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DRAFT NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Amendment to Conditional Use Permit (CUP) 1978-09; Reclamation Plan Update 78-02/Twin Mountain Rock Venture LLC.

PROJECT LOCATION: The project (mine) site is located approximately 20 miles south of Olancho on the east side of US 395 in Inyo County, California. The mine is located within sections 30 and 31, Township 22S North, Range 38E, Mount Diablo Meridian. The Site is accessed from US 395, east onto Cider Road approximately 1 mile into the existing mining site on property owned by Angelus Block Company Inc., with Tax Assessor Parcel Number (APN) 037-090-11 (please see attached map).

PROJECT DESCRIPTION: The applicant has applied for an amendment to Conditional Use Permit (CUP) 1978-09 and for a revision to an existing approved Mining Reclamation Plan. The proposed revised Mining Reclamation Plan (Plan) will include updating the current plans, completing mining in the Main Quarry and extending mining to the northeast away from US 395 in order to utilize the on-site cinder reserves.

FINDINGS:

An Initial Study and Evaluation of Potential Environmental Impacts has been prepared by the Planning Department (attached). Staff finds that the proposed project will **NOT** have a significant adverse impact on the environment for the following reasons:

- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.
The proposed project is consistent with the County General Plan designation of 'Open Space and Recreation (OSR) as the OSR designation allows for Mining uses with the approved Conditional Use Permit (CUP). The original (CUP 78-9) was approved by the County in May 1979 with mining and excavation restricted to the revised Phase 1 excavation area of approximately 116 acres within an overall mine site of approximately 160 acres. Section 08.4.4 of the General Plan Goals and Policies states: 'protect the current and future extraction of mineral resources that are important to the County's economy while minimizing impacts on the public and the environment'. Twin Mountain Rock Ventures L.L.C. mining currently plays a role in the County production of red and black cinder rock and sands crushed and screened to various sizes and colors depending on product demand. The materials are used for landscaping, soil amendment, de-icing of roads, and other uses.
- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.
The proposed project is consistent with the County Zoning Ordinance designation of 'Open Space (OS) as the OS designation allows, as a conditional use, Mining uses. These include Mining and processing of natural resources, including borrow pits. The proposed amendment consists of expanding the existing Red Hill Quarry that is a continued mining use.

C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

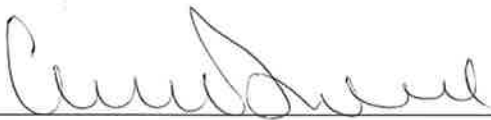
Based on the proposed updated reclamation plan, the project is consistent with the requirements of Chapter 7.70 - Surface Mining and Land Reclamation, of the Inyo County Code and will not exceed thresholds of significance individually or cumulatively.

D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; or, public health, safety, and welfare. This constitutes a Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

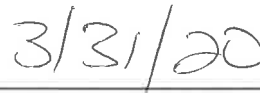
Staff's assessment of the parcel describes it as being mostly uniform throughout and comprised of volcanic cinders or cinder sand. The site is completely devoid of vegetation. Most of the site is relatively undisturbed, with some evidence of off-road vehicle use. Disturbances on site are primarily due to the existing mining operations, which border the southernmost end of the project site, and include unpaved roads, temporary structures and material stockpiles, which are owned by Angelus Block.

The 45-day review period for this Negative Declaration expires on May 15, 2019. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Ryan Standridge (760-878-0405) if you have any questions regarding this project.



Cathreen Richards
Director, Inyo County Planning Department



Date

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



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APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. **Project title:** Amendment to Conditional Use Permit (CUP) 1978-09; Reclamation Plan Update 2018-01/Twin Mountain Rock Venture LLC.
2. **Lead agency name and address:** Inyo County Planning Department.
3. **Contact person and phone number:** Ryan Standridge, Assistant Planner, (760) 878-0265
4. **Project location:** The project (mine) site is located approximately 12 miles south of Olancho on the east side of US 395 in Inyo County, California. The mine is located within sections 30 and 31, Township 22S North, Range 38E, Mount Diablo Meridian. The Site is accessed from US 395, east onto Cider Road approximately 1 mile into the mining site on property owned by Angelus Block Company Inc., with Tax Assessor Parcel Number (APN) 037-090-11
5. **Project sponsor's name and address:** Twin Mountain Rock Venture L.L.C, 11374 Tuxford Street Sun Valley, Ca 91352
6. **General Plan designation:** Open Space and Recreation (OSR)
7. **Zoning:** Open Space (OS)
8. **Description of project:** The applicant has applied for an amendment to Conditional Use Permit 1978-09 and for a revision to an existing approved Mining Reclamation Plan. The proposed revised Mining Reclamation Plan (Plan) will include updating the current plans for completing mining in the main quarry and extending mining operations to the northeast away from US 395 in order to utilize the on-site cinder reserves.
9. **Surrounding land uses and setting:** The Property is surrounded by Vacant Public lands.

Location:	Use:	Gen. Plan Designation	Zoning
Site	Mine	Open Space and Recreation (OSR)	Open Space with a 40 Acre minimum (OS-40)
North	Vacant Public Land	State And Federal Land (SFL)	Open Space with a 40 Acre minimum (OS-40)
East	Vacant Public Land	State And Federal Land (SFL)	Open Space with a 40 Acre minimum (OS-40)
South	Vacant Public Land	State And Federal Land (SFL)	Open Space with a 40 Acre minimum (OS-40)
West	Vacant Public	State And Federal Land	Open Space with a 40 Acre minimum (OS-

10. **Other public agencies whose approval is required:** Department of Conservation, California Department Fish and Wildlife, Bureau of Land Management.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 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.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Ryan Ky Standridge

3-30-20

Date

Ryan Standridge, Assistant Planner
Inyo County Planning Department

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?
No, the mine site is located to the south and east of the Red Hill Cinder Cone, a highly visible landmark along US 395 and the lower Owens Valley that rises approximately 600 feet in elevation. The current in-place 1979 CUP restricted mining on the Red Hill Cone proper and includes a condition that all processing activities shall be located on the eastern side of the site out of view of highway 395. The existing processing plant will remain in the southeastern area for the duration of the project, hidden from surrounding views by the perimeter berm and overburden stockpiles.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
No, the proposed expansion will not damage scenic resources as it will not block the view of Red Hill Cinder Cone, a highly visible Landmark along US 395 as the proposed location is on the Far East side of the site, out of sight of US 395. In addition, the existing and planned mining areas will not impact the Red Hill Cone proper. Future mining will take place within the existing mine areas to the south and eventually expand to the northeast on the level volcanic sands to the east of the cone. No nearby trees or historic buildings are in the general area.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?
No, the existing processing plant will remain in the southeastern area for the duration of the project, hidden from surrounding views by the perimeter berm and overburden stockpiles. The applicant will continue to camouflage the project from the public and surrounding areas by using the perimeter berm and overburden stockpiles.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
No, the proposed expansion will not create a new source of substantial light or glare as site operations are conducted during daylight hours only four to five days a week. The existing lighting for security will be utilized with no new lighting sources.

II. AGRICULTURE AND FOREST 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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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and Monitoring Program of the California Resources Agency, to non-agricultural use?
No, the proposed expansion will not be located on farmland.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>No, the proposed expansion will not be located on land zoned for agriculture. There are no Williamson Act contracts in Inyo County.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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))? <i>No, the proposed expansion will not be located on forested land.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Result in the loss of forest land or conversion of forest land to non-forest use? <i>No, the proposed expansion will not be located on forested land.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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? <i>No, the proposed location will not cause changes to the surrounding environment that could result in any losses to farmland or agricultural uses.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan? <i>No, although there are portions of Inyo County within non-attainment areas for Federal and State PM10 (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approximately 30-miles from the project site. The applicant will also be subject to Great Basin Unified Air Pollution Control District regulations regarding dust mitigation during operation and all processing equipment is permitted with the Great Basin Unified Air Pollution Control District.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <i>No, although there are portions of Inyo County within non-attainment areas for Federal and State PM10 (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approximately 30-miles from the project site. The applicant will also be subject to Great Basin Unified Air Pollution Control District regulations regarding dust mitigation during operation and all processing equipment is permitted with the Great Basin Unified Air Pollution Control District.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, although there are portions of Inyo County within non-attainment areas for Federal and State PM10 (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approximately 30-miles from the project site. The applicant will also be subject to Great Basin Unified Air Pollution Control District regulations regarding dust mitigation during operation and all processing equipment is permitted with the Great Basin Unified Air Pollution Control District.

d) Expose sensitive receptors to substantial pollutant concentrations?

No, there are no sensitive receptors near the project location. The nearest community is Olancha 20 miles away.

e) Create objectionable odors affecting a substantial number of people?

No, the pumice mine does not create odor affecting a substantial number of people. Also, there are no sensitive receptors near the project location. The nearest community is Olancha 20 miles away.

IV. BIOLOGICAL RESOURCES: Would the project:

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

No, based on staff's review of CNDDDB there are no known candidate, sensitive, or threatened species on or near the site and a biological and botanical study was completed on the project area. A biological survey was also conducted on the project site. Based on the biological data collected during the study the proposed mine areas were reduced to eliminate any areas with vegetation. The proposed project footprint is completely within an un-vegetated area that consists entirely of cinder sand and gravel. Although no sensitive species were found during the studies the applicant will be utilizing a 100 ft. habitat barrier north of a 10 ft. berm located at the 50ft set back (a 6-foot berm and 50-foot setback are required by SMARA regulation). The 100-foot habitat barrier will also be extended to a small section northwest of an existing access gate and run approximately 400ft south west of the gate..

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

No, the proposed mine area does not include any riparian habitat. Also, the project was designed to completely avoid any areas with vegetation and consists entirely of cinder sand and gravel. Therefore, no impacts to riparian habitat will occur due to the proposed activities.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No, none of the three required parameters, hydrophilic vegetation, hydric soils and/or wetland hydrology, are present within the projectsite. No wetlands were identified in the study area during based of the absence of hydrophilic vegetation, hydric soil indicators and/or wetland hydrology. There are no drainages or other water features that have a definable bed and bank or associated riparian vegetation that would be subject to the jurisdiction of the CDFW, within the project site.

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

No, a biological study was completed on the project area. It determined that the level of disturbance from the existing mining operations and the general lack of suitable habitat within the immediate project vicinity, results in no interference with any native

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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resident, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project site itself is devoid of vegetation, consisting entirely of cinder sand and gravel; therefore, it will not affect trees or other biological resources. Also, Inyo County does not have 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project site falls within the current range of the Mojave ground squirrel but is located outside, to the east, of the Mohave ground squirrel Conservation Area set forth in the West Mojave Plan; therefore, it will not conflict with the provisions of an adopted conservation plan. The nearest recently documented Mohave ground squirrel occurrence (2010) is approximately 8 miles northeast of the project site. Although no sensitive species were found during the studies the applicant will be utilizing a 100 ft. habitat barrier north of a 10 ft. berm located at the 50ft set back (a 6-foot berm and 50-foot setback are required by SMARA regulation). The 100-foot habitat barrier will also be extended to a small section northwest of an existing access gate and run approximately 400ft south west of the gate.

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the original Plan (CUP 78-9) was approved by the County in May 1979 with mining and excavation restricted to the then revised Phase 1 excavation area. This was conditioned by the County so that there would be no mining taking place on the Red Hill Cone proper nor would it be visible from US 395. An archaeological investigation was conducted in January 1979 for approximately 625 Acres of land surrounding Red Hill and determined that there are no resources that would be defined per 15064.5. In the unlikely event an historical resource is found during mining activities a condition will be included that work will be stopped until the resource can be evaluated.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, an archaeological investigation was conducted January 1979 for approximately 625 acres of land surrounding Red Hill and it determined that there are no resources pursuant to Section 15064.5. In the unlikely event an archaeological resource is found during mining activities a condition will be included that work will be stopped until the resource can be evaluated.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, an archaeological investigation was conducted January 1979 for approximately 625 Acres of land surrounding Red Hill and it was determined in concurrence with the BLM that the Red Hill Cone proper is a unique geological feature and cultural resource and therefore it was subsequently conditioned by the County so that there would be no mining taking place on the Red Hill Cone proper or in a manner that would cause impact to it.

d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, an archaeological investigation was conducted January 1979 for approximately 625 Acres of land surrounding Red Hill and determined that none of the sites in the investigation were found to have human remains. A condition of approval will be required in the event that human remains or related cultural material are encountered, Section 15064.5(e) of CEQA requires work to be stopped and the County Coroner notified in accordance with California Health and Safety Code 7050.5. In the unlikely event human remains are found during mining activities work will be stopped until the resource can be evaluated and appropriately handled per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is not located within an Alquist-Priolo Earthquake Fault Zone.

ii) Strong seismic ground shaking?

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Ground shaking may occur anywhere in the region, due to numerous earthquake faults, regardless of whether the project site is within an identified Alquist-Priolo zone or not. However, the Uniform Building Code ensures that future structures shall be constructed to required seismic standards (Level IV) in order to withstand such shaking, so this potential impact is considered less than significant.

iii) Seismic-related ground failure, including liquefaction?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No the project area is not within an area of soils known to be subject to liquefaction.

iv) Landslides?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project area is not subject to landslides.

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

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the approved CUP1978-09 project site is required to conform to all drainage, grading, and "Best Management Practice (BMP)" requirements as set forth by the Inyo County Public Works Department, Inyo County of Inyo Environmental Health Services Department, and other associated regulatory agencies will be written into the Conditions of Approval for the permit. As a result of this regulation, potential impacts are considered less than significant.

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

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located on a geologic unit or soil that is considered unstable.

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

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located on a geologic unit or soil that is considered expansive.

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

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the site has portable toilets on-site and is serviced by a commercial vendor. Therefore, the project will not create a need for upgrades to the existing waste disposal systems as it will not create additional waste.

VII. GREENHOUSE GAS EMISSIONS:

Would the project:

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

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, all equipment used at mining site meet California's CO2 emission requirements. The applicant has also reduced the diesel exhaust emissions by utilizing a feed hopper. Power to run the plant and for all other needs is provided by commercial power from Southern California Edison (SCE). No portable generators are used on-site.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, all equipment used at mining site meet California's CO2 emission requirements. The applicant has also reduced the diesel exhaust emissions by utilizing a feed hopper and all processing equipment is permitted with the Great Basin Unified Air Pollution Control District. Power to run the plant and for all other needs is provided by commercial power from Southern California Edison (SCE). No portable generators are used on-site.

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, Chemicals are not used on-site; no chemical processing occurs on-site only crushing and screening. There will be no chemical waste or pollution from the mining operation.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, Equipment and vehicle maintenance is conducted in the shop building on concrete floors. Maintenance and refueling complies with all rules and regulations with regard to implementing proper fueling procedures, fuel and waste oil storage, and spill control measures and employee training per their Emergency Response Plans and Procedures on file with the Inyo County Environmental Health Services (EHS). EHS is the Certified Unified Program Agency (CUPA) that oversees hazardous materials storage, use, generation and disposal. EHS will continue to permit.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project site is not within 1/4-mile of a 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project location is neither within an airport land use plan, nor within 2-miles of a public/public use airport. The expansion will be enclosed by fencing to ensure its safety.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project location is not within the vicinity of a private air strip.

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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No, the project will not interfere with the implementation of an adopted emergency plan.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No, the proposed project location is not adjacent to any urbanized area and the surrounding area is BLM vacant land composed of volcanic cinder gravels and sands.

IX. HYDROLOGY AND WATER QUALITY: Would the

project:

a) Violate any water quality standards or waste discharge requirements?

No, Water is supplied from an existing on-site well on the west-southwest side of the site. A second well is located to the east of the administration area. Its non-potable water is pumped into a portable 10,000-gallon water tank located at the plant site and a 5,000-gallon tank for the plant equipment's water spray dust control. Water use on-site is utilized to minimize dust generation. A water truck (currently a 2,000-gallon truck) is used for wetting down material and roads during mining activities. Approximately 12,000 gallons of water a day may be used for dust suppression activities on approximately 200 days per year which amounts to approximately 7.5 acre-feet annually. It is not anticipated that there will be any excess water from the wetting-down procedure as the sprayed water is absorbed by loose materials, or by the porous surface, or evaporates; therefore, no recycling is required or planned. Bottled water is provided for employees. Wastewater is handled with a septic system located in the administrative area and/or portable restrooms.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No, the current approved site will be in reclamation and the existing water policy will remain in place with the expansion. Water is supplied from an existing on-site well on the west-southwest side of the site. A second well is located to the east of the administration area. Its non-potable water is pumped into a portable 10,000-gallon water tank located at the plant site and a 5,000-gallon tank for the plant equipment's water spray dust control. Water use on-site is utilized to minimize dust generation. A water truck (currently a 2,000-gallon truck) is used for wetting down material and roads during mining activities. Approximately 12,000 gallons of water a day may be used for dust suppression activities on approximately 200 days per year which amounts to approximately 7.5 acre-feet annually.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

No, the project site is composed of volcanic cinder gravels and sands. This material is very porous and there are no drainages or impervious surfaces on-site. Erosion is not an issue of concern on-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?

No, the project site is composed of volcanic cinder gravels and sands. This material is very porous and there are no drainages or impervious surfaces on-site. Erosion is not a concern on-site. The mining site is required to conform to all drainage, grading, and "Best Management Practice" (BMP) requirements as set forth by the Inyo County Public Works Department, Inyo County of Inyo

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Environmental Health Services Department, and other associated regulatory agencies. As a result of this regulation, potential impacts are considered less than significant

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No, the project site is composed of volcanic cinder gravels and sands. This material is very porous and there are no drainages or impervious surfaces on-site. Erosion is not an issue on-site.

f) Otherwise substantially degrade water quality?

No, the project site is composed of volcanic cinder gravels and sands. This material is very porous and there are no drainages or impervious surfaces on-site that cause the degrading of water quality.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No, the project is located in a of minimal flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No, no drainages or other water features were identified within the project site that would meet the definition of waters of the U.S. per the Clean Water Act. The project site is near an unnamed intermittent stream and unnamed playa to the east side of the project area. The adjacent unnamed intermittent stream and unnamed, intermittently-flooded playa, are completely outside (to the east) of the proposed project site.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No, the project is not in an area known to be prone to flooding a result of the failure of a levee or dam.

j) Inundation by seiche, tsunami, or mudflow?

No, the project is not in an area known to be prone to seiche, tsunami or mudflows.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

No, the project borders vacant land owned by BLM therefore will not divide a community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project is consistent with the County Zoning Ordinance designation of 'Open Space (OS) as the OS designation allows, as a conditional use, mining uses (Inyo County Code, Title 18 ,Section18.12.040 I). These include mining and processing of natural resources, including borrow pits. The proposed amendment consists of expanding the existing Red Hill Quarry that is a continued mining use. The General Plan includes policy that protects the current and future extraction of mineral resources that are important to the County's economy while minimizing impacts of this use on the public and the environment.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No, the project site is not located in any habitat conservation plan or natural community conservation plan..

XI. MINERAL RESOURCES: Would the project:

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

No, this project is the mining of a mineral; however, this mineral is in abundance in the area and mining this small deposit will not deplete the mineral resource. The Inyo County General Plan encourages such mining. The impact to this resource is very small considering the great quantities of it that are available within Inyo County.

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?

No, the project will have no impact on the resource.

XII. NOISE: Would the project result in the:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

No, the mining site is surrounded by a 10 ft. berm and utilizes a conveyor belt to transport material to the plant. It will not produce noise in excess of what is in the general plan.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

No, although the mining operation requires the use of heavy construction equipment Twin Rock Venture has cut the noise level by utilizing the conveyor belt.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No, although there may be some noise during operation, it will not increase the level of ambient noise in the project area above its current level, as it will be continue to use the 6 ft. berm to keep noise from carrying.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

No, although there may be some noise during operation, it will not increase the level of ambient noise in the project area above its current level, as it will continue to use the 6 ft. berm to keep noise from carrying.

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 expose people residing or working in the project area to excessive noise levels?

No, the project is not located within an airport land use plan and is not within 2-miles of a public or public use airport.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No, the project is not located in the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial 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)?

No, the project is to expand mining. It does not include housing and is not an infrastructure improvement that would cause a population increase.

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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining that will not result in a loss of housing units.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is an expansion of mining that will not result in the displacement of people.

XIV. PUBLIC SERVICES: Would the project:

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining cinder. It will not cause a high demand for additional services that could result in an overall loss in service provision.

Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining and is located within the jurisdiction of the Inyo County Sheriff. It will not cause a high demand for additional services that could result in an overall loss in service provision.

Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining and is located within the Lone Pine Unified School District. It will not cause a high demand for additional services that could result in an overall loss in service provision.

Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining. It will not cause a need for new or improved park facilities.

Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining. It will not cause a need for new or improved public facilities.

XV. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the is expansion of mining. It will not cause an increase of use to park and recreation facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is expansion of mining. It does not include plans for new or an expansion of recreational facilities.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

No, The existing approved mining site will be in reclamation and the proposed project is an expansion of mining. It will not cause an increase to the current vehicle trips as the operation will continue be conducted four days a week with an occasional Saturday transportation due to demand of product, therefore not effecting the volume or congestion in the area.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

No, the project is an expansion of mining area and existing plant will increase its hourly and daily production; however, it is expected that operational hours will generally remain at four ten hour days possibly extending to five days/week with some shipping occasionally on Saturdays. It will not cause increases to the current traffic congestion; and therefore, will not lower the level of service standard for the roads in the area.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No, the project is an expansion of existing mining activities. It will not cause a change in air traffic patterns.

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

No, the project is an expansion of mining activities with a site enclosed by fencing with a gate. It will not cause a need for any changes to the roads in the area.

e) Result in inadequate emergency access?

No, the project is an expansion of a mining site. It will not create losses of emergency access.

f) Result in inadequate parking capacity?

No, although the proposed project will be located in an existing mining site no parking spaces will be lost.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No, the project is an expansion of a mining site. It will have no impact on adopted transportation plans, policies or programs.

XVII. 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

No, the project site is not on Tribal lands and the project, an expansion of mining activities, consists of cinder sand and the site is completely devoid of vegetation. There are no known historical resources as defined in Section 15064.5 on the site.

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

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Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed expansion of mining activities will not be located on Tribal land nor are there any known historical or cultural resources as defined in Section 15064.5 on the site. If cultural resources are discovered in the project area, work will be stopped and a local Tribal representative will be consulted with to determine the significance of the finding and the proper handling of the resource will be written into the Conditions of Approval for the permit.

XVII. UTILITIES AND SERVICE SYSTEMS --

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is an expansion of a mine site. The company provides Bottled water for employees. Wastewater is handled with a septic system located in the administrative area and/or portable restrooms. It will not require wastewater treatment.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is an expansion of mining site wastewater is handled with a septic system located in the administrative area and/or portable restrooms. It will not require new or an expansion of existing water or wastewater treatment facilities.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, all storm water received at this site will be contained on site or diverted into existing drainage channels and will not require new or an expansion of existing storm water drainage facilities.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Yes, the project is an expansion of mining site water use on-site is utilized to minimize dust generation. Water is supplied from an existing on-site well on the west-southwest side of the site and a second well is located to the east of the administration area.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not be serviced by a wastewater treatment facility.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Yes, the project is served by a county landfill that has the capacity to accommodate the project's solid waste disposal needs. All refuse is disposed into approved trash bins and removed by a commercial garbage hauler.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Yes, the applicant will be required to comply with federal, state and local statues and regulations related to solid waste.

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XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?

Based on the information submitted by the applicant, the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The applicant had biological, and cultural studies prepared that found no significant impacts. Upon completion of mining activities, the site will be open space/habitat and its black and red cinder surface will blend in with the surrounding cinder cone and cinder areas.

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)?

The proposed expansion is located in a remote location and none of the impacts of this project will be cumulatively considerable.

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

No, all equipment and debris will be removed from site upon project completion. Public access to the site will be restricted by the site perimeter berm and fence and the locked access gates to the mine site. Any other access roads will be blocked with large boulders or berms. Warning signs with contrasting background lettering will be installed every 500 feet along the approved surface mine boundary stating “No Trespassing - Keep Out; Surface Mining Operation” or similar. Also, the reclaimed 1H:1V slopes will be of sufficient low gradient as not to cause a hazard to public safety if the public illegally trespasses onto the site past the berms, fences and signs.