

PRELIMINARY DETERMINATION

INITIAL STUDY #2020-003 for USE PERMIT MINOR AMENDMENT #2020-002 and RECLAMATION PLAN #2020-001, Turner Excavating, Inc.

DETERMINATION:

Based on this Initial Study:

- 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 the mitigation measures described in the Initial Study have been made a part of the project. A NEGATIVE DECLARATION will be prepared.
- I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT will be required.



Maurice L. Anderson,
Environmental Review Officer

Date June 14, 2021

Project Title:	Hwy 36/Devil's Corral Mine Minor Amendment # 2020-001 and Reclamation Plan #2020-003
Lead Agency Name and Address:	Lassen County, 707 Nevada Street, Susanville, CA 96130
Project Location:	The project site is in Lassen County approximately 7 miles west of Susanville via State Highway 36 (Hwy 36), near Devil's Corral. A.P.N.: 115-200-055-11, 115-200-032-11
Proponent's Name	Lynne Turner, Turner Excavating, Inc.
General Plan:	Extensive Agriculture, Lassen County General Plan 2000
Zoning:	T-P-Z (Timber Production Zone and U-C-2 (Upland Conservation/Resource Management District)

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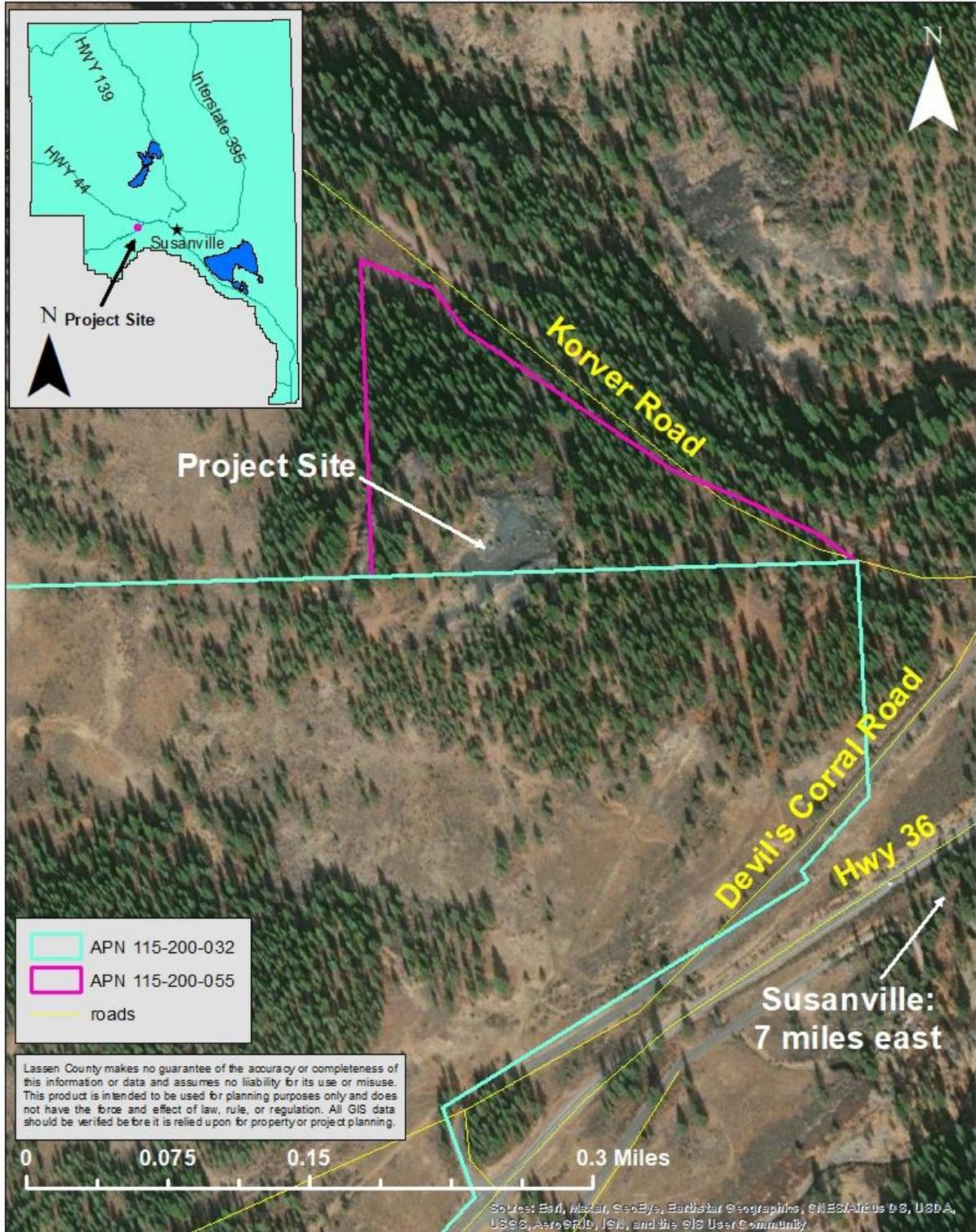
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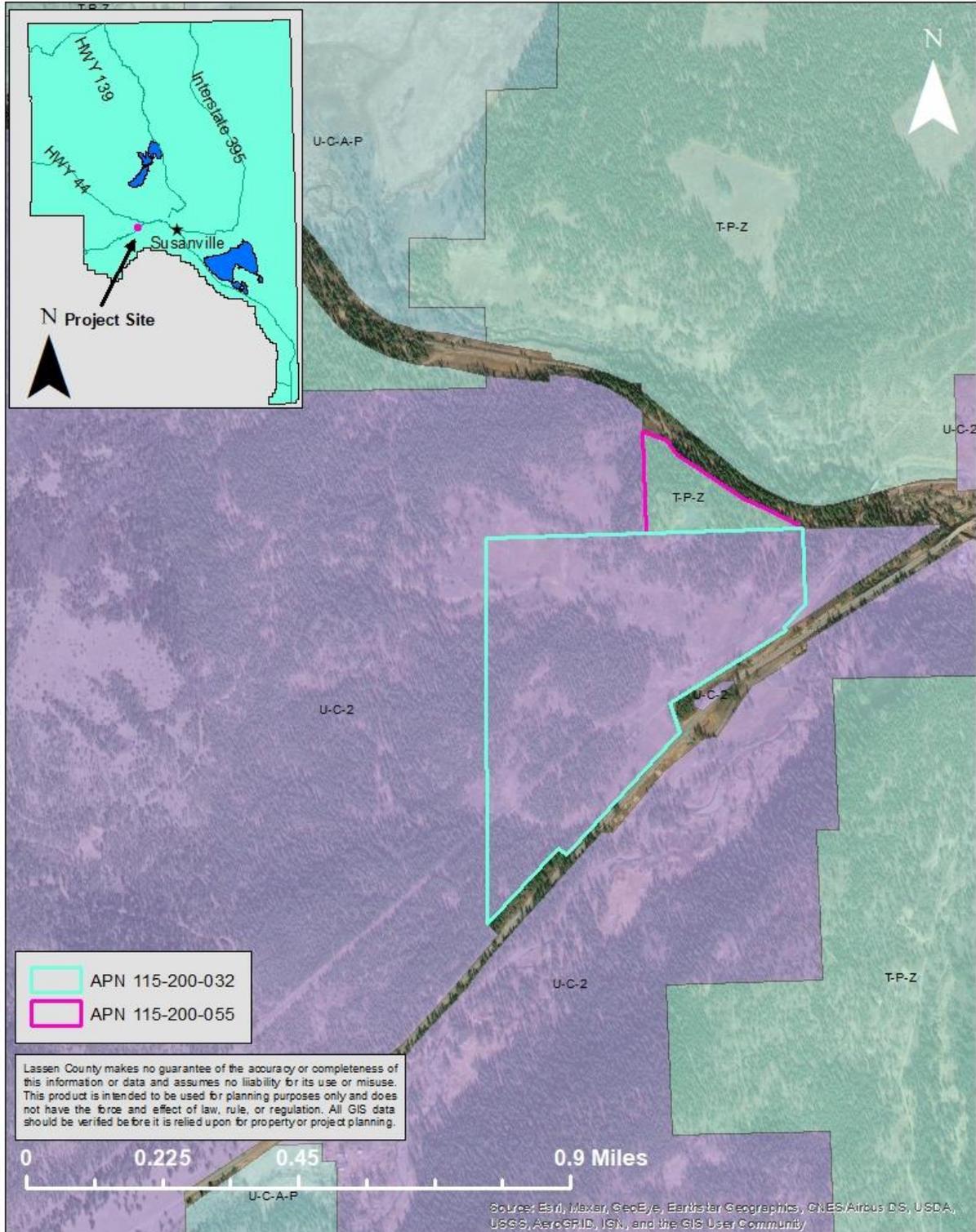
Vicinity Map

Hwy 36/Devil's Corral Mine; MA #2020-002, RP #2020-001, IS #2020-003



Zoning Map

Hwy 36/Devil's Corral Mine; MA #2020-002, RP #2020-001, IS #2020-003



Project Description:

Proposal for a Minor Amendment to the vested Hwy 36 Mine (Resolution No. 05-01-10) and Reclamation Plan for a 9.2-acre construction aggregate surface mine. If approved, the minor amendment would allow for mining on an existing 5.29-acre vested mine in addition to a 3.91-acre spill-over portion not included in the vested right to mine.

The existing Hwy 36/Devil's Corral Mine is located on a 16.010-acre parcel owned by Red River Forests LLC. The spillover portion of the proposed mine is located on a 121.000-acre parcel also owned by Red River Forests LLC.

The applicant estimates that there is approximately 300,000 yd³ of material (construction aggregates) to be mined. The proposed end date of the mine is 2050, however, said material could be exhausted within less than ten years from the start of mining. Reclamation is proposed to initiate after mining is complete. The area to be reclaimed is approximately 9.2 acres. The proposed use after mining is timberland and/or open space.

It is proposed that the pit wall be laid back to an angle no steeper than 1.43:1, with no benches since all slopes are shorter than 40 feet. Both haul roads may be retained for use in timber harvesting.

Much of the site is within the "rock outcrop" portion of the Ulhalf-Southpac soil complex and thus there is minimal topsoil. Additionally, past mining practices in the vested portion of the site, have caused most of the original soil to be lost.

It is estimated that 500 yd³ of topsoil would be stockpiled in a single pile with sides no steeper than 2:1. The stockpile would be seeded and strawed each year that material is added. The stockpile would allow for 1.2 inches of topsoil over the 9.2 acres of the site that is proposed to be revegetated. However, there appears to be a significant amount of paleosol (ancient soil). The reclamation plan proposes placing all available topsoil over this ancient soil during reclamation to increase rooting depth.

Environmental Setting:

The project site is located off Goumaz (Korver) Road via Hwy 36, seven miles west of the City of Susanville, California in Section 6, T29N, R11E, MDBM (Lassen County APNs 115-200-055-11 and 115-200-032-11). The surrounding land use is related to agriculture and timber production; however, there are 5 residences within a half-mile radius of the project site. The Bizz Johnson Trail is located to the east and north.

On May 5, 2010, the Lassen County Planning Commission found that there are vested mining rights for 4.74 acres of assessor parcel number 115-200-055 (Resolution 05-01-10). This was later determined to include a right to process the material onsite to the extent that was occurring when the use became nonconforming and added 0.55 acres of access road to be included in the vested area, totaling 5.29 acres on September 3, 2014 (Resolution No. 9-1-14). Resolution No. 9-1-14 further states that when active mining of the vested site resumes, hours of operation will be

limited to 6:00 a.m. to 4:00 p.m., Monday through Friday. The vested portion of the site has existed since at least 1947 and was used prior to the Surface Mining and Reclamation Act of 1975 (SMARA) for construction-grade aggregates primarily for road construction and maintenance.

BASELINE CONDITIONS: As per the California Supreme Court's decision in *Communities for a Better Environment v. South Coast Air Quality Management District* (2010), a project's impacts must be evaluated based on the environmental "baseline," which is the existing site conditions at the time of the project proposal. Pursuant to that decision, Lassen County will be determining the significance of the proposed project's impacts based on the "realized physical conditions on the ground" rather than a level that a prior permit may hypothetically allow.

The proposed mine site burned in the Hog Fire in July of 2020. Salvage logging was witnessed on site as of October 30, 2020. Despite this burn, native vegetation is growing back including a rare plant known as Susanville beardtongue (*Penstemon sudans*), as seen on a series of site visits, the first being on October 8, 2020.

Pursuant to Public Resources Code (PRC) Section 2776(b), "the reclamation plan required to be filed under subdivision (b) of Section 2770, shall apply to operations conducted after January 1, 1976, or to be conducted." Furthermore, pursuant to California Code of Regulations Section 3505(b), "Where a person with vested rights continues surface mining in the same area subsequent to January 1, 1976, he shall obtain an approval of a reclamation plan covering the mined lands disturbed by such subsequent surface mining. In those cases where an overlap exists (in the horizontal and/or vertical sense) between pre- and post-Act mining, the reclamation plan shall call for reclamation proportional to that disturbance caused by the mining after the effective date of the Act."

There is no evidence of mining activity since a portion of the proposed project was deemed vested in 2010.

ACCESS: Access is by way of Devil's Corral Road and Goumaz (Korver) Road off of Hwy 36.

NOISE: The project site is located approximately 0.2 miles north of Hwy 36. There are 5 residences within 0.5 miles of the proposed project on the south side of Hwy 36. The Bizz Johnson Trail is within 500 feet of the proposed site. The proposed site is in a forest setting with many of the surrounding parcels owned by Red River Forests, LLC, Sierra Pacific Industries, or the Federal government. It is reasonable to assume that the ambient conditions of the general vicinity are interrupted by noise generated by vehicles on the highway and periodically by logging activities.

The Lassen County Noise Element, 1989 states that noise produced by industrial uses shall not exceed 70 dB Ldn/CNEL at the nearest property line.

The proposed project would operate a portable crushing and screening plant and utilize two CAT D-6H Dozers with rippers, two CAT 966D Loaders, haul trucks, two 6D-10 water trucks, and a

drill for blasting. Operations are proposed to be seasonal and intermittent. Hours of operation would be Monday through Friday, unless under declared emergencies, 7:00 a.m. to 3:30 p.m. when in production and 7:00 a.m. to 4:30 p.m. when loading out stockpiled material.

VEGETATION: The California Department of Fish and Wildlife's (CDFW) Vegetation Classification and Mapping Program (VegCAMP) identifies the project site as eastside pine and bitterbrush.

The predominant tree species in the vicinity is Ponderosa pine (*Pinus ponderosa*). Big sagebrush (*Artemisia tridentata*), rabbitbrush (*Ericameria nauseosa*) and native grasses (approximately 15% of the site) occur throughout the project area. Susanville beardtongue can be found in several patches throughout the site and is considered a rare plant, rank 4.3, meaning it has limited distribution but is not very threatened in California. As described by the California Native Plant Society, it is native to northern Nevada and northeastern California, especially near Susanville, where it grows in scrub and forest habitat, often in rocky soils.

The Hog Fire in July of 2020 killed many of the trees within the project area and has since been salvage-logged. Some trees, shrubs, herbaceous plants, including Susanville beardtongue, and grasses remain throughout the area.

WILDLIFE: Of the potentially occurring special status species, it was determined that the long-eared myotis (*Myotis evotis*), Sierra Nevada red fox (*Vulpes vulpes necator*) and the western bumble bee (*Bombus occidentalis*) have the potential to occur on site based on availability of appropriate habitat characteristics.

The Information for Planning and Consultation (iPaC) Species List provided by the U.S. Fish & Wildlife Service (USFW) included the threatened delta smelt (*Hypomesus transpacificus*), the proposed threatened North American wolverine (*Gulo gulo luscus*), and the monarch butterfly (*Danaus plexippus*) which is a candidate species (under consideration for official listing for which there is sufficient information to support listing). Potentially occurring protected migratory birds include the bald Eagle (*Haliaeetus leucocephalus*), Cassin's finch (*Carpodacus cassinii*), olive-sided flycatcher (*Contopus cooperi*), and Williamson's sapsucker (*Sphyrapicus thyroideus*).

A site survey was conducted on July 8, 2020. No special-status wildlife species were observed onsite during the survey. Wildlife observed onsite included black-tailed deer (*Odocoileus hemionus*), Stellar's jay (*Cyanocitta stelleri*), Great Basin fence lizard (*Sceloporus occidentalis longipes*), and common passerines (song birds). A black-tailed deer doe and fawn were observed bedded down within the mine boundary. Evidence of rodent activity was observed throughout the site including scat and active burrows, likely belonging to ground squirrels (*Citellus* sp.).

HYDROLOGY: There are no streambeds, banks, channels, or drainages located in the immediate vicinity of the mine. The Susan River is approximately 0.15 miles east and Willard Creek is approximately 0.35 miles south. No watercourses, wetlands, vernal pools, or other sensitive habitats exist onsite. According to the FEMA Flood Map Service Center, the project site is in Zone X, an area of minimal flood hazard (USGS, 2020).

The proposed Stormwater Pollution Prevention Plan (SWPPP) states the proposed facility has no surface water storage and receives no offsite run-on because the project site is located at a high point. There is no known surface connection between runoff from the site and the Susan River. The discharge point is at the southeast end of the operation. High infiltration combined with low rainfall in the area make the use of an onsite detention unnecessary. There is no process water since the portable crushing/screening plant is a dry operation. Slopes would be protected from erosion during and after mining using Best Management Practices (BPMs).

SOILS: As identified by the Natural Resources Conservation Service (NRCS) Web Soil Survey, the project site contains a Uhalf-Southpac soil complex consisting of 2 to 30 percent slopes, well drained soils, more than 80 inches to the depth of the water table, no flooding or ponding concerns, a non-specified irrigated land capability classification, and a non-irrigated land capability class 7s. The Uhalf series is colluvium derived from volcanic rock and residuum weathered from volcanic rock with a paralithic bedrock restrictive layer approximately 40 to 60 inches deep. The Southpac series is colluvium derived from andesite and residuum weathered from andesite with a paralithic bedrock restrictive layer more than 80 inches deep.

GEOLOGY: According to the CGI Technical Services Inc. Geotechnical Report (2011) (Appendix B), the project site is in the Cascade Range geomorphic province consisting of a north-northwest trending, relatively linear, belt of active and dormant strata and shield volcanoes. The local geologic setting has been mapped as being underlain by Pleistocene-age volcanic rocks (Lydon et al, 1960). The predominate rock materials underlying the project site are basaltic flow units. Underlying the columnar basalt is an alluvial/lacustrine deposit of unknown thickness. This material is a fine to coarse sand with moderate to abundant clay and subordinate fine angular gravel.

According to the California Geological Survey (CGS) Earthquake Zones of Required Investigation Map, there are no Alquist-Priolo Special Study Earthquake Zones (active faults) within the project site. The nearest fault mapped by the CGS is approximately 15 miles east.

REGULATORY ENVIRONMENT: Lassen County is the lead agency for this project under the California Environmental Quality Act (CEQA) and SMARA and has primary authority for project approval. In addition to Lassen County, the following agencies may have permitting authority over the project or portions thereof:

- Lahontan Regional Water Quality Control Board (LRWQCB)
- Lassen County Air Pollution Control District (APCD)
- Department of Conservation, Division of Mine Reclamation (DMR)
- Lassen County Environmental Health Department
- Lassen County Sheriff's Office
- California Department of Transportation (Caltrans)
- California Department of Forestry and Fire Protection (CAL FIRE)

SURROUNDING LAND USE:

	Zoning	Parcel Size (acres)	Land Use Designation <i>(Lassen County General Plan 2000)</i>
Site (vested)	Timber Production Zone (T-P-Z)	16.010	Extensive Agriculture
Site (non-vested)	Upland Conservation/Resource Management District (U-C-2)	121.000	Extensive Agriculture
North	Upland Conservation Agricultural Preserve Combining District (U-C-A-P) and T-P-Z	6.033-616.080	Extensive Agriculture
East	U-C-2	1.000-54.327	Extensive Agriculture
South	U-C-2	0.334-554.000	Extensive Agriculture
West	U-C-2	15.000-258.839	Extensive Agriculture

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

Environmental Checklist

Checklist and Evaluation of Environmental Impacts: An explanation for all checklist responses is included, and all answers consider 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. The explanation of each issue identifies 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 significant. In the Checklist, the following definitions are used:

- **Potentially Significant Impact** means there is substantial evidence that an effect may be significant.
- **Less Than Significant with Mitigation Incorporated** means the integration of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

- **Less Than Significant Impact** means that the effect is less than significant, and no mitigation is necessary to reduce the impact to a lesser level.
- **No Impact** means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

A vested mining right is a constitutionally protected property right to continue operating in a certain location and in a certain way without being required to conform to all current land use restrictions. A vested mining right falls into the category of a "nonconforming use" of land. The leading court case in this area has described a "nonconforming use" in this way:

“A legal nonconforming use is one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter... The use of the land, not its ownership, at the time the use becomes nonconforming determines the right to continue the use. Transfer of title does not affect the right to continue a lawful nonconforming use which runs with the land...”(Hansen Brothers Enterprises v. Board of Supervisors, 12 Cal. 4th 533, 540 fn. 1 (1996)).

With the approval of a vested right to mine (Resolution No. 05-01-10), obtaining a use permit from Lassen County is no longer required. As per the California Supreme Court's decision in *Communities for a Better Environment v. South Coast Air Quality Management District*, this Initial Study will discuss the impacts of mining operations and reclamation activities on both the vested (5.29 acres) and non-vested (3.91 acres) portions of the proposed mine. However, mitigation measures will only be suggested for impacts during the reclamation (after cessation of mining) phase of the site for the vested portion of the mine. Mitigation measures will be required, where necessary, on the non-vested portion of the site for both mining activities and implementation of the reclamation plan. The entirety of the project site is subject to applicable State or Federal permit/regulation requirements as well as Environmental Health permits or other applicable County safety regulations.

1. AESTHETICS.

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

THRESHOLDS OF SIGNIFICANCE:

This initial study considers whether the proposed project may have any significant effects on visual aesthetics because of: a) the short-term or long-term presence that would impact the vista points that provide views of or from the project area; b) permanent changes in physical features that would impact the visual character of the project area near a state scenic highway; c) project-related construction that would detract from the visual character of the area and or; d) the presence of short-term, long-term, or continuous bright light, or operations occurring at night, that would detract from a project area that is otherwise generally dark at night or that is subject to low levels of artificial light.

GENERAL:

Site disturbances from historical quarrying activities have altered the visual quality of the site from undisturbed to disturbed over much of the site. Furthermore, the 2020 Hog Fire disturbed the entire vicinity making past mining disturbances even more visible from both Hwy 36 and the Bizz Johnson Trail. Implementation of the Reclamation Plan would provide reclamation of the site's mining activities on the entirety of the site.

DISCUSSION:

a, c) Less Than Significant with Mitigation Incorporated: A vista is a view from a particular location or composite views along a roadway or trail. Given that Hwy 36 is considered a County Scenic Corridor and given the proximity of the proposed site to the Bizz Johnson Trail, the proposed project will have an adverse effect on a scenic vista and degrade the existing visual character of the site.

Lassen County General Plan 2000, Natural Resources Element-Scenic Resources

GOAL N-23: Scenic resources of high quality which will continue to be enjoyed by residents and visitors and which will continue to be an asset to the reputation and economic resources of Lassen County.

NR78 POLICY: The County has identified areas of scenic importance and sensitivity along state highways and major county roads and has designated those areas as "Scenic Corridors". (Refer to the General Plan land use map and related designations in various area plans, which may also be regarded as "scenic highway corridors".) The County will develop and enforce policies and regulations to protect areas designated as scenic corridors from unjustified levels of visual deterioration.

Implementation Measures:

NR-U: The County shall adopt policies to minimize adverse impacts which will significantly deteriorate the scenic qualities of visually sensitive areas.

The vested portion of the mine already has a right to process the material onsite to the extent that was occurring when the use became nonconforming, which includes extraction, crushing, screening, and onsite storage of mineral aggregate. Therefore, migration measures cannot be imposed on the mining operations on the vested portion of the mine. However, mitigation measures can be imposed on the non-vested portion of the mine and during reclamation activities on the entirety of the site. The mitigation measures outlined below would ensure that the scenic and visual effects of the mine would be less than significant.



View of Hwy 36/Devil's Corral proposed mine site from Hwy 36 in October, 2020

MITIGATION (*Non-vested portion and reclamation*):

Mitigation Measure Aesthetics-1: Upon completion of mining operations, where forest soils are available, one-year-old Styrofoam-container-grown ponderosa pine plugs from a local seed source and elevation shall be planted at approximately 300 trees per acre with an average of 12-foot x 12-foot spacing. All Styrofoam containers from the ponderosa pine plugs will be bagged up and disposed of offsite. Competing vegetation shall be controlled around pine seedlings for the first two years after planting to facilitate successful establishment.

Following tree establishment, native herbaceous ground covers will be allowed to reseed the areas of the site where trees are planted. The success standard surface cover shall be 75% with a species richness of 5 species present.

Mitigation Measure Aesthetics-2: All equipment (when not in use), structures, and stockpiles shall be located on the northern portion of the site (vested portion) to reduce the visual impacts from Hwy 36.

b) Less Than Significant: The project site is not located within a State Scenic Highway. However, Hwy 36 is eligible for the State Scenic Highway System and is designated as a Scenic Corridor in the Lassen County General Plan 2000. Although mining activities would impact the visual character of the area, the baseline condition of the site is disturbed from the 2020 Hog Fire and from previous mining activity on the vested and some portions of the non-vested site. Mining activities and the implementation of the Reclamation Plan would not damage trees, rock outcroppings, or historic buildings. Reclamation is expected to have a beneficial effect on the visual character of the site, as revegetation activities would soften some of the visual contrasts of the mined site over time.

d) No Impact: Mining and reclamation activities would take place only during the day. There would be no new light sources at the site. No buildings or other reflective surfaces would be developed at the site. There would be no impact related to light or glare that could adversely affect views in the area.

2. AGRICULTURE AND FORESTRY RESOURCES

<p>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</p>				
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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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would: a) change the availability or use of agriculturally important land areas designated under one or more of the programs above; b) cause or promote change in land zoned for those uses, particularly lands designated as Agriculture or Range Land or under Williamson Act contracts; c) conflict with 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 conversion of forest land to non-forest use or e) change the availability or use of agriculturally important land areas for agricultural purposes.

GENERAL:

The project site has been designated by the Lassen County General Plan, 2000 as Extensive Agriculture, which applies to lands that represent typical rangeland areas with grazing and general rangeland values, natural wildlife habitat, open space, and scenic values, and/or low

intensity outdoor-oriented recreational values. It also includes general forest areas, timber production areas, and may accommodate natural resource-related production facilities, including but not limited to mineral extraction and processing, including asphalt and similar plants; sawmills and logging operations; and facilities for the processing of agricultural products.

DISCUSSION:

(a) No Impact: Lands at the project site are not classified as prime or unique farmlands by the Lassen County General Plan 2000. The project site does not meet the criteria for farmlands as defined in Government Code Section 51201(c) of the Williamson Act (1965), and is not included in the Farmland Mapping and Monitoring Program (DLRP, 2016). The project site lands are not identified as agricultural preservers in the Lassen County General Plan 2000. Mining and reclamation would not degrade any of the described farmland or alter their designation or future use.

(b) No Impact: The vested portion of the site is zoned T-P-Z, and the non-vested portion of the site is zoned U-C-2.

Adjacent lands are primarily zoned as U-C-2 with one property to the north zoned as Upland Conservation Agricultural Preserve Combining District (U-C-A-P) and another property to the north zoned T-P-Z. The project site is also neighboring several parcels owned by the Federal government. The land where the project is located is not designated as prime agriculture or as an agricultural preserve (Williamson Act contract).

U-C-2 designations (non-vested portion) allow mining by use permit as stated in Lassen County Code Section 18.69.040. The project actions are not in conflict with zoning for agricultural use or a Williamson Act contract.

c-d) Less than Significant with Mitigation Incorporated: *Vested portion:* The vested portion of the site is zoned T-P-Z by Lassen County, and has historically had surface mining/quarry operations occurring, prior to Lassen County's adoption of zoning ordinances. The implementation of the Reclamation Plan is not anticipated to influence the overall land uses or designations, as it would reclaim the mining operations as required by state law and implementing regulations. The parcels are not proposed for alteration under the Reclamation Plan.

Non-vested portion: The non-vested portion of the site is zoned U-C-2 and would not conflict with existing zoning for, or cause rezoning.

Both the vested and non-vested portions of the proposed mine would convert more than three acres of land to non-timberland uses, the maximum use allowed by right as stated in Lassen County Code Section 18.70.030(f). Although the proposed project would result in the conversion of what was and may eventually become forest land to traditional non-forest use, activities would not preclude the potential for future logging of the forested areas.

Public Resources Code section 12220(g) defines “forest land” as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

During the early consultation process, CAL FIRE stated that the applicant would be required to acquire a Timberland Conversion Permit (TCP). The area meets the definition of Timberland and as pursuant to PRC Section 4526, means land, other than land owned by the Federal Government and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. CAL FIRE also stated that ponderosa pine plantings during the reclamation phase would be beneficial and consistent with a designation of Timberland.

Implementation of Mitigation Measure Forestry-1 during the reclamation phase of the mine would avoid having to rezone the vested site.

MITIGATION (*Non-vested portion and reclamation*):

Mitigation Measure Forestry-1: Approximately 2.5 acres of the site shall be converted to native forbs and grasses and 6.5 acres shall be timberland over the entirety of the site (vested and non-vested portions). Ponderosa pine/Jeffery pine (*Pinus jeffreyi*) plantings will be planted at approximately 300 trees per acre with an average of 12-foot x 12-foot spacing. All Styrofoam containers from the ponderosa pine plugs shall be bagged up and disposed of offsite. Competing vegetation shall be controlled around pine seedlings for the first two years after planting to facilitate successful establishment. The success standard surface cover shall be 75% with species richness of 5 species present.

- e) **No Impact:** The project would not result in the loss of prime farmland, unique farmland, farmland of statewide importance, or result in the conversion of farmland to non-agricultural use. No other changes to the existing environment are anticipated to result in the conversion of forest land to non-forest use other than the changes mentioned above.

3. 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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would: a) interfere with air quality objectives established by the Lassen County Air Pollution Control District; b) contribute pollutants that would violate an existing or projected air quality standard; c) produce pollutants that would in part contribute to cumulative effects of non-attainment for any air pollutant; d) produce pollutant loading near sensitive receptors that would cause locally significant air quality impacts; or e) release odors that would affect a number of receptors.

GENERAL:

The Lassen County Air Pollution Control District (APCD) is a Local Air District governing the Lassen County Region. Lassen County is part of the Northeastern Plateau Air Basin. The Air Quality Index in Lassen County is classified as "GOOD" for most of the year. Events such as wildfires and inversion layers in winter months can periodically degrade air quality.

State (California Ambient Air Quality Standards (CAAQS)) and Federal (National Ambient Air Quality Standards (NAAQS)) air quality standards have been established for specific "criteria" air pollutants. CAAQS comprise of standards for visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. NAAQS are composed of health-based primary standards and welfare-based secondary standards.

Lassen County is considered Unclassified/Attainment by NAAQS meaning the air quality in this geographic area meets or is cleaner than the national standard.

DISCUSSION:

- a) **No Impact:** There are no applicable air quality plans for the Northeast Plateau Air Basin or the Lassen County APCD. Therefore, Lassen County is not subject to an air quality plan.
- b) **Less Than Significant:** The Northeast Plateau Air Basin and Lassen County are currently in attainment or unclassified for all criteria pollutants. The proposed project will not contribute to a cumulatively considerable air quality impact regarding a pollutant for which the air basin is currently in non-attainment. Cumulative air quality impacts would be less than significant.

c, d) Less Than Significant with Mitigation Incorporated: The project is subject to the Lassen County APCD rules and regulations. The district's air pollution regulations comply with the standards established by the U.S. Environmental Protection Agency (USEPA).

RULE 4:2 - Nuisance. A person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury to damage to business or property. (Section 41700) (Lassen County APCD Compiled Rules and Regulations, 2017).

RULE 4:0 – Ringelmann Chart. A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is: a. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United State Bureau of Mines, or b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (a) of this Rule (Section 41701) (APCD Compiled Rules and Regulations, 2021).

Section 93115 of the California Code of Regulations; Airborne Toxic Control Measure for Stationary Compression Ignition (CI) Engines would apply to any stationary CI engine on site with a rated brake horsepower greater than 50 (>50 bhp).

Mining and reclamation activities could expose recreators utilizing the Bizz Johnson Trail to substantial pollutant concentrations from dust, a diesel generator, and equipment associated with extraction and the resultant diesel particulate matter (DPM) emissions. The following mitigation measures would reduce exposure to trail users to pollutant concentrations and emissions leading to odors to less than significant.

The operator would be held to the following standards to the satisfaction of the Lassen County Air Pollution Control District:

1. The applicant shall implement all dust control measures in a timely manner during all phases of project development and construction.
2. Increased watering frequency is required whenever wind speeds exceed 15 mile per hour (mph).
3. All material excavated, stockpiled, or graded shall be sufficiently watered, treated or converted to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.
4. All areas (including unpaved roads) with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
5. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are

expected to exceed 20 mph.

6. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
7. All inactive disturbed portions of the development site shall be covered, seeded, or watered until a suitable cover is established.
8. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.

MITIGATION (*Non-vested portion and reclamation*):

Mitigation Measure Air-1: A water truck shall be used for dust mitigation and if dust becomes a problem, spray bars shall be installed.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers whether the proposed project would result in significant adverse direct or indirect effects to: a) individuals of any plant or animal species (including fish) listed as rare, threatened, or endangered by the federal or state government, or effects to the habitat of such species; b) more than an incidental and minor area of riparian habitat or other sensitive habitat (including wetlands) types identified under federal, state, or local policies; c) more than an incidental and minor area of wetland identified under federal or state criteria; d) key habitat areas that provide for continuity of movement for resident or migratory fish or wildlife; e) conflict with biological resources identified in planning policies adopted by the County of Mendocino; or f) conflict with other adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

GENERAL:

Biological characterization of the area has been completed as part of the mine operation evaluation and development of the Reclamation Plan. Biological reviews of the project area have been completed by VESTRA Resources, Inc. through literature reviews and direct field observations and investigations. Field observations were conducted pre-Hog Fire, so an additional post-fire Susanville beardtongue survey would be conducted before mining commences.

The revegetation palette and mitigation measures have been identified in consultation with the California Department of Fish and Wildlife (CDFW).

DISCUSSION:

a, e) Less Than Significant Impact with Mitigation Incorporated: Susanville beardtongue is a rare plant rank 4.3 meaning it has limited distribution but is not very threatened in California. It has been found in several areas throughout the site pre- and post-Hog Fire. As a condition of approval, a post-fire Susanville beardtongue survey would have to be conducted to accurately assess its population and distribution onsite before the start of mining.

The Lassen County General Plan 2000, Natural Resources Element-Vegetation:

GOAL N-8: Protection of rare and endangered plant species balanced with the need to sustain productive, multiple land uses when possible.

NR28 POLICY: The County recognizes the need to identify and provide reasonable measures for the protection of rare and endangered plant species in the consideration of projects and land use decisions.

Implementation Measure:

NR-K Pursuant to the California Environmental Quality Act, the County shall consider the impacts of proposed projects on rare and endangered plant resources and shall require necessary mitigation measures to avoid, reduce, or compensate for the extent of significant disturbance.

Mining activities could significantly impact this species without mitigation measures Bio-1, Air-1, and Bio-4 incorporated due to excavation, dust, and competition with invasive plant species.



Susanville beardtongue located at the Hwy 36/Devil's Corral proposed mine site on October 8, 2020

The western bumble bee is listed on the International Union for Conservation of Nature (IUCN) Red List of Threatened Species as "Vulnerable" and is considered a special status species in California. The western bumble bee has been determined to have a high potential of occurring onsite based on an assessment of the presence of potential habitat for that species that is known to occur in the region. With mitigations measures Bio-2 and Bio-3, the impact would be reduced to less than significant.

MITIGATION (*Non-vested portion and reclamation*):

Mitigation Measure Bio-1: Susanville beardtongue seeds shall be collected at the appropriate time of year and stored to be used for reclamation. Flowering species shall be planted at reclamation. In addition, areas of the Susanville beardtongue populations shall be preserved onsite to ensure population survival. Those areas shall be marked with earth-toned exclusion fencing.

Mitigation Measure Bio-2: Herbicide shall not be used in areas where the Susanville beardtongue is present.

Mitigation Measure Air-1: Water trucks shall be utilized when necessary. If dust becomes a problem, spray bars shall be installed.

Mitigation Measure Bio-3: Native wildflowers and native grasses shall be planted to improve foraging habitat for western bumble bees and other pollinators. The selected revegetation palette shall achieve a continuous availability of pollen and/or nectar between spring and fall when foraging habitat is most critical for bees and other pollinators.

Mitigation Measure Bio-4: Overwintering opportunities for the western bumble bee shall be created by placing small leaf and brush piles in the wildflower meadow during mine reclamation in addition to planting bunch grasses.

Mitigation Measure Bio-5: The project area shall be monitored for invasive plant species which, if encountered, shall be removed by hand, bagged, and taken to a landfill.

- b) **No Impact:** The project site does not contain sensitive natural communities (e.g., riparian habitat, vernal pools). The proposed mining and reclamation activities would result in no impact on listed sensitive natural communities.
- c) **No Impact:** There are no federally protected wetlands on or in the vicinity of the proposed project site. Therefore, there will be no impact.
- d) **Less Than Significant with mitigation incorporated:** The proposed site may impede the use of native wildlife nursery sites. The western bumble bee has three basic habitat requirements: suitable nesting sites for the colonies, suitable overwintering sites for the queens, and nectar and pollen from floral resources available throughout spring, summer, and fall (Jepsen 2014). Nests occur primarily in underground cavities such as old squirrel or other animal nests and in open west-southwest slopes bordered by trees. Rock crevices and disturbed soils onsite have facilitated many rodent burrows. These burrows demonstrate that the mine site provides potential habitat for western bumble bee in the quarry and surrounding areas. Therefore, nesting sites will be preserved throughout the life of the mine. Mitigation for western bumble bee nursery sites is unnecessary.

Raptor species (birds of prey) and migratory birds may nest in trees and other vegetation located within or in the immediate vicinity of the study area. All raptors and migratory birds, including common species and their nests, are protected from “take” under the California Fish and Game Code Section 3503 and 3503.5, and the federal Migratory Bird Treaty Act. Large trees onsite and in the surrounding forest provide potential nesting habitat for raptors and migratory birds. Blasting and other noise-generating activities that occur during the nesting season (February 1 –August 31) could result in impacts to nesting birds without mitigation.

MITIGATION (*Non-vested portion and reclamation*):

Mitigation Measure Bio-6: Impacts to nesting birds shall be avoided by completing nest surveys prior to commencing activities that could disturb nesting birds (Shuford and Gardali 2008). Should a site survey detect nesting raptors or migratory songbirds near the project area, appropriate spatial and temporal buffers shall be implemented.

f) **No Impact:** There are no Habitat Conservation Plans, Natural Conservation Community Plans, or other adopted plans that would conflict with the goals and objectives of the mining and reclamation plan.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would cause a) physical changes in known or designated historical resources, or in their physical surroundings, in a manner that would impair their significance; b) physical changes in archaeological sites that represent important or unique archaeological or historical information; c) destruction of a unique paleontological resource site or unique geologic feature; or d) disturbance of human burial locations.

GENERAL:

According to the Northeast Center of the California Historical Resources Information System (NEIC), the project is in an area considered moderately sensitive for prehistoric, protohistoric, and historic cultural resources. Maidu populations used the local region for seasonal and/or permanent settlement as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Historically, Euro-Americans possible utilized the region for farming, mining, and transportation opportunities.

One historic property has been recorded within the ½-mile vicinity of the proposed project site.

Unrecorded historic resources may be in the project area.

ALTA Archaeological Consulting conducted a field survey and cultural resources review of the Project Area. A report of said findings was received on January 21, 2021 and addresses the responsibilities of CEQA, as codified in Public Resources Code section 5097, and its implementing guidelines 21082 and 21083.2.

DISCUSSION:

a) Less Than Significant Impact: The project vicinity is noted to have historically significant features such as a Devil's Corral Trestle Bridge, within a 1/4-mile east of the proposed mine. The cultural resources review mentioned above identified no historical resources within the project boundary as defined in CEQA Guidelines Section 15064.5 and none were observed during the field survey.

b,d) Less Than Significant: The cultural resources review and field survey found no significant archaeological resources on or near the project site. A field survey was conducted on November 15, 2020 for the purpose of identifying cultural resources within the project area (8.74 acres). The Project Area was surveyed using intensive survey coverage with transects no greater than 20-meter intervals.

Pursuant to section 15064.5(f) of the CEQA Guidelines, if previously unidentified cultural resources or human remains are encountered during project implementation and/or during the reclamation phase, altering the materials and their stratigraphic context would be avoided. A qualified professional archaeologist would be contacted to evaluate the situation.

Although unlikely, if human remains are encountered, pursuant to section 15064.5(e) of the CEQA Guidelines, all work would stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist would be notified immediately so that an evaluation could be performed. If the remains are deemed Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" could be designated and further recommendations regarding treatment of the remains is provided.

c) Less Than Significant Impact: According to the Geotechnical Report (Appendix B), the predominate rock materials underlying the project site consists of 25-33 feet of basaltic flow units. Basalt is a mafic extrusive igneous rock formed from the rapid cooling of lava rich in magnesium and iron exposed at or near the surface. Basalt has a low potential for preserving paleontological resources due to its formation within a magmatic environment.

Because of the depositional nature of the site and the relatively limited size and depth of the proposed excavation, it would be unlikely that a paleontological resource or unique geological feature would be impacted by this project.

6. ENERGY

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

THRESHOLDS OF SIGNIFICANCE:

This initial study considers project-related effects that could: a) result in potentially significant environmental impacts 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.

GENERAL:

One of the goals listed in the Lassen County General Plan 2000 is conservative management of Lassen County's energy resources so that those resources can be developed and utilized for the benefit of County residents with a high degree of efficiency and productivity.

The Lassen County Energy Element establishes policies and implementation measures which shall be applied by the County as guidelines in the review and consideration of project proposals, and in the promotion of energy conservation.

DISCUSSION:

- a) **Less Than Significant Impact:** Energy usage would be proportionate to the volume of material produced from the mine. The proposed end date for the mine in 2050 or upon exhaustion of reserves, whichever occurs first. Reserves could be exhausted in as little as 10 years. Following reclamation of the site, the project would no longer require fuel or electricity. The electricity and fuel demands of the project would not exceed local or regional supplies during its operational period.

Truck trips are estimated at 25 loads/day with a maximum of 75 loads/day. Generally, seasonal operation occurs from March to November, but the site may operate for 12 months out of the year depending on market demand. The site operates for one shift each day with two to three employees per shift. The project would supply construction projects requiring materials that would occur with or without the mine. In addition, the project would serve local construction projects that may otherwise need to import materials from farther away.

b) No Impact: The proposed project would not conflict or obstruct a state or local plan for renewable energy resources or energy standards.

7. GEOLOGY/SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>
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"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers project-related effects that could involve: a) damage to project as a result of fault movement along a fault zoned by the state under the Alquist-Priolo Act or other known faults, strong seismic ground shaking, secondary seismic effects including liquefaction or landslides; b) excessive soil erosion resulting from project; c) project-derived instability of earth materials that could subsequently fail, damaging structures or environmental resources on proposed development; d) location of project elements on expansive soils that may be damaging

to existing structures; or e) soils inadequate for supporting septic tanks or alternative wastewater disposal systems.

GENERAL:

The project proposes to mine construction aggregates which could be exhausted within 10 years of the start of mining. It is proposed that the pit wall be laid back to an angle no steeper than 1.43:1 (horizontal:vertical), with no benches since the depth of mining would not exceed 40 feet. The Natural Resources Conservation Service (NRCS) identified soils within the project boundary as Ulhalf-Southpac soil complex. Much of the site consists of rock outcrops thus, there is minimal topsoil within most areas. A Geotechnical Report was prepared by CGI Technical Services Inc. for Steve Manning Construction, Inc. in 2011.

The Lassen County General Plan 2000 does not list the project site within a Designated Hazard Area.

DISCUSSION:

a.i). No Impact: According to the California Department of Conservation's Earthquake Zones of Required Investigation, the project parcels are not within an Earthquake Fault Zone. As such, the proposed project would not be subject to fault rupture or any special development standards associated with the Alquist-Priolo Earthquake Fault Zoning Act.

a. ii) Less Than Significant Impact: The project site could be susceptible to seismic ground shaking due to earthquakes. Much of the north-eastern part of the state is actively stretching apart, creating numerous faults, all capable of producing earthquakes. According to USGS Earthquake Catalog, there has been one 2.5-magnitude earthquake on November 6, 2018 within 2 miles (SE) of the proposed site since 1973.

The proposed project would excavate aggregate to a maximum depth of 40 feet. The highwalls are determined to be stable at a slope of 1.43:1 (horizontal:vertical) without benching (Geotechnical Report, Appendix B). The proposed project would not build permanent structures or residential housing that could subject humans to seismic hazards. The potential impacts from exposure to hazards associated with strong seismic ground shaking are therefore considered to be less than significant.

a.iii., iv., c) No Impact: Underlying the columnar basalt is an alluvial/lacustrine deposit of unknown thickness. This material is a fine to coarse sand with moderate to abundant clay and subordinate fine angular gravel (Geotechnical Report, Appendix B). According to the California Department of Conservation's Earthquake Zones of Required Investigation, the project site and surrounding area has not been evaluated for liquefaction or landslides.

The proposed project would not build permanent structures or residential housing that could subject humans to liquefaction or landslides. The potential impacts from exposure to hazards associated with these natural phenomena are therefore considered to be no

impact.

b) Less Than Significant Impact: Past mining on the vested and on some portions of the non-vested site have caused almost all of the original topsoil to be lost in those areas. All existing topsoil would be removed and stockpiled and is estimated to provide for 1.2 inches of topsoil cover during reclamation. The mining plan is designed to remove rock to the layer of paleosol buried under the volcanic materials to be mined, ripped and covered with all other overburden material and topsoil which should provide a rooting depth of several feet in areas where vegetation is proposed.

Slopes would be protected from erosion during and after mining using Best Management Practices (BPMs). A sediment and erosion control plan is described in the Stormwater Pollution Prevention Plan (SWPPP), Appendix F.

d) No Impact: The proposed project does not involve the construction of any permanent structures and therefore, would not be susceptible to risks associated with expansive soils. Furthermore, the project area contains little to no clays with swelling potential (Olive et al. 1989).

e) No Impact: The proposed project does not propose installation or operation of a septic system or other onsite wastewater system.

8. GREENHOUSE GAS EMISSIONS

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

THRESHOLDS OF SIGNIFICANCE:

This initial study considers project-related effects that could: a) generate greenhouse gas (GHG) emissions that may have a significant impact on the environment; or b) conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

GENERAL:

As a result of a mining operation's initial site clearing; the native vegetation ceases to collect carbon and release oxygen. Diesel-powered heavy equipment would be used for mining, and electricity is used for processing and other plant operations. Trucking of aggregates from the

mining site to project sites where the aggregate is to be used is also a source of GHG emissions. These uses will result in GHG emissions, albeit an extremely small proportion of the state and worldwide production of GHGs.

DISCUSSION:

a) Less Than Significant Impact: During mining, the proposed project would produce GHG emissions generated from heavy equipment during excavation, haul trucks, worker trips, and possible use of a generator. Only a few pieces of equipment would be used daily due to the smaller size of the mining boundary (9.2 acres) and therefore, the level of daily emissions would be low. The proposed termination date of the mine is 2050 or upon exhaustion of reserves, which could be as little as 10 years.

Reclamation activities, which would occur over an expected three-year period, would require the use of even fewer pieces of heavy equipment and worker trips. Therefore, due to the limited size and duration of the project and minimal use of emissions-generating vehicles and equipment, the short-term impact of project operations is not expected to create a substantial increase in GHG emissions over existing conditions.

b) No Impact: The Lassen County APCD has not adopted a plan, policy, or regulation for reducing GHG emissions. The State of California has adopted several regulations related to GHG emissions reductions, including measures to reduce tailpipe emissions, and diesel exhaust produced by fuel combustion engines. Mining and reclamation activities would adhere to statewide efforts to reduce GHGs and would therefore not conflict with these regulations adopted for the purpose of reducing GHG emissions.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would involve: a) potential storage or use, on a regular basis, of chemicals that could be hazardous if released into the environment; b) operating conditions that would be likely to result in the generation and release of hazardous materials; c) use of hazardous materials, because of construction-related activities or operations, within a quarter mile of an existing or proposed school; d) being located on a site listed as hazardous pursuant to Government Code Section 65962.5; e) project-related increase in use intensity by people within the boundaries of, or within two miles of, an airport planning area; f) a safety hazard for people working within and adjacent to a private airstrip; g) project-derived physical changes that would interfere with emergency responses or evacuations; or h) potential major damage because of wildfire.

GENERAL:

The SWPPP discusses measures that would be taken to minimize the potential for leaks and spills and steps that would be taken if a spill occurs. Spill prevention and response includes increasing employee awareness toward minimizing spills and the training to respond if spills occur. Each employee is directed to clean up spills as they occur and to report any spill of significant quantity. Facility containments, loading/unloading practices, good housekeeping measures, and maintenance schedules effectively prevent minor spills that may occur during day-to-day operations. The SWPPP (Appendix F) describes the BMPs for dealing with hazardous materials in more detail.

A Blasting Safety Plan prepared by High Sierra Blasting, Inc. (HSB) was submitted and defines the practices that will be used to ensure that explosives are handled and used safely at each Blasting Project. The safety policies in this plan would be communicated to employees,

subcontractors, and suppliers through contract documents, written notices, and on-site training meetings. All employees of HSB and its suppliers of explosive products will be subject to these rules. These policies do not override any Federal Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA) standards.

DISCUSSION:

a, b) Less Than Significant Impact: Fuel and oil would be used in vehicles and construction equipment. Dismantling of equipment could potentially pose a risk of accidental upset from the release of petroleum related products. Blasting would take place no more than once per year in which drilling would take two to three days.

Any hazardous material uses would be required to comply with all applicable local, state, and federal standards associated with the handling and storage of hazardous materials. Best Management Practices (BPMs) include the use of secondary containment structures, designated areas for refueling, use of spill and overflow protection, employee training, preventative maintenance, and diverting/containing runoff from the fueling area with berms and drainage swales. Petroleum products would be stored in a double walled container or in a secondary containment area onsite. Volumes would not exceed 500 gallons. Materials (oils, grease, hydrocarbons) would be stored onsite in a locked Conex container during operating months. No materials would be stored at the site in the off-season.

The operation is required to have the necessary permits from Lassen County Environmental Health for storing hazardous materials. Operations would follow the applicable laws and regulations regarding hazardous material transport, as defined in Section 353 of the California Vehicle Code.

Reclamation activities propose the use of herbicides surrounding ponderosa pine/Jeffery pine saplings. Use, handling, and application of herbicides would be done by a Qualified Applicator. When herbicide use is necessary, it would be applied according to registered label specifications. As a standard practice, no storage or mixing of herbicides would occur on the project site during reclamation activities; all herbicides would be transported to the site in pre-mixed containers ready for application.

Explosives for blasting would not be stored on site. Explosives needed for blasting would be delivered daily to the site. All drilling and blasting procedures would comply with State, Federal, and County regulations.

With the implementation of the above-mentioned project design features, the impact has been determined to be less than significant.

c) No Impact: There are no existing or proposed schools within one-quarter mile of the proposed mine.

- d) **No Impact:** The California Envirostor database was queried for hazardous materials sites pursuant to Government Code Section 65962.5. Based on the results of a March 2021 query, the project is not located on or adjacent to a listed hazardous materials site.
- e) **No Impact:** The proposed project is not within 2 miles of a public airport or a public use airport.
- f) **No Impact:** The proposed project is not within the vicinity of a private airstrip.
- g) **No Impact:** Lassen County and the City of Susanville has developed an Emergency Operations Plan, and updates this on a regular basis to comply with statewide emergency procedures. This plan outlines emergency procedures to be implemented but does not prescribe any site-specific emergency response plans or emergency evacuation plans for the project site, and none is required. The proposed mine would not require development of a new emergency response plan or emergency evacuation plan.
- h) **Less Than Significant:** The proposed project may result in an increased risk of fire due to mining equipment and associated processes. Vegetation would be removed from the mining areas prior to mineral extraction. Implementation of Fire Prevention and Control standards from MSHA would be required. Furthermore, the area burned in the Hog Fire in July 2020 and has since been salvage logged. The closest residences are south of Highway 36 approximately 0.3 miles from the proposed site. The project would not expose people or structures to a significant risk or loss, injury or death involving wildland fires.

10. HYDROLOGY AND WATER QUALITY

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

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 polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would involve: a) violating any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; b) substantially decreasing groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; c) substantially altering the existing drainage pattern of the course of a stream or through the addition of impervious surfaces; d) risk of releasing pollutants due to project inundation in a flood hazard, tsunami, or seiche zone; and e) conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan?

GENERAL:

There are no streambeds, banks, channels, or drainages located in the immediate vicinity of the mine. The Susan River is approximately 0.15 miles east and Willard Creek is approximately 0.35 miles south. No watercourses, wetlands, vernal pools, or other sensitive habitats exist onsite. According to the FEMA Flood Map Service Center, the project site is in Zone X, an area of minimal flood hazard (USGS, 2020).

The proposed Stormwater Pollution Prevention Plan (SWPPP) states the proposed facility has no surface water storage and receives no offsite run-on because the project site is located at a high point. There is no known surface connection between runoff from the site and the Susan River. The discharge point is at the southeast end of the operation. High infiltration combined with the low rainfall in the area make the use of an onsite detention unnecessary. There is no process water since the portable crushing/screening plant is a dry operation. Slopes would be protected from erosion during and after mining using Best Management Practices (BPMs).

DISCUSSION:

- a) **Less Than Significant Impact:** The preparation of a Stormwater Pollution Prevention Plan (SWPPP) is required by federal and state regulation and is administered by the State Water Resources Control Board (SWRCB) through the Lahontan Regional Water Quality

Control Board (LRWQCB). This plan has been prepared to comply with the terms of the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activities (NPDES No. CAS000001, 2014-0057-DWQ). The intent of the order is to protect water quality by controlling pollutants in stormwater runoff.

The SWPPP is designed to comply with Best Available Technology (BAT), Best Conventional Pollutant Control Technology (BCT), and BMPs to reduce or eliminate pollution from industrial facilities during storm events. There would not be any waste discharge at this facility. (SWPPP, Appendix F).

Implementation of the SWPPP would ensure that stormwater discharges from the project site are managed in accordance with existing waste discharge requirements and water quality standards for stormwater discharges.

The project site is not located within a groundwater basin and would not utilize groundwater onsite.

b) No Impact: The Project is not located within a groundwater basin. There are no wells or proposed wells on-site. Water would be trucked to the site to be used for dust mitigation.

c. i-iii) Less Than Significant Impact: A potential area of erosion is from basin water from the active quarry face to the quarry floor. The soil is highly permeable and there is minimal topsoil onsite. A sediment and erosion control plan is provided in Appendix F, "SWPPP." Erosion control BMPs include seeding and mulching slopes; use of downgraded rolling dips, water bars, fiber rolls, straw anchoring, and the use of water trucks for dust mitigation.

Stormwater runoff would generally flow in a southeastern direction away from the storage and process areas where it is captured against the cut slope of the mine. The Project would not result in flooding on-or-offsite.

The project would not significantly contribute to downstream flooding conditions or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

c. iv) No Impact: There are no rivers or streams within the project site. The project is not located within a floodplain and would not impede or redirect flood flows.

d) No Impact: The project site is not located within a flood hazard zone, tsunami, or seiche zone. The project site would not be inundated by water from flooding, tsunami or seiche. There is no risk of release of pollutants due to project inundation.

e) Less Than Significant: The Porter-Cologne Water Quality Control Act established the provisions of water quality control within California. Additionally, the Act authorizes the

NPDES, which established effluent limitations and water quality requirements for discharges to waters of the state. LRWQCB is the regulatory agency charged with administering the NPDES program for Lassen County. These activities include administering permits, performing water quality planning, and providing local enforcement for water quality violations. The SWPPP (Appendix F) outlines BMPs that would reduce or eliminate pollution from industrial facilities during storm events. The Project would not conflict with or obstruct The Water Quality Control Plan for the Lahontan Region. As a condition of approval, the applicant would be required to obtain any permits required by the LRWQCB.

As stated above, the project would not utilize any groundwater nor is it located in an area with a sustainable groundwater management plan.

11. LAND USE AND PLANNING

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

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would: a) divide an established community or conflict with existing land uses within the project's vicinity; and b) conflict with Lassen County land use designations, policies, and zoning ordinances.

GENERAL:

The mining operation does not propose any activity within an established community. The vested and non-vested portions of the proposed mine would convert more than three acres of land to non-timberland uses; however, implementation of the reclamation plan would reclaim the mine back to timberland as defined in PRC Section 4526. The Reclamation Plan has been developed to comply with the requirements of SMARA, to provide a description of how mining operations would be reclaimed after mining operations have ceased.

DISCUSSION:

- a) **No Impact:** There is no established community on or near the proposed site. The closest residences are approximately 0.3 miles south and 0.5 miles southeast of the project site on the south side of Highway 36 (opposite side of proposed site).

b) Less Than Significant with Mitigation Incorporated: As stated in the Agriculture and Forestry Resources section, both the vested and non-vested portions of the proposed mine would convert more than three acres of land to non-timberland uses, the maximum use allowed by right as stated in Lassen County Code Section 18.70.030(f). Although the proposed project would result in the conversion of what was and may eventually become forest land to traditional non-forest use, activities would not preclude the potential for future logging of the forested areas.

Public Resources Code section 12220(g) defines “forest land” as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

During the early consultation process, CAL FIRE stated that the applicant would be required to acquire a Timberland Conversion Permit (TCP). The area meets the definition of Timberland and as pursuant to PRC Section 4526, means land, other than land owned by the Federal Government and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. CAL FIRE also states that ponderosa pine plantings during the reclamation phase would be beneficial and consistent with a designation of Timberland.

Implementation of Mitigation Measure Forestry-1 during the reclamation phase of the mine would avoid having to rezone the vested site.

MITIGATION (Non-vested portion and reclamation):

Mitigation Measure Forestry-1: Approximately 2.5 acres of the site will be converted to native forbs and grasses and 6.5 acres shall be timberland over the entirety of the site (vested and non-vested portions). Ponderosa pine/Jeffery pine (*Pinus jeffreyi*) plantings shall be planted at approximately 300 trees per acre with an average of 12-foot x 12-foot spacing. All Styrofoam containers from the ponderosa pine plugs shall be bagged up and disposed of offsite. Competing vegetation will be controlled around pine seedlings for the first two years after planting to facilitate successful establishment. The success standard surface cover shall be 75% with a species richness of 5 species present.

12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				
<p>THRESHOLDS OF SIGNIFICANCE:</p> <p>This initial study considers to what degree the proposed project would interfere with the extraction of commodity materials or otherwise cause any short-term or long-term decrease in the availability of mineral resources that would otherwise be available for construction or other consumptive uses.</p> <p>GENERAL:</p> <p>The State Geologist as specified by SMARA (PRC 2710 et seq.), produces Mineral Land Classification (MLC) studies. To address mineral resource conservation, SMARA mandated a two-phase process called classification-designation. The State Geologist carries out classification and designation as a function of the State Mining and Geology Board. The classification studies evaluate the mineral resources and present this information in the form of Mineral Resource Zones (MRZ).</p> <p>It is presumed that reclamation would occur because the minerals being extracted from the project site either have been exhausted or are no longer economically feasible to remove at the time of reclamation.</p> <p>DISCUSSION:</p> <p>a) Less Than Significant: The proposed project would mine construction-grade aggregates (sand and gravel) primarily for road construction. It is possible that the entire deposit could be exhausted within less than ten years from the start of mining. While the proposed project may result in the loss of aggregate material at this site, construction-grade aggregate is not uncommon in Lassen County. There are currently ten active sand and gravel aggregate mines in Lassen County. Exhausting this mineral resource at the proposed location would be less than significant given the commonality of construction-grade aggregates in the region.</p> <p>b) No Impact: According to the California Department of Conservation’s Mineral Lands Classification interactive map, the proposed project is not within a known mineral resource area or MRZ. The proposed reclamation activities would not preclude future mining at the site if it were determined to be viable, and the anticipated end land use would not prevent future mining.</p>				

13. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers whether the proposed project would produce: a) sound-pressure levels contrary to County noise standards; b) long-term ground vibrations and low-frequency sound that would interfere with normal activities and is not currently present in the project area; c) changes in noise levels that are related to operations, not construction related, which would be perceived as permanent increased ambient or background noise in the project area; d) a substantial short-term increase in ambient sound pressure levels; e) exposure of persons within 2 miles of a public airport to excessive noise levels; or f) exposure of persons within the vicinity of a private airstrip to excessive noise levels.

GENERAL:

The Lassen County Noise Element establishes maximum allowable noise levels and provides mechanisms to mitigate existing noise conflicts, and to minimize future noise conflicts by the adoption of policies and implementation measures designed to achieve land use compatibility for proposed development (Brown-Buntin Associates, Inc. 1989). In general, ambient noise levels are dependent upon nearby noise generators such as roadways and by the uses within and adjacent to the project area.

The Lassen County Noise Element also states, “The health effects of noise in the community arise from the interference with human activities such as sleep, speech, **recreation**, and tasks demanding concentration or coordination. When community noise interferes with human activities or contributes to stress, public annoyance with the noise source increases, and the

acceptability of the environment for people decreases. This decrease in acceptability and the threat to public well-being is the basis for land use planning policies directed towards the prevention of exposure to excessive community noise levels.”

DISCUSSION:

a, b, d) Less Than Significant with Mitigation Incorporated: The project site is located approximately 0.2 miles north of Highway 36. There are 5 residences within 0.5 miles of the proposed project on the south side of Highway 36. The Bizz Johnson Trail is within 500 feet of the proposed site.

The proposed site is located in a forest setting with many of the surrounding parcels owned by Red River Forests, LLC, Sierra Pacific Industries, or the Federal government. It is reasonable to assume that the ambient conditions of the general vicinity are frequently interrupted by noise generated by vehicles on Hwy 36 and periodically by logging activities.

The Lassen County Noise Element, 1989 states that noise produced by industrial uses shall not exceed 70 dB Ldn/CNEL at the nearest property line. If noise levels exceed 70dB Ldn/CNEL at the nearest property line, it could be grounds for revocation of the Use Permit. If Lassen County expects noises levels are being exceeded, we may require an annual noise report to be submitted. As a condition of approval, the operator would have to meet any existing and future Lassen County noise ordinances. All aspects of the mine operation/reclamation shall adhere to noise element standards, including the vested portion.

The proposed project would operate a portable crushing and screening plant and utilize two CAT D-6H Dozers with Rippers, two CAT 966D Loaders, haul trucks, two 6D-10 water trucks, a generator, and a drill for blasting. Operations are proposed to be seasonal and intermittent. Hours of operation would be 7:00 a.m. to 3:30 p.m. when in production and 7:00 a.m. to 4:30 p.m. when loading out stockpiled material.

High Sierra Blasting would be contracted for blasting on site no more than once per season for two to three days. A Blasting Plan has been drafted which details the methods and manner by which the project blaster will comply with pertinent laws, rules, regulations, and contract documents. A Blasting Permit would have to be obtained by the Lassen County Sheriff's Office and would have to be notified before blasting occurs.

Without the mitigation measures outlined below, noise levels and groundborne vibration could have a significant effect on users of the Bizz Johnson Trail and residences near the proposed mine site.

MITIGATION (*Non-vested portion and reclamation*):

Mitigation Measure Noise-1: Mining, including blasting activities, shall not take place

on weekends, holidays or during events on the Bizz Johnson Trail including the Bizz Johnson Trail Marathon.

Mitigation Measure Noise-2: the generator/s shall be placed on the vested portion of the mine site or, if placed on the non-vested portion of the site, a noise study shall be conducted.

c) Less Than Significant: The proposed hours of operation would be seasonal and intermittent. Although the proposed end date for the mine is 2050, depending on demand, mineral resources on site may be exhausted within ten years. The proposed operation would not be permanent and would not cause a permanent increase in ambient noise levels.

e, f) No Impact: The proposed project is not located within an airport land use plan, within two miles of a public airport, public use airport, or within the vicinity of a private airstrip. Therefore, there would be no impact.

14. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would result in or contributes to:
a) population growth; or b) displacement of housing units, demolition, or removal of existing housing units

GENERAL:

The proposed project would not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area.

Reclamation of the project site would return the site to open space/timberland uses that would be operated by the property owner. No homes, businesses, roads, or infrastructure would

be constructed as part of the reclamation process. Intensification of land use beyond that allowed by the General Plan or zoning, if any, would be subject to county approvals and would require separate CEQA documentation.

Workers who would carry out proposed mining and reclamation activities would likely be residents of Lassen County. No new permanent jobs would be created because of mining or reclamation.

DISCUSSION:

a, b) No Impact: The proposed project would not induce direct or indirect population growth because it does not propose new homes or businesses and would not involve increasing roadway capacity or expansion of infrastructure that would accommodate growth in the future. Furthermore, the project would not displace any housing or people or require construction of replacement housing elsewhere.

15. PUBLIC SERVICES

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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would adversely affect: a) fire protection; b) police protection; c) schools; d) parks; and e) other public facilities.

GENERAL:

The following public services are provided to this site:

Fire: CAL FIRE

Police: The Lassen County Sheriff provides law enforcement services.
Water: There are no onsite wells.
Transit: Lassen County Transit Services does not provide bus service to the area.
Sewer: There are no public sewerage services to the site.
Power: Public power services would not be utilized on this site.

DISCUSSION:

a) Less Than Significant: The proposed project may result in an increased risk of fire due to mining equipment and associated processes. Vegetation would be removed from the mining areas prior to mineral extraction. Implementation of Fire Prevention and Control standards from MSHA would be required. Furthermore, the area burned in the Hog Fire in July 2020 and has since been salvage logged. A traffic flow route is depicted in Figure A of the applications which will ensure safe access to the site in case of an emergency relating to fire protection. This impact is considered less than significance if compliance is maintained with the MSHA standards.

b-e) No Impact: The proposed project would involve operation of aggregate mining activities on the project site which may be exhausted within 10 years. Upon completion of mining, the site would be reclaimed to open space/timberland. Neither mining or reclamation activities at the project site would result in demand for additional police protection.

Mining and reclamation of the project site would not result in the development of housing, roads, or businesses, or otherwise increase population. Therefore, there would be no effect on the demand for schools, parks, or other public facilities.

16. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
b) 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"/>
c) Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree any aspect of the proposed project would be related to demand for or in conflict with a) recreational facilities; b) increase use of existing recreational areas such that those areas are physically degraded, including secondary effects (such as, degradation through over-use of environmentally sensitive areas); or c) current recreational users.

GENERAL:

The proposed project would not increase use of existing recreation facilities and would not require construction or expansion of parks.

The existing Bizz Johnson National Recreation Trail connects Westwood to Susanville in Lassen County. The trail was converted from a railway serving the timber industry named the Fernley & Lassen Railway which was a subsidiary of the Southern Pacific Railway. The trail is utilized year-round and is a tourist destination for outdoor enthusiasts.

DISCUSSION:

a-b) No Impact: The proposed project would not cause an increase in population, and, therefore, would not generate an increase in demand for neighborhood or regional parks or other recreation facilities. The site is private property. The proposed project site is currently timberland and would not include structural enhancements or other means to facilitate recreation upon completion of reclamation. The property would remain privately owned after reclamation.

c) Less Than Significant with Mitigation Incorporated: The Bizz Johnson National Recreation Trail is 25.4-mile-long trail that is co-owned and managed by the Lassen National Forest-Eagle Lake Ranger District and the Bureau of Land Management-Eagle Lake Field Office, with Lassen Land & Trails Trust serving as a formal interpretive partner for the Trail. Trail activities include fishing, horseback riding, mountain biking, walking, and cross-country skiing.

The proposed mine is within 600 feet of the main pit area (vested portion), and within approximately 800 feet from the non-vested portion of the mine. Mining activities would disturb recreators using the trail through noise, dust, the aesthetically unpleasant nature of mine, and safety/health concerns associated with trucks and blasting.

Although impacts associated with the vested portion of the site have been discussed, the operator is only required to have mitigation for those impacts on the vested portion during the reclamation phase of the mine. However, safety standards would have to be followed at all times on both the vested and non-vested portions of the mine.



Proposed Hwy 36/Devil’s Corral Mine site as seen from the Bizz Johnson Trail, March 2021

MITIGATION (Non-vested portion and reclamation):

Mitigation Measure Air-1: A water truck shall be used for dust mitigation and if dust becomes a problem, spray bars shall be installed.

Mitigation Measure Noise-1: Mining, including blasting activities, shall not take place on weekends, holidays or during events on the Bizz Johnson Trail including the Bizz Johnson Trail Marathon.

Mitigation Measure Aesthetics-1: Upon completion of mining operations, where forest soils are available, one-year-old Styrofoam-container-grown ponderosa pine plugs from a local seed source and elevation shall be planted at approximately 300 trees per acre with an average of 12-foot x 12-foot spacing. All Styrofoam containers from the ponderosa pine plugs shall be bagged up and disposed of offsite. Competing vegetation shall be controlled around pine seedlings for the first two years after planting to facilitate successful establishment.

Following tree establishment, native herbaceous ground covers shall be allowed to reseed the areas of the site where trees are planted. The success standard surface cover shall be 75% with a species richness of 5 species present.

Mitigation Measure Rec-1: Warning signs noticing recreators of active mining and prior to the loading of explosives, blasting signs shall be posted and made visible to recreators using the Bizz Johnson Trail.

17. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact

	Impact	Incorporated	Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree, if any, the proposed project would be associated with: a) changes in traffic, circulation, or other changes that might be perceived as adverse traffic effects resulting from temporary construction-related changes; b) vehicle miles traveled exceeding an applicable threshold of significance (section 15064.3); c) increasing hazards associated with geometric design features or incompatible uses; and d) project-associated travel restrictions that would prevent emergency vehicles from reaching the location where they are needed.

GENERAL:

The primary access into the project site is vis State Highway 36 to Devil’s Corral Road and onto Korver Road. Devil’s Corral Road is a paved road and Korver Road is dirt.

Truck trips are estimated at 25 loads per day with a maximum of 75 loads per day. Generally, seasonal operation would occur from March to November, but the site may operate for 12 months out of the year depending on market demand. The site operates for one shift each day with two to three employees per shift.

DISCUSSION:

a, c) Less Than Significant Impact: The Lassen County General Plan 2000 Circulation Element considers contemporary issues facing the County in terms of transportation and general circulation.

Lassen County General Plan 2000 Circulation Element

CE-6 POLICY: The County shall continue to review and, when warranted, formulate improved standards for the necessary improvement and maintenance of roads serving new development, including standards for the incremental improvement or development of public roads.

CE-10 POLICY: In consideration of proposed projects which would generate a substantial number of large trucks carrying heavy loads, the County shall require special mitigation measures to ensure that those projects do not cause, or will adequately mitigate, significant deterioration of County roads.

Implementation Measure CE-C: Pursuant to impacts evaluated in an environmental impact report or other form of project review, the County may require mitigation measures which will ensure that project developers adequately and fairly compensate or participate with the County in the necessary upgrading and/or repair of the affected roads.

CE-12 POLICY: No public highway or roadway should be allowed to fall to or exist for a substantial amount of time at or below a Level of Service rating of “E” (i.e., road at or near capacity; reduced speeds; extremely difficult to maneuver; some stoppages).

The Lassen County General Plan 2000 Circulation Map identifies Highway 36 as a “minor arterial” where Devil’s Corral Road meets Hwy 36 meaning they are generally designed to provide a high degree of intra-community connections and are less significant from a perspective of a regional mobility.

The Lassen County Department of Public Works responded during early consultation and would require an encroachment permit for Devil’s Corral Road (CR-230). No comment was received regarding upgrades and/or repair of the affected road.

The California Department of Transportation provides agency authority for State Hwy 36. Hwy 36 is a two-lane road and there is a short (less than 100 ft.) merge lane from Devil’s Corral Road onto Hwy 36 going west. Caltrans commented during the early consultation process and will require an encroachment permit for the maintenance and repair of the Hwy 36 road connection due to heavy truck traffic use. As a part of the Caltrans encroachment permit, the applicant would be required to install two temporary W8-6 “TRUCK CROSSING” signs in advance of the road connection.

- b) **Less Than Significant:** The project site will generally serve smaller construction projects but may also serve some larger projects locally in the Susanville/Chester area. Due to construction aggregate products being available to local projects, it is anticipated that the project will decrease vehicle miles traveled in the project area compared to existing conditions.

- d) **Less Than Significant:** With 2-3 employees anticipated per shift, the proposed project would not significantly increase the population needed to be evacuated. CAL FIRE has reviewed the project proposal and did not note any adverse impacts to emergency response or evacuation plans. A traffic flow route is depicted in Figure A of the applications which will ensure safe access into/out of the site in case of an emergency.

18. 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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i.) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, 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"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree, if any, the proposed project would be associated with: a.i.) adverse changes to sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are determined to be eligible for inclusion in the California Register of Historical and/or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; or a.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 Section 5024.1.

GENERAL:

Assembly Bill 52 (Chapter 532, Statutes 2014) required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. Tribal Cultural Resources include sites, features, and places with cultural or sacred value to California Native American Tribes. The Washoe Tribe have contacted the County to request consultation on projects falling within their delineated ancestral lands. The subject project is proposed within the ancestral lands of the Washoe Tribal.

Pursuant to California Assembly Bill 52 (AB 52), a letter to Director of the Washoe Tribal Historic Preservation Office was sent February 1, 2021 formally inviting the Washoe Tribe of Nevada and California to request consultation regarding the proposed mine. No response or request for consultation was received.

According to the Northeast Center of the California Historical Resources Information System (NEIC), the project is in an area considered moderately sensitive for prehistoric, protohistoric, and historic cultural resources. Maidu populations used the local region for seasonal and/or permanent settlement as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game.

ALTA Archaeological Consulting conducted a field survey and cultural resources review of the project Area. A report of said findings was received on January 21, 2021 and addresses the responsibilities of CEQA, as codified in Public Resources Code section 5097, and its implementing guidelines 21082 and 21083.2.

DISCUSSION:

a i-ii) Less Than Significant: The cultural resources review and field survey found no significant archaeological resources on or near the project site. A field survey was conducted on November 15, 2020 for the purpose of identifying cultural resources within the project Area (8.74 acres). The project Area was surveyed using intensive survey coverage with transects no greater than 20-meter intervals.

Pursuant to section 15064.5(f) of the CEQA Guidelines, if previously unidentified cultural resources or human remains are encountered during project implementation and/or during the reclamation phase, altering the materials and their stratigraphic context would be avoided. A qualified professional archaeologist would be contacted to evaluate the situation.

Although unlikely, if human remains are encountered, pursuant to section 15064.5(e) of the CEQA Guidelines, all work would stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist would be notified immediately so that an evaluation can be performed. If the remains are deemed Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated and further recommendations regarding treatment of the remains is provided.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree, if any, the proposed project would: a) require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication 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 goals; e) comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

GENERAL:

The SWPPP identifies all of the activities and conditions at the proposed site that could cause water pollution and details the steps the project would take to prevent the discharge of any unpermitted pollution. Wastewater treatment, electric power, natural gas, and telecommunication facilities are not applicable to this project. The project will conform to all applicable federal, state and local solid waste regulations.

DISCUSSION:

- a) Less Than Significant:** The proposed project would not require or result in the relocation or the construction of new or expanded water, wastewater treatment, electric power, natural gas, or telecommunication facilities. If electrical power is needed, a generator would be used. A Sani-Hut will be available for employees.

The proposed Stormwater Pollution Prevention Plan (SWPPP) states the proposed facility has no surface water storage and receives no offsite run-on because the project site is located at a high point. There is no known surface connection between runoff from the site and the Susan River. The discharge point is at the southeast end of the operation. High infiltration combined with the low rainfall in the area make the use of an onsite detention unnecessary. There is no process water since the portable crushing/screening plant is a dry operation. Slopes would be protected from erosion during and after mining using Best Management Practices (BPMs).

Implementation of the SWPPP would ensure that stormwater discharges from the project site are managed in accordance with existing waste discharge requirements and water quality standards for stormwater discharges.

b, c) No Impact: There is no process water since the portable crushing/plant is a dry operation. There are no proposed or existing wells nor will surface water be utilized for the project. Water for dust suppression will be brought in from offsite. The proposed project would not generate wastewater.

d) Less Than Significant: The operational phase of the proposed project could result in the production of solid waste typical of light industrial use. C&S Waste Solutions would deliver a dumpster to the mine site and would pick it up as needed or on a weekly schedule. Solid waste generated by the project would be taken off site to the applicant’s main office at 3746 Big Springs Road, Lake Almanor, CA. A Sani-Hut will be utilized by employees and serviced on a weekly basis. Disposal of solid waste would not violate any state or local standards or otherwise impair the attainment of solid waste goals.

e) No Impact: The project will conform to all applicable federal, state and local solid waste regulations.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or uncontrolled spread of a fire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ongoing impacts to the environment?				
d) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE:

This initial study considers to what degree the proposed project would: a) substantially impair an adopted emergency response plan or emergency evacuation plan; b) exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to, pollutant concentrations from a wildfire or uncontrolled spread of a fire; c) require installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impact to the environment; and d) expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

GENERAL:

As stated in the Lassen County General Plan 2000’s Safety Element, “the entire county is prone to fire, either man-made or natural. Location, accessibility, local climatic conditions, topography and vegetation type are among the factors associated with the intensity of a fire. Among the factors which can induce fire hazard potential to human safety and the environment is the degree to which fire hazard reduction measures are practiced in an area and, should a fire occur, the response time and effectiveness of the fire suppression activities.”

According to CAL FIRE’s State Responsibility Area Viewer, the proposed project is located within a State Responsibility Area (SRA). SRAs are recognized by the Board of Forestry and Fire Protection as areas where CAL FIRE is the primary emergency response agency responsible for fire suppression and prevention. Furthermore, the area is classified as a very high fire hazard severity zone.

The Hog Fire went through the proposed project location in July of 2020. Since then, salvage logging has occurred leaving few standing trees in the vicinity of the proposed project.

DISCUSSION:

- a) **Less Than Significant:** The Safety Element which includes a Multi-Jurisdictional, Multi-Hazard Mitigation Plan of the Lassen County General Plan 2000 addresses wildfire hazards in Lassen County and has several policies to improve fire safety. The Safety Element discusses the importance of ingress and egress by roadways and recognizes the importance of Public Resources Code 4291 which are known as the State Responsible Area Fire Safe Regulations.

CAL FIRE has reviewed the project proposal and did not note any adverse impacts to emergency response or evacuation plans. A traffic flow route is depicted in Figure A of the applications which will ensure safe access into/out of the site in case of an emergency.

b) Less Than Significant: The proposed project may result in an increased risk of fire due to mining equipment and associated processes. Vegetation would be removed from the mining areas prior to mineral extraction. Implementation of Fire Prevention and Control standards from the MSHA would be required. Furthermore, the area burned in the Hog Fire in July 2020 and has since been salvage logged. This impact is considered less than significant if compliance is maintained with the above-mentioned standards.

c) Less Than Significant: The project would not require installation of fire breaks or additional water sources, power lines, or other utilities. Roads may require maintenance, but they are not anticipated to exacerbate fire risk. The project does not include construction of any infrastructure that may exacerbate fire risk or result in temporary or ongoing impacts to the environment.

d) Less Than Significant: The project area is not in an area that is mapped with high landslide activity (U.S. Geological service, 1970) and is not within a 100-year flood hazard area. Although the project site was damaged by the Hog Fire, there is a low risk of post-fire slope instability because the soils present on site are not expansive and the slope of the site does not exceed the angle of repose.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) environmental effects which will cause substantial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

adverse effects on human beings, either directly or indirectly?				
<p>THRESHOLDS OF SIGNIFICANCE:</p> <p>This initial study considers impacts of the proposed project to be significant if: a) the proposed project reduces the habitat of a fish or wildlife species, causes a fish or wildlife species to decline below a self-sustaining population size, or eliminates important examples of the major periods of California history or prehistory; b) the project, in combination with other recent, current, or foreseeable future projects, creates a cumulatively considerable environmental effect for one or more of the environmental issue areas discussed in the checklist, even though the project itself does not; and c) an element of the proposed project could be found to have a demonstrable opportunity of causing harm to individual human beings or groups.</p> <p>DISCUSSION:</p> <p>a, c) Less Than Significant with Mitigation Incorporated: As discussed in Sections 1 through 20, development of the proposed project would comply with all local, state, and federal laws governing general welfare and environmental protection. Project implementation during construction and operation could result in potentially adverse impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Land Use and Planning, Noise, Recreation, and Transportation and Traffic. Each of those impacts is mitigated to levels that are less than significant with mitigation incorporated as outlined in each section.</p> <p>MITIGATION (<i>Non-vested portion and reclamation</i>):</p> <p>To offset potentially adverse impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Land Use and Planning, Noise, Recreation, and Transportation and Traffic see Mitigation Measures Aesthetics-1 and 2, Forestry-1, Air-1, Bio-1-6, Noise-1 and 2, and Rec-1.</p> <p>b) Less Than Significant: All of the proposed project’s impacts, including operational impacts, would be reduced to a less than significant level with implementation of the mitigation measures identified in this Initial Study and compliance with existing federal, state, and local regulations. There would be no long-term loss of timber resources or loss of availability of a mineral resource of value to the state, region, or locally, so there would be no cumulative effect. No impacts on services or utility systems would occur as a result of project implementation that could combine with cumulative effects elsewhere. The project would involve reclamation of the project site for continued timber land use and wildlife habitat.</p>				

Source/Reference List

- ALTA Archaeological Consulting. 2021. *Archaeological Survey Report Devil's Corral Mine Highway 36 Near Susanville Lassen County, California.*
- Assembly Bill No. 52 (2013-2014 Reg. Sess.)
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52 (as of Feb 17, 2015)
- California Department of Conservation. 2016. *Farmland Mapping and Monitoring Program.* Accessed February 18, 2021 at <http://www.conservation.ca.gov/dlrp/fmmp>.
- California Department of Conservation, Division of Mine Reclamation. 2020. *The Surface Mining and Reclamation Act of 1975* (SMARA, Public Resources Code, Sections 2710-2796).
- California Department of Fish and Wildlife. 2021. *Vegetation Classification and Mapping Program (VegCAMP).* Accessed March 16, 2021 at <https://wildlife.ca.gov/Data/VegCAMP>.
- California Department of Toxic Substances Control. 2021. Envirostor. Accessed March 4, 2021 at <https://tinyurl.com/334k8ufp>.
- California Geological Survey, California Department of Conservation. 2016. *Earthquake Zones of Required Investigation.* Accessed March 3, 2021 at <https://maps.conservation.ca.gov/cgs/EQZApp/>.
- CGI Technical Services Inc. 2011. *Rock Slope Stability Study 36 Mine Expansion Lassen County, California.*
- Communities for a Better Environment v. South Coast Air Quality Management District.* 2010. 226 p.3d 985, 48 Cal. 4th 310. Retrieved April 23, 2021, from <https://www.courtlistener.com/opinion/2586605/communities-for-a-better-environment-v-south-coast-air-quality-management/>
- County of Lassen, consultant/principal author Merle Anderson, AICP. 2000. *Lassen County General Plan 2000.*
- Ecology and Environment, INC. (last updated March 2019). *Lassen County and City of Susanville, California Emergency Operations Plan.*
- Government Code Title 5. Local Agencies Division 1. Cities and Counties Part 1. Power and Duties Common to Cities and Counties Chapter 7. Agricultural Land Article 1. General Provisions Section 51201(c). 1965. Accessed March 3, 2021 at [Law section \(ca.gov\)](#).

Hansen Brothers Enterprises, Inc. v. Board of Supervisors. 1996. 12 Cal.4th 533, 48 Cal.Rptr.2d 778; 907 P.2d 1324. Retrieved April 23, 2021, from <https://socal.stanford.edu/opinion/hansen-brothers-enterprises-inc-v-board-supervisors-31726>

Jepsen, S. 2014. *Invertebrate conservation fact sheet, bumble bees in decline*. The Xerces Society for Invertebrate Conservation. Available: <http://www.fs.fed.us/r6/sfpnw/issssp/species-index/fauna-invertebrates.shtml>.

Lassen County Air Pollution Control District (APCD). 2017. *APCD Compiled Rules and Regulations from EPA Compiled Rules and Regulations of the APCD portion of the California State Implementation Plan (SIP)*. Accessed March 29, 2021 at <https://www.epa.gov/sips-ca/epa-approved-lassen-county-apcd-regulations-california-sip#doc>

Lassen County Planning Department prepared by Brown-Buntin Associates, Inc. (1989). *Noise Element Lassen County General Plan*.

Lyndon, PA, TE Gay Jr., and SW Jennings. 1960. *Geologic Map of California: Westwood Sheet*. California Division of Mines and Geology.

Olive, W.W., Chleborad, A.F., Frahme, C.W., Shlocker, Julius, Schneider, R.R., and Schuster, R.L. 1989. Swelling Clays Map of the Conterminous United States, U.S. Geological Survey, Miscellaneous Investigations Series Map I-1940.

Resolution of the Lassen County Planning Commission to Find That There Are Certain Operational and Processing Rights Connected to the Vested Mining Rights Established by Resolution No. 05-01-10 on 4.74 Acres of Assessor Parcel Number 115-200-55, File # 820.06.01 [portion of the southeast 1/4 of the southwest 1/4, Section 6, township 29 north, Range 11 east]. (2014). Resolution No. 9-1-14. Planning Commission of Lassen County, State of California.

Resolution of the Lassen County Planning Commission to Find That There are Vested Mining Rights for 4.74 Acres of Assessor Parcel Number 115-200-55, File # 820.06.01 [portion of the southeast 1/4 of the southwest 1/4, Section 6, township 29 north, Range 11 east]. (2010). Resolution No. 05-01-10. Planning Commission of Lassen County, State of California.

Shuford, W. D., and Gardali, T., editors. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California*. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

State Mining and Geology Board, Chapter 8. Mining and Geology, Division 2. Department of Conservation, Title 14. Natural Resources, *California Code of Regulations*. § 3505(b). Special Provisions., Article 1. Surface Mining and Reclamation Practice, Subchapter 1.

Initial Study #2020-003
Preliminary Determination
Applicant: Turner Excavating, Inc.
June 16, 2021

(1995). Retrieved April 23, 2021, from
http://carules.elaws.us/code/t.14_d.2_ch.8_subch.1_art1_sec.3505

United States Department of Agriculture Natural Resources Conservation Service. 2019. Web Soil Survey. Accessed March 3, 2021 at <https://websoilsurvey.nrcs.usda.gov>.

U.S. Fish & Wildlife Service. 2020. *IPaC Information for Planning and Consultation*.
<https://ecos.fws.gov/ipac/>.

United States Geological Service. 2020. *FEMA Flood Map Service Center*. Assessed March 5, 2021 at <https://tinyurl.com/4ev29r94>.

United States Geological Survey. *Search Earthquake Catalog*. Accessed March 18, 2021 at <https://earthquake.usgs.gov/earthquakes/search/>