazard zone. Per the DOC, the closest mapped DOC Alquist-Priolo Zone to the Project site is the "Fremont Peak" APZ, located approximately nine miles southeast of the Project site.

Because the Project site is not located within or near an APZ or other active fault, there is little potential for the occurrence of surface fault rupture. No significant slopes would be created by the Project, and the Project would not remove any bedrock, only the alluvial material above the bedrock. The Project also would not involve the construction of any permanent buildings or significant aboveground structures, and therefore, the potential risk to onsite employees and contractors during major seismic events is considered low. As a result, the Project would not directly or indirectly cause adverse effects, including the risk of loss, injury, or death, as a result of fault rupture, and Project impacts would be less than significant.

Seismic Ground Shaking: No, the Project would not cause a substantial adverse impact, either directly or indirectly, from strong seismic ground shaking. As described above, the Project site is not located within a mapped earthquake hazard zone. The County Plan identifies four faults to be the most dangerous of the County. The nearest of those faults is the "Garlock Fault" line that occurs along the foothills of the Black Hills, north of the Project.

Because the Project site is not located within or near an active fault zone, ground shaking during an earthquake would not present a significant risk or create slope instability. Because the Project would not involve significant slopes or the creation of permanent buildings or significant structures, the potential risk to onsite employees and contractors during major seismic events is considered low. As a result, the Project would have less than significant impacts related to strong seismic ground shaking resulting in a risk of loss, injury, or death.

Ground Failure/Liquefaction: No, the Project would not cause a substantial adverse impact, directly or indirectly, from seismic-related ground failure, including liquefaction. As discussed above, the Project site is not located within a mapped earthquake hazard zone. Additionally, per the EQ Zapp, the Project site is not located within a designated CGS Landslide Zone or CGS Liquefaction Zone.

If groundwater occurs close to the native ground surface, there is a potential for liquefaction or ground failure to occur during strong seismic shaking events. However, groundwater in the Project site occurs at depths estimated at more than 500 feet bgs and is therefore not near the

Project surface. As such, the potential for ground failure or liquefaction at the Project site with the potential to risk loss, injury, or death during major seismic events is considered low. As a result, potential Project impacts related to seismic-related ground failure, including liquefaction, are less than significant with no mitigation required.

Landslides: See responses to CEQA Criteria above. Per the EQ Zapp, neither the Project site nor the surrounding areas are located within a designated CGS Landslide.

The Project site is a relatively flat area with no major human-made landforms or areas with landslide potential as a result of the historical mining activities. The Project involves shallow pit excavation to a maximum depth of 24 feet. The slopes of the pit walls are considered to be stable based on similar pit excavations in the Atolia area but would be angled up to 30 degrees if stability risks are observed during development down to 24 feet. If needed, a protective berm would be maintained around the pit rim and shall be posted with warning signs of steep slope hazard. Because the pit will be backfilled, there would be no steep slopes remaining. If the pit is not completely backfilled, any perimeter slopes would be filled to 2H:1V. Mine wastes generated by the Project would be temporarily stockpiled at the outset of the Project and would be backfilled into the pits sequentially as mining progressed. All disturbances would be recontoured to pre-mining conditions and reseeded in accordance with the revegetation plan, which would further ensure slope post-Project stability. As a result, the Project would not result in potential impacts from slopes and landslides, and less than significant impacts would occur with no further mitigation.

b) **Less Than Significant Impact:** No, the Project would not result in substantial soil erosion or the loss of topsoil. Proposed disturbances of the Project would affect the surficial in-place geology. Project activities would temporarily alter the natural topographic and geomorphic features in areas proposed for surface disturbance. The Project would mine approximately 2.8 million cubic yards of placer material overlying the host lithology. Processed material would be used as backfill into the void space created by the advancement of the open pits. The underlying bedrock geology would remain intact. As outlined in the Reclamation Plan (GDG 2024b), California SMARA regulations, specifically Section 3711, require the salvage of topsoil and other suitable growth media prior to mining activities and redistribution in areas to be revegetated.

SMARA Section 3705 also requires soil analysis to determine if the growth media in revegetation areas consists of native topsoil and is otherwise adequate to support successful revegetation. Although the potential to use topsoil from the Project site is constrained by the limited development of the soil profiles, topsoil that is feasible to salvage would be stored along the edges of the disturbed areas in small stockpiles in accordance with Section 3711. The topsoil would be salvaged and stored throughout the duration of the Project activities and then used as the top layer of backfill for reclamation activities once mining is complete and equipment demobilization occurs. Reclamation efforts would also involve salvaging seeds and scraping surface flora for mulching and stockpiling with the growth media. This mulching process would be done to increase moisture retention of the growth media and preserve seeds for rehabilitation efforts.

Due to the existing topography and low rainfall, the site exhibits little potential for stormwater runoff and sediment erosion. As such, the chances of discharge, erosion, and/or sedimentation from the Project that could adversely impact adjacent properties is considered very low. As outlined in the Reclamation Plan (GDG 2024b), GDG would comply with the Surface Water Pollution Prevention Plan (SWPPP), which would be updated periodically with Project development and implementation of stormwater Best Management Practices (BMPs). BMPs such as berms, sandbags, or silt fencing would be used for erosion and sediment control measures to ensure sediment does not inadvertently erode into adjacent areas. After backfilling the pits, drainages would be re-established, allowing effective drainage after reclamation is complete. Following reclamation, surface runoff will flow into natural drainages. The effectiveness of erosion control measures would be monitored throughout the Project. Through the salvage and proper storage of onsite topsoil and ongoing stabilization of the site slopes, there would be less than significant Project impacts related to soil erosion and loss of topsoil.

c) **Less Than Significant Impact:** No, the Project would not be located on or result in unstable geologic deposits or soils such that on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse would potentially occur. As discussed under CEQA Criteria a) above, per the EQ Zapp, the Project site is not located within a designated CGS Landslide Zone. Additionally, the DOC's landslide inventory database does not list active or dormant landslides within the Project site. The San Bernardino County Policy Map HZ-2 Liquefaction and Landslide Hazards Map within the Hazards Element of the County Plan also shows that the Project site is

not within a mapped landslide potential area. Because the Project would be located outside of a landslide zone, would adhere to the required 2H:1V slope design per County and SMARA standards, and would mine the open pits to a maximum depth of 24 feet, the impacts related to seismic-related ground failure, including liquefaction, would be less than significant.

According to the San Bernardino Countywide Plan Safety Background Report, the potential for liquefaction and lateral spread exists in areas with relatively loose, sandy soils and high groundwater levels (less than 50 feet in depth) during long-duration, strong seismic ground shaking. The Project site does contain sandy soils but does not have high groundwater levels. Therefore, the potential for liquefaction or lateral spread at the Project site is low.

The San Bernardino Countywide Plan Safety Background Report explains that Differential seismic settlement occurs when seismic ground shaking from an earthquake causes one type of soil or rock to settle more than another type. According to this Report, subsidence can be caused by the extraction of oil and gas but in San Bernardino County is primarily the result of groundwater extraction, prolonged drought, and geologic conditions. No groundwater extraction would occur at the Project site. The Project site is not identified in a known area of land subsidence, according to the Report.

Therefore, given that the proposed Project would not 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, there would be less than significant impacts related to unstable geologic units and soil.

d) **No Impact.** No, the Project would not be located on expansive soil as defined in Table 181-B of the California Building Code (2022), creating substantial direct or indirect risks to life or property. As discussed above, soils in the Project site consist of unconsolidated (to semi-cemented), dry, moderately sorted sands. None of the soils found within the Project site are subject to expansion when wetted. Additionally, no permanent or substantial above-ground buildings, structures, or slopes that could be susceptible to expansive soils would be constructed as part of the Project. As a result, the Project presents no risk to life or property from expansive soils, resulting in no impacts.

e) **No Impact.** No, the Project does not have soils incapable of supporting the use or installation of septic tanks or alternative wastewater disposal systems. The Project would not involve

installing or using septic tanks or alternative wastewater treatment systems. Portable toilets would be provided onsite. Therefore, the Project would have no impacts related to septic tanks or alternative wastewater disposal systems.

f) **Less Than Significant Impact.** No, the Project would not directly or indirectly destroy a unique paleontological resource or unique geologic features. Geological units within the Project site consist of surficial quaternary alluvium fan deposits and igneous and metamorphic rocks. These units are unassociated with any unique geologic features or formations known to produce scientifically significant paleontological resources, and PYFC maps of these units in surrounding areas shows a low likelihood of occurrence of significant fossiles. Due to a lack of known fossil-bearing sedimentary geological units within the Project site, the proposed Project would not be expected to impact paleontological resources. However, in the event of an inadvertent discovery, GDG would comply with San Bernardino County's Policy CR-2.3 (San Bernardino County 2022) which requires the salvage and preservation of paleontological and archeological resources in the event new development is unable to avoid these resources. As a result, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and impacts would be less than significant with no mitigation required.

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

GREENHOUSE GAS EMISSIONS ISSUES

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

GREENHOUSE GAS EMISSIONS SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **Less than Significant Impact.** The proposed Project would not generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment. The proposed Project is anticipated to generate GHG emissions from area sources, energy usage, mobile sources, waste disposal, water usage, and equipment. The Project's GHG emissions were from the Project emissions inventory described for the air quality section. The daily and annual usage is a conservative estimate based on anticipated drill program activities at the Project.

The estimates show that the proposed Project would create approximately 3,691 metric tons of carbon dioxide equivalent (MTCO2e) per year during peak operations activities. According to the MDAQMD threshold of significance, a cumulative global climate change impact would occur if the GHG emissions created from the ongoing operations would exceed 100,000 MTCO2e per year. Therefore, a less than significant generation of GHG emissions would occur from the development of the proposed Project and impacts would be less than significant with no mitigation required.

b) **Less than Significant Impact.** The proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. In 2021, the County adopted an updated Greenhouse Gas Reduction Plan (GGRP) that outlines strategies across various sectors, including energy, transportation, land use, and waste management. The plan emphasizes:

- Energy Efficiency: Promoting energy conservation in buildings and infrastructure.
- Renewable Energy: Encouraging the adoption of renewable energy sources.
- Transportation: Reducing vehicle miles traveled through improved public transit and active transportation options.
- Waste Management: Enhancing recycling and composting programs to reduce landfill emissions.

These initiatives aim to meet state-mandated GHG reduction targets and improve overall air quality in the region. The proposed Project would use renewable energy sources for lighting where available. Vehicles would meet federal and state energy efficiency requirements. None of the activities of the Project would impact the County's ability to implement the initiatives described above. As a result, the Project would have no significant impact on applicable plans, policy or regulation of an agency adopted for the purpose of reducing GHG emissions.

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

HAZARDS AND HAZARDOUS MATERIALS ISSUES

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

HAZARDS AND HAZARDOUS MATERIALS SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **Less Than Significant Impact**. No, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. No hazardous substances would be generated or disposed on the Project site. All refuse generated at the Project would be disposed of off-site in an authorized off-site landfill facility, consistent with all applicable federal, state, and local regulations.

The Project would also use lubricating oils and grease, as well as hydraulic oil, which would be stored in vehicles on the Project site. An estimated 200 gallons of lubricating grease, 200 gallons of lubricating oil, and 100 gallons of hydraulic oil would be utilized as necessary for mine equipment operations and maintenance. Any oil and grease stored on site would be placed in secondary containment. In addition, a liquid propane tank (approximately 20 pounds) would supply natural gas to the work trailer parked on site for the duration of the Project. The tank would be stored above ground in secondary containment. An organic and biodegradable water tension-reducing agent (flocculant) would also be applied to the water storage ponds. All hazardous and non-hazardous containers would be properly labeled and managed in accordance with all applicable state and federal laws, regulations, and guidelines. Transportation of petroleum products and other materials would occur from the direction of either Johannesburg or Barstow via U.S. Highway 395.

GDG would prepare a Hazardous Materials Business Plan (HMBP) and a Business Emergency/Contingency Plan for the Project. The HMBP would include a hazardous materials inventory and Spill Prevention Control and Countermeasure (SPCC) Plan to ensure that all hazardous and solid waste materials are stored appropriately and contained in the event of uncontrolled release utilizing BMPs. The HMBP describes methods and procedures to minimize the potential for hazardous material and waste releases, including emergency response and contingency and spill response procedures.

If a reportable quantity of hazardous materials or petroleum products is spilled, the spill would be contained and cleaned up and the appropriate federal, state, and local agencies would be notified as required. If any products are spilled during operations that are less than the reportable quantity, the product would be promptly cleaned up, and any contaminated material would be removed from the site and disposed of at an approved off-site facility in accordance with all applicable federal, state, and local laws.

No hazardous or toxic waste, oil, or lubricants would be disposed of on public lands. Burial and/or burning of trash or other debris would not be permitted. All waste would be collected in approved trash bins/containers with lids and would be disposed of off-site in an approved landfill. Hazardous materials would be transported according to applicable regulatory guidelines.

Pursuant to 43 CFR 8365.1-1(b)(3) and 43 CFR 3809.420(b)(5) and (6), no sewage, petroleum products, or refuse would be dumped from any trailer or vehicle in the Project area,

For these reasons, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and there would be less than significant impacts with no mitigation required.

b) **Less Than Significant Impact:** No, the Project would not create a significant hazard to the public through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. As detailed under a) above, hazardous materials would not be generated or disposed of on the Project site. Petroleum substances that would be used by Project equipment and vehicles include fuels, oils, and lubricating fluids. These substances would be used and stored on vehicles and equipment stored on site in accordance with applicable regulations. The Project's HMBP and SPCC would be prepared to describe the methods and procedures to minimize the potential for hazardous material and waste releases, including emergency response and contingency and spill response procedures. Through the implementation of containment and control measures described in these plans, the potential for an accidental release of significant quantities of hazardous materials that could affect the surrounding environment is low. For these reasons, the Project would be unlikely to 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, and the Project would have less than significant impacts, with no mitigation required.

c) **No Impact.** The Project site is not within a quarter mile of a school. As a result, the Project would not emit hazardous emissions, materials, substances, or waste within one-quarter mile of an existing or proposed school. Therefore, no impacts would occur.

d) **No Impact.** No, the Project would not be located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed Project site is not located within or near a site identified by the Department of Toxic Substances Control (DTSC) or the Secretary of Environmental Protection as being affected by hazardous wastes or clean-up problems. Specifically, the California State Water Resources Control Board (WRCB) GeoTracker and the DTSC EnviroStor database were reviewed to determine whether the Project site or surrounding area(s) are listed hazardous material/waste sites or are located near a known contaminated site. Neither the Project site nor any sites within the nearby vicinity are on or near active hazardous waste or cleanup sites identified on a list compiled pursuant to Government Code Section 65962.5. As a result, the Project would not create a significant hazard to the public or the environment by being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impacts would occur.

e) **No Impact.** The Project is not located within an airport land use plan area or within two miles of a public airport or a public use airport. The Project site is not located within two miles of a public airport or public use airport. As a result, the Project would not result in a safety hazard or excessive noise for people residing or working near the Project due to its proximity to a public airport or public use airport. Therefore, no impacts would occur.

f) **No Impact.** The Project would not impair the implementation of or physically interfere with an adopted emergency plan or evacuation plan. The Project site is located approximately 6.3 miles south of Johannesburg and is accessed via paved U.S. Highway 395. BLM routes would be used to access the Project site. As discussed in greater detail in the impact analysis for traffic, the Project would not significantly increase the number of vehicles on local public roadways. Specifically, the number of onsite workers/contractors on any given operating day during the Project would be minimal (estimated up to 10 onsite employees or up to seven vehicles). Additionally, no public facilities or structures on the Project site would be altered or impacted by the Project. In the unlikely event of an emergency requiring evacuation from the Project site,

existing public access roads have sufficient capacity to safely evacuate the onsite employees, and there would be sufficient vehicles on site to evacuate personnel.

Lastly, San Bernardino County's Emergency Operations Plan was also reviewed. The Project would not conflict with any applicable provisions in the County's emergency response or hazard mitigation plan. See also the discussion of Wildfire Checklist item a). For these reasons, the Project would not impair the implementation of or physically interfere with an adopted emergency response or emergency evacuation plan, and no impacts would occur.

g) **Less Than Significant Impact:** No, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. The Project site is located within an undeveloped area, near previously disturbed areas from historical mining activities. Based on the sparse natural vegetation in and around the Project site, the Project would not be especially prone to wildfires. The Project site is not ranked in terms of fire hazard severity; see the discussion of Wildfire Checklist Item a) for further detail on wildfire risk.

GDG would also implement site-specific fire prevention/protection actions. At a minimum, these actions would include providing adequate fire suppression equipment on the Project site and establishing emergency response information relevant to the Project. As discussed above, GDG would maintain water storage ponds on site for material processing; however, in the unlikely event of an onsite fire, this water would also be available to assist in firefighting operations. GDG would ensure that all mobile equipment has fire extinguishers, hand tools, and first aid kits. GDG would also generally maintain the Project site and keep this area devoid of vegetation and brush.

For these reasons, the Project would not expose people or structures directly or indirectly to a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

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

HYDROLOGY AND WATER QUALITY ISSUES

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

PROJECT TECHNICAL STUDIES

Kupferman, S.A. 2024. Water Supply Assessment and Production Water Capacity Evaluation Proposed Persistence Mine, Atolia Area, San Bernadino County, CA. Letter to S. Tucker, October 7.

Rand Communities Water District (RCWD). 2023. Will Serve Letter Persistence Mine Atolia, California. Letter to S. Tucker. December 5.

HYDROLOGY AND WATER QUALITY ENVIRONMENTAL SETTING

Regional Groundwater Hydrology

The Project site is partially within the California Department of Water Resources (DWR) Cuddeback Valley groundwater basin (#6-050). The Water Supply Sites are in the Fremont Valley basin (#6-046). Both basins are within the South Lahontan hydrologic unit (Unit #9627), which is part of the South Lahontan region that encompasses Inyo County and portions of Mono, San Bernardino, Kern, and Los Angeles counties, including Mount Whitney and Death Valley. The portion of the Project site that is located outside of Cuddeback Valley basin is within California's non-basin areas. Non-basin areas are defined as any area outside of a defined groundwater basin or subbasin. These areas consist of impermeable granitic, metamorphic, volcanic, or consolidated rocks (carbonates), with groundwater stored within fractures or other voids (California DWR 2020). The connectivity of these fractured rock systems is often limited and difficult to predict and characterize (California DWR 2020).

Thick deposits of tertiary and quaternary alluvial and valley fill sediments overlie the bedrock in portions of the Fremont and Cuddeback Valley groundwater basins. Both Quaternary alluvium and lacustrine sedimentary deposits are water-bearing in the Fremont Valley groundwater basin, with an alluvial thickness of approximately 1,190 feet along the margin of the basin, thinning toward the middle of the basin where it is interbedded with thick layers of lakebed silts and clays near Koehn Lake (California DWR 2020). Groundwater in the alluvium is generally unconfined, although locally confined conditions occur near Koehn Lake (California DWR 2004a). Quaternary alluvium forms the main water-bearing unit in the Cuddeback Valley groundwater basin. The maximum thickness of alluvium is at least 300 feet.

The Cuddeback Valley groundwater basin is approximately 94,900 acres in size. The basin underlies a roughly east-trending valley in western San Bernardino County. Surface elevations range from about 2,550 feet at Cuddeback (dry) Lake to 2,800 feet above mean sea level in the northeast portion of the valley. The basin is bounded by non water-bearing rocks of the Lava Mountains on the north, the Rand Mountains on the west, Fremont Peak, and the Gravel Hills on the south and southeast, and a series of granitic hills on the east.

The Fremont Valley basin underlies a surface area of approximately 335,000 acres, extending from eastern Kern County to the northwestern region of San Bernardino County (California DWR 2004a). The basin is bounded on the southwest by the Antelope Valley groundwater basin along a groundwater divide approximated by a line connecting the mouth of Oak Creek through Middle Butte to exposed basement rock near Gem Hill.

Both the Cuddeback Valley and Fremont Valley basins are recharged from precipitation and percolation of runoff from mountains and neighboring watersheds. Runoff from the surrounding mountains is the primary source of recharge within the Fremont Valley basin. However, only a small portion of the accumulated rainwater is believed to percolate down into the aquifer, with most water being lost to evaporation. There is no appreciable quantity of groundwater flowing out of the basin. Recharge to the Cuddeback Valley basin is primarily from the percolation of storm runoff from the surrounding watershed through alluvial fan deposits. Groundwater generally moves in the direction of Cuddeback Lake (California DWR 2020).

An analysis conducted for the Fremont Valley Basin Groundwater Management Plan (Woodard & Curran 2018) estimated the natural recharge to the basin at approximately 13,800 acre-feet per year (afy) on average. Surface runoff either recharges to the basin or drains toward Koehn Lake. The groundwater flow follows a similar path to surface runoff, generally toward Koehn Lake. Groundwater is generally unconfined except for near Koehn Lake. DWR reports a storage capacity of 4.8 million acre-feet (maf), though the amount of groundwater in storage is currently unknown.

Groundwater depth and yield information for the Cuddeback Valley basin are limited to irrigation wells (California DWR 2004b). Well yields are reported to range from 300-500 gallons per minute (gpm), with an average yield of 300 gallons per minute. From 1917 through about 1970, groundwater levels near Cuddeback Lake ranged between 60 and 90 feet below the surface. Groundwater levels in the eastern and western parts of the basin ranged between 150 and 230

feet below the surface (California DWR 2004b). Over the past 20 years, groundwater levels have been stable.

The average depth to water in the Fremont Valley basin is approximately 500 feet below the ground surface (California DWR 2004a). Groundwater depths in alluvial fan areas of the basin, where Sites A and B would be located, are over 300 feet below ground surface (bgs) (Woodard & Curran 2018). Long-term groundwater level data indicate that the groundwater levels in the Fremont Valley basin have declined significantly since 1955, probably due to the prolonged drought and increased groundwater extractions in the late 1950s through the 1970s (Woodard & Curran 2018). Groundwater levels declined gradually until approximately 1968, when water levels began to decline at a greater rate. The greater rate of decline coincides with increases in Mojave Public Utilities District (MPUD) production. Around 1980, water levels continued to decline but at a much lower rate, which coincided with decreased pumping by MPUD. There has been some recovery of groundwater levels in the northern portion of the basin following the reduction of heavy irrigation pumping that occurred through the 1970s. Average well yields in the Fremont Valley basin are about 530 gpm with a maximum yield of 2,580 gpm (California DWR 2004a).

The Project area falls outside the boundaries of the State Groundwater Sustainability Agency (SGMA) established by the California DWR (https://gispublic.waterboards.ca.gov/portal/apps/storymaps/stories/35d50036fbfe44e5ac3b1a6e8c1e8d21). Based on the “Very Low” priority assigned by the CADWR to the Cuddeback Valley groundwater basin and “Low” priority assigned to the Fremont Valley groundwater basin, Groundwater Sustainability Plans (GSPs) are not required by the California Sustainable Groundwater Management Act. No GSPs exist for the Cuddeback Valley basin or the Fremont Valley basin. However, the Regional Water Management Group of the Fremont Basin Integrated Regional Water Management Region prepared a groundwater management plan for the Fremont Valley basin (Woodard & Curran 2018). The plan was prepared to support long-term sustainable management of groundwater resources in the area.

Groundwater Uses

The larger South Lahontan hydrologic region, which encompasses 81 groundwater basins, uses 0.43 maf of groundwater annually, which accounts for 74 percent of the total water supply in the

region (California DWR 2020). Approximately 68 percent of groundwater in the region is used for agricultural purposes, and the remaining 32 percent is used to meet urban and domestic water demands (California DWR 2020). Groundwater level trends in the region are generally a mix of declining trends and stable conditions (California DWR 2020). There are no major waterways within the analysis area basins or the larger South Lahontan hydrologic unit.

Pumped groundwater from the Fremont Valley groundwater basin, supplied by two wells (Prather Well 1 and Prather Well 2), is the sole water source for RCWD. The total RCWD demand in 2015 was 47 acre-feet (af) (California RWMG 2019). Only Prather Well 2 is used for drinking water. Prather Well 1 site is a standby well mostly used for bulk construction water (California WRCB 2023).

Water Quality

The chemical character of the groundwater varies throughout the South Lahontan region, but most often is calcium or sodium bicarbonate. In general, groundwater near the edges of valleys contains lower total dissolved solids (TDS) content than water beneath the central part of the valleys or near dry lakes (California DWR 2020). Drinking water standards are most often exceeded for TDS, fluoride, and boron content in the region (California DWR 2020). The most commonly detected chemical above a regulatory limit in the South Lahontan region between 2009 and 2018 was arsenic, detected above the maximum contaminant level (MCL) in 14.7 percent of wells (California DWR 2020). The region had the highest percentage of wells detecting arsenic above its MCL of any hydrologic region (California DWR 2020).

According to the beneficial water use designations delineated in the Lahontan Basin Plan (California RWQCB 2021), groundwater basins in the region are typically suitable for municipal and domestic supply, agriculture, industrial service supply, and freshwater replenishment.

Water quality is monitored for RWCD wells and reported annually via California State Water Resources Control Board (WRCB) Consumer Confidence Reports (CCRs). All contaminants, with the exception of arsenic, are consistently below primary drinking water standards. The RWCD wells have reported elevated arsenic levels since 2008. In 2023, the average arsenic concentration was 10.06 parts per billion (California WRCB 2023), compared to the primary drinking water standard of 10 parts per billion. This was lower than the 2022 CCR, which reported an average arsenic concentration of 10.38 parts per billion (California WRCB 2022).

The contaminant sources identified for arsenic include erosion of natural deposits, runoff from orchards, and glass and electronic production wastes (California WRCB 2022). There is one water quality sample from the RWCD Prather Well 1 site that was reported in 1980, indicating arsenic, copper, manganese, and zinc met MCLs (California DWR 2024).

Surface Water

The area of analysis for water resources is the USGS hydrologic unit code (HUC)-12 subwatersheds that the Project area is located in. The mining operations area is located in the Town of Atolia subwatershed (HUC #180902070601), which is approximately 17,179 acres. The Water Supply Sites are located in the Goler Gulch subwatershed (HUC #180902060602), which is approximately 28,103 acres.

The Town of Atolia subwatershed is part of the larger Coyote-Cuddeback Lakes HUC subbasin (HUC-8 #18090207). The Goler Gulch subwatershed is part of the larger Antelope-Fremont Valleys HUC subbasin (HUC-8 #18090206).

There are ephemeral channels in the Project area classified as Riverine, intermittent, streambed, intermittently flooded (R4SBJ). These water resources are characterized as channelized streambeds that are flooded from time to time (i.e., ephemeral). Several areas with shallow, dry, ephemeral stream channels occur in the mine operations area. These water resources originate on the site and end at Cuddeback Lake, a dry lake that is six miles east of the mine operations area.

No federally protected jurisdictional features occur in the Project area. Cuddeback Lake is not considered to be a waters of the U.S. because it is an isolated basin with no connection to the Mojave or Colorado Rivers. Therefore, the dry, ephemeral washes within the mine operations area lack downstream connection to a federal water of the United States.

HYDROLOGY AND WATER QUALITY SUBSTANTIATION

SUBSTANTIATION:
San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **Less than Significant Impact:** The water to be used for the Project meets state and federal drinking water standards, except for possible slight exceedances of naturally occurring arsenic compared to the MCL. However, these arsenic levels are less than the criteria for toxic pollutants in inland waters. Water used for the Project would be consumed during the processing of the mined materials. No discharges would occur to surface water or groundwater. Water placed temporarily in storage ponds during operations would be above bedrock and would be unlikely to infiltrate to groundwater, which occurs at depths of more than 300 feet bgs during the temporary storage periods.

The California Porter-Cologne Water Quality Control Act (§13000 of the California Water Code) and the Federal Water Pollution Control Act Amendment of 1972 (also referred to as the CWA) require comprehensive water quality control plans to be developed for all waters within the State of California. The Project site is located within the jurisdiction of the Lahontan RWQCB. The proposed Project would disturb more than one acre of land surface and would, therefore, be required to obtain coverage under the NPDES stormwater program. The Project would require a Construction Stormwater General Permit (CGP) pursuant to the California State Water Resources Control Board NPDES No. CAS000002, Order No. 2009-0009-DWQ, amended by 2010-0014-DWQ and 2012-0006-DWQ. GDG would be required to submit a Notice of Intent prior to construction activities and develop and implement a SWPPP and monitoring plan. The SWPPP identifies erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction Activity General Permit to control potential construction-related pollutants. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. Water used for dust control would be kept to a practicable minimum to minimize the risk of water runoff. Sediment control structures would be utilized to prevent unnecessary or undue degradation.

Surface water and sediment control and contouring is described in the Plan to maintain and manage existing hydrology and minimize on surface water quality. In sum, the regulatory requirements and measures described in the Plan would ensure that potential Project impacts related to soil erosion, siltation, and sedimentation remain less than significant and the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. There would be less than significant impacts.

b) **Less than Significant Impact:** A water supply assessment and production water capacity evaluation for the Project assessed the adequacy of available water supplies to meet the Project's water demand. The assessment evaluated 20-year projections for each of the Water Supply Sites over normal, single-dry-year, and multiple-dry-year conditions. Groundwater pumping is proposed as the water source to support mining and processing operations, including the wash plant and dust suppression, as described in the Reclamation Plan and Plan of Operations. Total water use for the Project would not be expected to exceed 55 afy, which equates to approximately 34 gpm. Approximately 80 percent of the production capacity is planned to be used in the wash plant and the remaining 20 percent for dust suppression, although the water demand would likely vary seasonally.

RCWD issued a December 5, 2023 "will serve" letter to GDG indicating that the proposed average water demands of 1.4 million gallons per month, or approximately 35 gpm, can be met with RCWD's existing non-potable bulk water supply facilities being capable of supplying 144,000 gallons per day, or 120 gpm. As indicated in RCWD's letter, these wells are capable of pumping rates in excess of 100 gpm. RCWD indicated that there would be no adverse impact on current capacity or service levels to others.

It is unlikely that pumping from Water Supply Sites A and B at a proposed amount of 55 afy would impact RCWD's wells (Kupferman 2024). Furthermore, due to the distance between the wells, a typical modeled cone of depression would not reach the RCWD wells (Kupferman 2024). The Project's annual water use of 55 afy would be only 0.5 percent of the average groundwater recharge in the northern Fremont Valley basin. The estimated recharge rate suggests that the additional use from either Water Supply Site A or Site B would not produce a deficit in the annual recharge (Kupferman 2024). Kupferman (2024) also notes that the Rand Mining Company extracted over 1,000 afy from the existing well at Site A in the 1990s without depleting or affecting the quality of the RCWD's water supply.

A conservative estimate of groundwater in storage within the Fremont Valley groundwater basin provides another means of evaluating the potential impact of additional groundwater extraction from Water Supply Site A. If the basin contained a conservative value of only 1 percent of the total storage capacity, which is equivalent to approximately 48,000 af (California DWR 2020), the additional extraction would be equivalent to 0.1 percent and therefore, would not produce a deficit in the annual volume in storage. Even in the case of multiple dry years without any

precipitation or recharge, the groundwater volume in storage would be predicted to recover within a period of a few years. The total storage capacity of the basin is estimated to be 4,800,000 af. Considering these factors and the Project's proposed water demand of 55 afy, Water Supply Sites A and/or B should be capable of meeting the proposed demand. Therefore, the Project would have a less than significant impact on groundwater supplies and groundwater recharge and the Project would not impede sustainable groundwater management of the basin.

c) **Less than Significant Impact:** The Project site does not include any streams or rivers that would be altered by the Project. The existing ephemeral drainages at the Project site would be disturbed during operations of the Project. Disturbances of any dry wash drainages would be reshaped to pre-construction contours after operations, resulting in channels of the same capacity as upstream and downstream reaches. There are no existing stormwater drainage systems or impervious surfaces at the Project site and none are proposed. Channels would be made to prevent erosion. The SWPPP and stormwater and water management BMPs would include runoff management, stabilization of disturbed areas, and implementation of erosion control measures to minimize impacts on drainage patterns at the Project site and prevent excessive drainage or flooding offsite. The development of the Project area would not create any adverse impacts downstream for storm events. All water from the proposed Project would be consumed during operations of the Project and no surface water or groundwater discharges would occur. Through implementing the SWPPP, the Project would fully mitigate stormwater runoff such that runoff water would not exceed that of existing conditions and is not otherwise anticipated to exceed the capacity of downstream drainage channels.

Therefore, the Project would not result in substantial erosion or siltation on- or off-site; the Project would not substantially increase the rate or amount of surface runoff that would result in flooding on or offsite; the Project would not create or contribute runoff water which would cause substantial additional sources of runoff; and the Project would not impede or redirect flood flows. There would be a less than significant impact on the existing drainage patterns of the site.

d) **No Impact.** Based on FEMA's National Flood Hazard Layer Viewer, the Project site is not located within a 100-year flood hazard area. The Project does not propose structures that would be placed within a 100-year flood hazard area. The Project would be located within a remote area far away from the Pacific Ocean or other larger inland bodies of water. The Project area is not located within a mapped tsunami or seiche hazard area as defined under the Department of

Conservation (DOC) Seismic Hazards Mapping Act and related seismic hazard maps. There are no permanent waterways, streams, or diversion channels within or adjacent to the Project site, and none are proposed as a result of site development. FEMA's National Flood Hazard Layer Viewer, the Project site and surrounding areas are designated as Flood Zone D. Flood Zone D is defined by FEMA as areas where flood risk has not been determined and no flood hazard analysis has been conducted. No portion of the site is located within a special flood hazard area inundated by the 100-year flood. Given the location and design of the Project, the lack of surface or stormwater run-on or run-off from the Project site, and the lack of impacts on groundwater, the Project would not risk release of pollutants due to Project inundation. Therefore, there would be no impacts.

e) **No Impact.** The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Project would be subject to federal, state, regional, and local regulations and ordinances regarding water quality and groundwater use. Stormwater runoff would be managed following guidelines and BMPs described in the Lahontan RWQCB and the San Bernardino County Water Quality Management Plan.

The Project is outside the boundaries of the SGMA established by the California DWR. No GSPs exist for the Cuddeback Valley basin or the Fremont Valley basin. However, the Regional Water Management Group of the Fremont Basin Integrated Regional Water Management Region prepared a groundwater management plan for the Fremont Valley basin (Woodard & Curran 2018). The plan was prepared to support long-term sustainable management of groundwater resources in the area. The Project would not impede sustainable groundwater management of the basin; see response to a) for further detail on groundwater impacts.

As a result, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan and there would be no impact.

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

LAND USE AND PLANNING ISSUES

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

LAND USE AND PLANNING SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **No impact.** No, the Project would not divide an established community. The Project site encompasses 126.06 acres of public lands within San Bernardino County, California that are administered by the BLM Ridgecrest Field Office. The Project site is in a remote area of the county where existing land uses consist of predominantly of recreational and wildlife use. There are no active land use authorizations other than the existing authorization for GDG for exploratory drilling (CACA105847437 and CACA105846362, totaling 20 acres). The Project site is undeveloped, not located within an established community, and does not serve as a means of moving through or connecting to a community or neighborhood. There are no established communities within or immediately adjacent to the Project site. For these reasons, the proposed Project would not physically divide an existing community, and no impacts would occur.

b) **No impact.** No, the Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Project is in conformance with the California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq., for San Bernardino County implementation of CEQA and the County Plan. The Project site is located immediately south of the former Atolia mining district, which was an area of former tungsten mining by numerous prospectors. Per the current County Plan and land use zoning

map, the Project site is within an area designated as Resource Conservation. The proposed Project is allowable within this County land use designation. The Project would not require changes to the County Plan or Zoning designations, and the Project would not conflict with any land use designation or land use plan in order to mitigate an environmental effect.

The Proposed Action is in conformance with FLPMA in ensuring that resource protection is not compromised in accordance with the mandated principles of FLPMA. The Proposed Action is in conformance with the California Desert Conservation Area (CDCA) Plan and the DRECP Land Use Plan Amendment (LUPA), which amended the CDCA Plan (BLM 2016a, BLM 2016b). The Project specifically conforms to the following Land Use Plan objectives from the CDCA and DRECP:

- Encourage the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction and reclamation practices.

- Support responsible mining and energy development operations necessary for California's infrastructure, commerce, and economic well-being.

Conservation management actions would be implemented for the Project in conformance with the DRECP LUPA (BLM 2016a) and per BLM requirements. Therefore, the proposed Project would not cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and no impacts would occur.

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

MINERAL RESOURCE ISSUES

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

MINERAL RESOURCE SUBSTANTIATION

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

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **Less Than Significant Impact.** Once mined, a measurement of this resource would be depleted. However, the proposed Project would be consistent with the County's policy that protects the current and future availability of mineral resources. The primary goal in evaluating a land use that does not include mineral extraction activities is to ensure that the mineral potential of the land is recognized and that decision-makers do not preclude the conservation, potential for development, and use of the valuable mineral resources. Regulation and reclamation of the proposed Project, as required by SMARA, would permit the continued availability of the mineral resources and provide for the protection and subsequent beneficial use of those mineral resources while minimizing impacts on the public and the environment. The State's Guidelines for Classification and Designation of Mineral Lands coincides with SMARA by providing the State Geologist with direction in carrying out mineral resource classification of lands in California that are threatened by uses that will be incompatible with or will preclude development or conservation of mineral resources. Classification is the process of identifying lands containing significant mineral deposits. According to the California DOC's Mineral Land Classification Maps

(DOC 2024), the Project site has not been mapped, nor has a classification been designated. Therefore, the Project would result in a less than significant loss of availability of a known mineral resource that will be of value to the region and the residents of the state.

b) **No Impact.** The Project site is not within a delineated mineral resource recovery site designated in the San Bernardino County Plan. Specifically, Map NR-4, Mineral Resource Zones, has not designated areas in or adjacent to the Project site as locally important mineral resource recovery sites. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site and no impacts would occur.

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

NOISE ISSUES

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

NOISE SUBSTANTIATION

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

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **No Impact.** The Project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project site in excess of applicable standards established in the County Plan, noise ordinance, or other standards of applicable agencies. The Noise Element of the San Bernardino County Plan provides goals and policies to limit the community's exposure to excessive noise levels. The Plan's key policies are aimed at controlling noise sources and limiting exposure to residents. There are no noise ordinances for rural areas in San Bernardino County, but the County has set specific noise level standards to

protect residents, which include a daytime (7 a.m. to 10 p.m.) maximum of 55 A-weighted decibels (dBA) equivalent sound level (Leq) for residential areas and a nighttime (10 p.m. to 7 a.m.) maximum of 45 dBA Leq for residential areas. These standards are enforced through the County's Development Code and are applicable to both existing and new developments.

The Project would create only intermittent and temporary noise. No permanent noise increases would occur from the Project. The Project would be located away from residential areas and other sensitive receptors. The Project would be located close to U.S. Highway 395, which is a major source of existing noise. Noise levels measured 100 feet away from the centerline of remote segments of U.S. Highway 395 were between 67 to 70 dBA Ldn (Inyo County 2023). The Ldn is the average equivalent sound level over a 24 hour period. Equipment that would be used for the Project would emit noise levels generally higher than these levels, in the range of 75 to 87 dBA Lmax, as estimated from noise level data reported by the Federal Highway Administration (FHWA 2006). Lmax is the maximum sound level during a measurement period or a noise event. These noise levels would attenuate with distance and would not be expected to be exceed the noise maximums set by the County in the residential areas located more than six miles away from the Project.

The Project would comply with noise exposure standards and guidelines for project workers under the Occupational Safety and Health Administration (OSHA) regulations 1926.52 and 1910.95. Therefore, the Project would not be expected to generate 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, and there would be no impact.

b) **Less Than Significant Impact.** The Project would not generate excessive groundborne vibration or groundborne noise levels. As described in response to a), airborne noises from the Project would be emitted at levels similar to the estimated ambient noise levels of the adjacent highway to the Project site. Groundborne noise is sound that travels through the ground (or a structure) as vibration before being radiated as audible sound into the air. The San Bernardino Noise Element describes ground vibration consisting of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. The peak particle velocity (PPV) is defined as the maximum instantaneous positive or negative peak of the vibration wave. The root mean square (RMS)

velocity is the average of the squared amplitude of the signal. The PPV is generally used to characterize the potential for building damage, while RMS is best for characterizing human response to ground vibration. Typical levels of groundborne vibration from heavy tracked construction equipment are estimated between 0.17 – 0.2 PPV, which is the equivalent of 92 and 94 vibration velocity (VdB). Comparatively, bus or truck traffic is estimated at 0.005 PPV, or 62 VdB. The nearest sensitive receptors are residents of Johannesberg, which are approximately 6.3 miles to the north, and the nearest structures and would not experience the effect of vibration from construction equipment. No blasting is proposed for the Project. Therefore, the Project would not generate excessive groundborne vibration or groundborne noise levels and there would be a less than significant impact.

c) **No Impact.** The nearest airport to the Project site is the Barstow-Daggat general aviation airport located near Daggett, California, or the Palmdale regional airport located near Lancaster, California. Both airports are approximately 64 miles from the Project site. The Project is not located in an airport land use plan. As a result, the Project would not expose people to excessive noises that might be residing or working within the vicinity of a private airstrip, public airport, or public use airport, because these areas are far from the Project site, and there would be no impact.

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

POPULATION AND HOUSING ISSUES

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

POPULATION AND HOUSING SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials.

a) **No Impact**. The Project proposes up to seven new employees or contractors and up to three GDG staff on the Project site at any given time to provide guidance and oversight. GDG staff would consist of existing employees. New employees or contractors may be local or non-local. The duration of construction and operations activities would be 33 months or about 2.5 years. Non-local staff may temporarily reside in Johannesburg or Barstow. Given the small workforce associated with the Project, the Project would not induce substantial unplanned population growth in an area, either directly or indirectly, and does not propose new homes and businesses or road extensions and other infrastructure for Project activities. Therefore, there would be no impact on unplanned population growth in the area, directly or indirectly, from the Project.

b) **No Impact.** For the reasons described in a), the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and there would be no impact.

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

PUBLIC SERVICES ISSUES

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

PUBLIC SERVICES SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **Less Than Significant Impact.** The Project proposes up to seven new employees or contractors and up to three GDG staff on the Project site at any given time to provide guidance and oversight. GDG staff would consist of existing employees. New employees or contractors may be local or non-local. The duration of construction and operations activities would be 33 months or about 2.5 years. Non-local staff may temporarily reside in Johannesburg or Barstow. The addition of new employees in Johannesburg or Barstow would place additional burden on local fire protection, police, and other public facilities, but that additional demand would be low relative to the current population of Johannesburg and insignificant compared to the current population of Barstow. The U.S. Census Bureau's American Community Survey (ACS) 5-year population estimates for these towns are 77 and 24,964, respectively. There are no operating schools within Johannesburg itself. The Seirra Sands Unified School District serves

Johnnesburg residents and nearby schools are located in Ridgecrest and Inyokern. Johannesburg is an unincorporated community in Kern County and receives its fire and police protection services from county-level agencies. The San Bernardino County Fire Protection District provides fire protection and emergency medical services across the county's unincorporated areas and several incorporated cities. The San Bernardino County Sheriff's Department is responsible for law enforcement in the County's unincorporated areas.

Given the small workforce associated with the Project and the limited duration of the Project, the Project have a less than significant impact on government or public facilities and would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, 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.

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

RECREATION ISSUES

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

RECREATION ENVIRONMENTAL SETTING

The Project site occurs within the El Paso/Rand Special Recreation Management Area (SRMA). An SRMA designation intensifies the management of areas where outdoor recreation is a high priority. Implementation-level plans are completed by the BLM for each SRMA to fully describe management actions and objectives.

The El Paso/Rand SMRA consists of three separate RMZs: El Paso Mountains, Rand Mountains Management Area, and Desert Tortoise Research Natural Area. These separate areas provide multiple-use recreation opportunities. The El Paso/Rand SRMA is sandwiched between State Highway 14 and U.S. Highway 395. These paved highways provide multiple routes to access these areas. Activities in this SMRA are primarily motorized recreation touring, trail riding, off-road/tread lightly recreation education, advanced technical routes, four-wheel drive trails, and thrill-seeking hill climbs in the Rand Mountains. Other activities described include hiking, nature walks, hunting, rock hounding, mountain biking, equestrian rides, wildlife and wildflower viewing, sightseeing photography, picnicking, stargazing, and special recreation permitted activities such as dual sport adventures, equestrian endurance rides, competitive mountain bike races, off-road vehicle education, and other special recreation events. One of the main attractions today is the “living” ghost town of Randsburg.

RECREATION SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **No Impact.** No, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities. The Project site is not located in or near any existing neighborhood or regional parks or recreational facilities and would not impede access to parks or facilities in the vicinity. Public access would be temporarily impeded along BLM route R112 that passes partially through the Project site for the duration of Project activities. However, this public route passes through a private property parcel but has a historical implied easement under California law and, therefore, represents a fully accessible public route. The public uses this route to access recreational areas. The Project site itself may be used for dispersed recreational opportunities, but the relatively small size of the Project site within the SMRA, and its location relative to U.S. Highway 395, would not meaningfully impact recreation in high opportunity areas of the SMRAs. The Project site are far from RMZs in the SMRA and would not affect recreation opportunities or access to these places. GDG would post signage around the Project site directing public traffic to alternative open BLM routes nearby. Where required by 43 CFR 3809.420(b)(13), GDG would post temporary warning signage on public travel routes notifying travelers of heavy equipment ahead. The Project would have no long-term impacts on recreation opportunities. Therefore, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated, and there would be no impact.

b) **No Impact.** The Project does not propose recreational facilities or require the construction of such facilities. Therefore, there would be no adverse physical effect on the environment from the construction or expansion of recreational facilities.

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

TRANSPORTATION ISSUES

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

TRANSPORTATION ENVIRONMENTAL SETTING

Workers, equipment, and materials would primarily commute to the Project site from either Johannesburg or Barstow, traveling along U.S. Highway 395 until a direct turnoff into the Project site. The California Department of Transportation (Caltrans) is responsible for the state highway system's planning, construction, operation, and maintenance. Caltrans manages U.S. Highway 395. Roads maintained by Caltrans are classified using the Functional Classification Guidelines of the Federal Highway Administration (FHWA). U.S. Highway 395 is a paved Minor Arterial Highway. Minor Arterial Highways have directional travel lanes, usually separated by a physical barrier, and access and egress points are limited to on-ramp and off-ramp locations. Until recently, Caltrans evaluated the quality of travel on its roadways based on Level of Service (LOS) categories. Vehicle Miles traveled (VMT) has recently replaced LOS in evaluating roadway conditions (Caltrans 2020). VMT is used in transportation planning to measure the amount of travel for all vehicles in a geographic region over a given period, typically one year. It is calculated by adding all the miles driven by all cars and trucks on all roadways in a region or road segment. Traffic counter data nearest the Project site is located near Johannesburg at the

juncture between U.S. Highway 395 and Trona Road (Counter ID 72.77). Traffic counts for 2021 reported an Average Annual Daily Traffic (AADT) count of approximately 4,900 vehicles traveling along U.S. Highway 395. Peak traffic counts that year were 6,400 vehicles. Between Barstow and the Project site, the nearest traffic counter is at Kramer Junction (Counter ID 45.948). AADT reported at this location totaled 6,400 vehicles in 2021. Peak vehicle counts totaled 9,200 that year. Traffic counts at these stations have been within 15 percent of these totals over the last five years of reported data.

TRANSPORTATION SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **No Impact.** The Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The Project would not conflict with the traffic goals and policies of the San Bernardino County Plan. The Project is located in a remote, undeveloped area where transit, bicycle, and pedestrian facilities are not available or planned. There are limited facilities in the vicinity of proposed infrastructure that support modes of transportation other than private vehicle transportation. The key goals and policies of the San Bernardino Countywide Transportation Plan most relevant to the proposed Project is to ensure that unincorporated areas are served by roads with adequate capacity for residents, businesses, tourists, and emergency services. The proposed Project would add, at most, up to 10 vehicles on a short section of U.S. Highway 395, which has a current estimated AADT of 4,900 vehicles traveling along U.S. Highway 395 and a peak traffic count of 6,400 vehicles. The added vehicles from the Project would be insignificant to the current volume of U.S. Highway 395 and therefore would not affect the capacity of the road for residents, businesses, tourists, and emergency services. Other goals and policies of the Plan are focused on airports, public transit, and accommodating pedestrians, bicyclists, motorists, and transit riders. Therefore, the Project would not conflict with the traffic goals and policies of the San Bernardino County Plan. In sum, the Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and there would be no impact.

b) **No Impact.** The Project would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b), which outlines how transportation impacts must be assessed. For land use projects, VMT is the appropriate metric for determining the significance of transportation impacts. A project's VMT that exceeds thresholds established by the County may indicate a significant impact. Projects that reduce VMT, like those near transit or mixed-use developments, may have a less than significant impact. The San Bernardino County Transportation Authority (SBCTA) recommends using the countywide average VMT per service population as the baseline threshold. According to SBCTA's guidelines, this threshold is 32.7 VMT per service population. Projects that generate VMT exceeding this baseline may be considered to have significant transportation impacts under CEQA. However, the proposed Project is exempt from detailed VMT analysis because it would generate fewer than 110 daily vehicle trips. Therefore, the Project may be presumed to have a less than significant impact on VMT and no detailed modeling analysis is needed. As the Project would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b), there would be no impact.

c) **No Impact.** No, the Project would not substantially increase hazards due to a design feature or incompatible uses. The Project proposes no changes to the design of existing public transportation roadways. Vehicles utilizing public transportation roads include light trucks, flatbed trucks, and other vehicles designed for and compatible with highway travel. Construction equipment and drill rigs for the Project would be mounted on flatbed trucks compatible with highway travel. As a result, the Project would not substantially increase hazards due to a geometric design feature or incompatible uses and there would be no impact.

d) **No Impact.** The Project would not result in inadequate emergency access. The primary emergency evacuation routes along the transportation route to the Project include the highways that traverse the County, including U.S. Highway 395. No traffic control measures would be needed to facilitate these activities along roadsides. Vehicles would respond to emergency vehicle needs in the same manner as other roadside vehicles. The increased traffic volume due to the Project would result in a less than significant increase in VMT, as described in b) above. As a result, the Project would not result in inadequate emergency access and there would be no impact.

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

TRIBAL CULTURAL RESOURCES ISSUES

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☒	☐

TRIBAL CULTURAL RESOURCES SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

a) **Less than Significant Impact.** Formal government-to-government consultation is ongoing for the Project by both the BLM and the County. Tribal entities have been contacted and asked to participate in identifying potential areas of concern that may be associated with the Project. Native American concerns that are raised during consultation for the Project will be addressed

by BLM during the National Environmental Policy Act (NEPA) process and by the County during the CEQA process. The Project site is entirely within an area previously disturbed by historical mining activities, with surrounding land uses that include prospecting and recreation. As such, the potential to impact tribal cultural resources is considered low. Additionally, through BLM and the County's continued consultation with local tribal entities, as applicable, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074. Impacts are anticipated to be less than significant, with no additional mitigation measures required beyond those required by the BLM and San Bernardino County. The Project is anticipated not to 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 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 is 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.

No significant adverse impacts are identified or anticipated and no mitigation measures are required at this time.

UTILITIES AND SERVICE SYSTEMS ISSUES

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

UTILITIES SAND SERVICE SYSTEMS SUBSTANTIATION

SUBSTANTIATION:

County of San Bernardino Countywide Policy Plan 2023; Submitted Project Materials

a) **No Impact.** The Project site does not have wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, and none are proposed.

Stormwater would be managed according to the SWPPP provided in the Plan. As a result, the Project would have no impact on the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, and would not cause significant environmental effects due to these activities.

b) **Less Than Significant Impact.** As described in the Hydrology and Water Quality analysis, a water supply assessment and production water capacity evaluation for the Project determined that there is an adequate available water supply to meet the Project's water demand. . As a result, the Project will have sufficient water supplies available to serve the Project and reasonably foreseeable future development and would have a less than significant effect during normal, dry and multiple dry years.

c) **No Impact.** The Project does not propose activities that would result in wastewater, and does not propose a workforce that would have a significant effect on current wastewater treatment providers. As a result, the Project would have no impact on a determination by a wastewater treatment provider regarding adequate capacity for projected demands in addition to the provider's existing commitments.

d) **Less Than Significant Impact.** The Project would generate a small amount of solid waste, such as wood scraps and lunch containers that are associated with project activities and worker use of the site. No hazardous or toxic waste, oil, or lubricants would be disposed of on public lands. Burial and/or burning of trash or other debris would not be permitted. All waste would be collected in approved trash bins/containers with lids. All refuse generated at the Project site would be disposed of off-site in an authorized off-site landfill facility, consistent with all applicable federal, state, and local regulations. According to the San Bernardino Countywide Integrated Waste Management Plan last revised in 2018, the County's landfill capacity is currently sufficient, with a combined Countywide capacity of 164.2 million tons. The County owns five landfills, all with capacity for well over 15 years. Additionally, the County has a significant number of diversion facilities to help maintain a diversion rate above 50%. As a result, the Project's solid waste disposal needs would not be in excess of the capacity of the County's infrastructure, or otherwise impair the attainment of solid waste reduction goals of the County.

e) **No Impact.** The Project would comply with federal, state, and local management and regulations related to solid waste as described in d) above. As described in d), the Project would not conflict with San Bernardino County's solid waste reduction goals to identify opportunities for waste reduction and recycling. As a result, the Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

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

WILDFIRE ISSUES

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

WILDFIRE SUBSTANTIATION

SUBSTANTIATION:

San Bernardino Countywide Policy Plan 2023; Submitted Project Materials; Submitted Project Materials

a) **No Impact.** The Project site is unranked for Fire Hazard Severity according to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone (FHSZ) maps. The Project site and surrounding areas, including Atolia and Johannesberg, fall under the State Responsibility Area for fire protection, meaning that CAL FIRE is primarily responsible for wildfire prevention and suppression in these regions. CAL FIRE has made recommendations for

Local Responsibility Areas (LRA), but the Project site area remains unzoned according to proposed maps (https://experience.arcgis.com/experience/6a9cb66bb1824cd98756812af41292a0). Nearby Atolia and other areas surrounding the Project site are ranked Moderate for LRA. San Bernardino's Emergency Operations Plan last revised in 2018 is administered and coordinated by the San Bernardino County Fire, Office of Emergency Services. The National Response Framework, National Incident Management System, the Standardized Emergency Management System and the State of California Emergency Operations Plan. The County's evacuation plans describe the types of transportation centers, evacuee locations, shelters, and staging areas to be used. These facilities are required to integrate accessible transportation providers and consider people with mobility impairments and public facility needs. Such areas would not occur in or near the Project site. The Project would not interfere with evacuation routes. As a result, the Project would not impair an adopted emergency response plan or emergency evacuation plan.

b) **No Impact.** The Project would not exacerbate wildfire risks due to slope, prevailing winds or other factors. The Project site would be cleared of vegetation that may ignite a fire. Vegetation clearing would occur in a manner that would not exacerbate wildfire risk from existing vegetation. The Project would have reservoirs of water on hand in the event a wildfire occurs in the Project site. The Project is proposed in a remote area that is not near any buildings, structures, or residential populations. The Project would not require the installation or maintenance of 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. There are no structures or populations downslope or downstream of the Project site that would experience significant risks from flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. As a result, the Project would not exacerbate wildfire risk due to slope, prevailing winds, and other factors and would not expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire.

c) **No Impact.** As described in a), the Project site is not within a high fire hazard severity area. The Project site is unranked for Fire Hazard Severity according to CAL FIRE FHSZ maps. As described in b), the Project would not require the installation or maintenance of associated

infrastructure such as roads, fuel breaks, emergency water resources, power lines or other utilities, which may exacerbate fire risk or result in temporary or ongoing impacts to the environment. For project operations, the Project would have reservoirs of water on hand in the event a wildfire occurs in the Project site. Therefore, the Project would not exacerbate fire risk due to these factors that may result in temporary or ongoing impacts to the environment, and there would be no impact.

d) **No Impact.** As described in a), the Project site is not within a high fire hazard severity area. The Project site is unranked for Fire Hazard Severity according to CAL FIRE FHSZ maps. As described in b), the Project would not require the installation or maintenance of associated infrastructure such as roads, fuel breaks, emergency water resources, power lines or other utilities, which may exacerbate fire risk or result in temporary or ongoing impacts to the environment. As described in the Hazards and Hazardous Materials Issues, the Project site is not at risk of creating a landslide. As described in the Hydrology and Water Quality Issues, the Project site is not within a flood zone and would implement measures to control and minimize drainage patters to prevent excessive drainage or flooding offsite. Therefore, the Project would not 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, and there would be no impact.

MANDATORY FINDINGS OF SIGNIFICANCE

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE:**				
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c)	Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) **Less Than Significant with Mitigation.** All impacts to the environment, including impacts on habitats of fish and wildlife species, fish and wildlife populations, plant and animal communities, and rare and endangered plants and animals, would be less than significant. The Project site is heavily disturbed and lacks significant plant or wildlife resources. With the implementation of CMAs and proponent-committed protection measures (referred to in this document as mitigation measures), listed in the Biological Resources Substantiation section, no significant impacts to the environment, fish, or wildlife species would occur. The Project site does not have any trees

on-site, nor does it have any streams or water features. The development of the Project site would not limit/eliminate/hinder plant, animal/fish populations.

The cultural evaluation of the Project site by the BLM determined that no impacts would occur to historical or archaeological resources. Mitigation measures may be added to the proposed Project if the BLM determines additional protection measures are needed to ensure archaeological resources are avoided. Additionally, tribal consultation is underway, and mitigation measures may be added if additional potential impacts to tribal cultural resources are requested during tribal consultation. Lastly, because of the existing barren condition of the site and the lack of any structures, no examples of major periods of California history exist on site. As such, a less than significant impact would occur.

b. Less than Significant Impact. The Project's potential significant impacts have all been mitigated to less than significant levels. The Project's less than significant impacts on environmental resources do not represent a cumulatively considerable contribution to a significant cumulative impact. The Project is not considered growth-inducing, as defined by State CEQA guidelines (http://ceres.ca.gov/ceqa/guidelines/). The potential cumulative environmental effects of implementing the proposed Project would be less than considerable and thus, less than significant impacts.

c. Less Than Significant Impact. The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this IS/MND. The Project site is not included on the list of hazardous waste sites (Cortese List) compiled by the DTSC pursuant to Government Code 65962.5. Additionally, no structures are present on-site. Although a number of potential impacts on humans were identified, these impacts are less than significant.

No other environmental effects which could have substantial adverse effect on human beings, directly or indirectly. The construction and operation of the proposed Project would not involve any activities that would result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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

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