

SECTION 4.7: LAND USE AND PLANNING

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This section of the subsequent environmental impact report (SEIR) describes the existing land use conditions on and around the project impact area including existing land uses, adopted general plan land use classifications and zoning designations, and other applicable management plans and policies pertinent to the project. This chapter also describes the applicable plans and policies that guide land use and development in the project area, and it evaluates the project's consistency with these plans and policies and other existing land use regulations, as they relate to environmental protection.

This section identifies any potentially significant land use impacts and, if necessary, appropriate mitigation measures to avoid or reduce such impacts. Pursuant to Section 15358(b) of the CEQA Guidelines, mitigation measures are proposed only to address physical impacts that may result from the project.

4.7.1 Environmental Setting

The project site and offsite mitigation properties are located within the Colorado Desert, marked by land with relatively low elevations, some areas even below sea level. This area is characterized by a series of low-lying mountain ranges opening to the Salton Sea and Imperial Valley. Predominant land uses include open space, agriculture, and scattered rural residences.

4.7.1.1 Land Use Conditions at the Time of the 2008 EIR/EIS

Quarry

At the time the 2008 EIR/EIS was published, the 2,048-acre Quarry consisted of approximately 1,668 acres of private land and 380 acres of unpatented placer mining claims on federal land administered by the BLM. At that time, approximately 339 acres of surface disturbances had occurred. Major components of the Quarry facility included quarries, overburden storage sites, crushing facilities, agricultural product silos, railroad, utilities, and other equipment.

Well No. 3 and Associated Pipeline

The site of proposed Well No. 3 and associated pipeline alignment are located north and northeast of the Quarry and about six miles south of State Highway 78 in an area characterized by the 2008 EIR/EIS as flat desert open space. The well site and western segment of the pipeline alignment are located on private land owned by USG Corporation while the central and eastern segments of the pipeline alignment are on federal land managed by the BLM. A portion of the northwest segment of the proposed pipeline alignment crosses the Anza Borrego Desert State Park. No development was present in 2008.

Surrounding Land Uses

The 2008 EIR/EIS noted that east, southeast, and south of the Quarry is the Fish Creek Mountain Wilderness Area and to the north, west and south is the Anza Borrego Desert State Park. The areas on either side of Split Mountain Road are characterized by large rural residential properties with a few scattered residences. At the intersection of Split Mountain Road and Highway 78 is Ocotillo Wells and the 14,000-acre Ocotillo Wells State Vehicular Recreation Area.

4.7.1.2 Land Use Conditions at Present

Quarry

The overall land uses on and surrounding the Quarry remain unchanged from those described in the 2008 EIR/EIS. As of 2022, approximately 437 acres of surface disturbances have occurred at the Quarry (BLM 2019). The Quarry facilities, narrow-gauge railroad, and adjacent unpaved direct access road are the only structures or infrastructure in the vicinity of the project site.

Well No. 3 Site and Pipeline Alignment

The land use conditions on and surrounding the site of Well No. 3 and associated pipeline alignment remain essentially unchanged from those described in the 2008 EIR/EIS. Both the well site and pipeline alignment remain undeveloped with no structures or other improvements. The nearest sensitive receptors are rural residences north and northwest of the well site and pipeline alignment.

Viking Ranch Restoration Site

The Viking Ranch Restoration Site consists of approximately 207 acres of former agricultural land located about 0.5 miles east of the north end of Di Gorgio Road, northeast of the town of Borrego Springs in San Diego County. The topography of the site slopes gently from the northwest to the southeast. The existing vegetation is highly disturbed due to past use as an orchard and consists of sparse, patchy vegetation with scattered tree stumps and branches (Dudek 2021). Surrounding land uses include privately owned orchards to the south and the Anza-Borrego Desert State Park in all other directions. The nearest sensitive receptor is a rural residence located approximately 900 feet west of the southwest corner of the site.

Old Kane Springs Road Preservation Site

The Old Kane Springs Road Preservation Site consists of approximately 120 acres of privately owned desert open space along Old Kane Springs Road located in the far eastern portion of San Diego County. The site is bisected by Old Kane Springs Road and an associated overhead power transmission line supported by wooden poles. The topography of the site slopes gently from the southwest down to the northeast. Vegetation communities present on the site include scrub/chapparral and riparian/bottomland habitat. The predominant surrounding land use is undeveloped desert, some of which is privately owned, but most is part of the Anza Borrego Desert State Park.

Land Use Designations and Zoning

The Quarry, Well No. 3 Site, and Pipeline Alignment parcels are located in Imperial County and are subject to the land use regulations of the Imperial County General Plan and Imperial County Zoning Ordinance. These sites are generally designated S-2 (Open Space/Preservation). The Quarry parcels (including the expansion area) are zoned either S-2 (Open Space/Preservation) or BLM (see Table 2-1, “Assessor’s Parcel Numbers”). The proposed site of Well No. 3 is primarily zoned S-2 (Open Space/Preservation), with one parcel zoned STATE (APN 033-010-016). The S-2 Zone is the County’s Open Space Preservation Zone. The primary intent of this zoning designation is to preserve the significant cultural, biological, and open space resource areas of the county. Permitted uses in the S-2 zone include agriculture and accessory uses, mineral extraction, pasturing and grazing, solar energy generation, public buildings, and storage. Additional industrial, manufacturing, commercial, energy, and recreational uses are allowed with issuance of a CUP. The minimum lot size in the S-2 zone is 20 acres and the maximum height limit is 40 feet. The BLM and STATE zoning designations indicate parcels which are owned by the federal and State governments and not subject to County zoning requirements (Imperial County 2022).

The Quarry and Well No. 3 and the associated pipeline are associated with surface mining operations and are consistent with the Recreation/Open Space designation of the Imperial County General Plan (Imperial County 2015). Title 9, Land Use Ordinance, requires approval of a CUP to allow surface mining operations on lands zoned S-2.

The offsite mitigation properties are in San Diego County and are subject to the land use regulations of the San Diego County General Plan and San Diego County Zoning Ordinance. The Viking Ranch Restoration Site is designated Semi-Rural Residential (SR-4). The Old Kane Springs Road preservation site is designated Rural Lane (RL-30) (San Diego County 2011). Both properties are zoned by San Diego County as S92 (General Rural). This zoning designation is intended to provide approximate controls for land, which is rugged terrain, watershed, dependent on ground water for a water supply, desert, susceptible to fire and erosion, or subject to other environmental constraints (County of San Diego 2022).

4.7.2 Regulatory Setting

The Quarry, Well No. 3 site, and proposed pipeline alignment are each located in unincorporated Imperial County and are subject to the goals and objectives of the Imperial County General Plan (County General Plan). Additionally, these sites are subject to the land use regulations contained in the Imperial County Zoning Ordinance. Applicable Imperial County planning policies and zoning regulations that pertain to the project site are described below followed by a discussion of the project's consistency or inconsistency with each relevant objective.

The offsite mitigation properties (Viking Ranch Restoration Site and Old Kane Springs Road Preservation Site) are in unincorporated San Diego County and are subject to the goals and policies of the San Diego County General Plan as well as the land use regulations contained in the San Diego County Zoning Ordinance.

Potential conflicts with planning policies as contained in the Imperial County General Plan, the San Diego County General Plan, and other applicable regulatory and management plans do not inherently result in a significant effect on the environment. Instead, "effects analyzed under CEQA must be related to a physical change in the environment" (CEQA Guidelines Section 15358(b)). CEQA Guidelines Section 15125(d) provides that an EIR shall discuss any inconsistencies between a proposed project and the applicable general plan in the setting section of the document rather than as an impact (see Table 4.7-1, "Project Consistency with Local Planning Documents," below). Appendix G of the CEQA Guidelines indicates that a project would result in a significant impact related to land use and planning if it would "conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect." Therefore, while this section of the SEIR provides an analysis of the project's consistency with applicable plans, policies, and regulations, any impacts that may result from such conflicts are analyzed elsewhere in this SEIR.

4.7.2.1 Imperial County General Plan

The Imperial County General Plan consists of ten elements: Land Use, Housing, Circulation and Scenic Highways, Noise, Seismic and Public Safety, Agricultural, Conservation and Open Space, Geothermal/Alternative Energy and Transmission, Water, and Parks and Recreation. The General Plan designates land use categories which identify locations and describe the type and maximum allowable density of ultimate development. This subsection lists those General Plan goals, objectives, and policies that

pertain to land use and planning and apply to the proposed project. A project consistency analysis is provided in Table 4.7-1.

Conservation and Open Space Element

Objective 1.1: Encourage uses and activities that are compatible with the fragile desert environment and foster conservation.

Objective 4.2: Require that mineral extraction and reclamation operations be performed in a way that is compatible with surrounding land uses and minimize adverse effects on the environment.

Objective 4.3: Safeguard the use and full development of all mineral deposits.

Objective 4.4: Regulate the development adjacent to or near all mineral deposits and geothermal operations due to the potential for land subsidence.

Land Use Element

Objective 3.2: Preserve agriculture and natural resources while promoting diverse economic growth through sound land use planning.

Objective 3.3: Attain County growth and development patterns that are orderly, safe, and efficient utilizing appropriate financing resources.

Objective 3.6: Recognize and coordinate planning activities as applicable with the Bureau of Land Management (BLM), and the California Desert Conservation Plan.

Objective 3.8: Utilize non-agricultural land as a resource to diversify employment opportunities and facilitate regional economic growth. Uses must be consistent with each site's resource constraints, the natural environment, and the County Conservation and Open Space Element.

Goal 7: Identify and protect areas of regionally-significant mineral resources which are in locations suitable for extractive uses.

Objective 7.1: Provide adequate space and land use classifications to meet current and projected economic needs for extractive activities.

Objective 7.2: Require that extractive uses are designed and operated to avoid air and water quality degradation, including groundwater depletion, other adverse environmental impacts, and comply with the State Surface Mining and Reclamation Act and County Surface Mining Ordinance.

Objective 9.1: Preserve as open space those lands containing watersheds, aquifer recharge areas, floodplains, important natural resources, sensitive vegetation, wildlife habitats, historic and prehistoric sites, or lands which are subject to seismic hazards and establish compatible minimum lot sizes.

Objective 9.7: Implement a review procedure for land use planning and discretionary project review which includes the Imperial County Air Pollution Control District.

4.7.2.2 Imperial County Zoning Ordinance

The zoning for the project site is principally S-2 (Open Space/Preservation), but portions of the site are also federally, or state owned and not subject to County zoning regulations (see Table 2-1). The S-2 zoning designation is the County’s Open Space Preservation Zone which is intended to preserve the significant cultural, biological, and open space resource areas of the county. Permitted uses in the S-2 zone include agriculture and accessory uses, mineral extraction, pasturing and grazing, solar energy generation, public buildings, and storage. Additional industrial, manufacturing, commercial, energy, and recreational uses are allowed with the issuance of a CUP. The minimum lot size in the S-2 zone is 20 acres and the maximum height limit is 40 feet. The BLM and STATE zoning designations indicate parcels which are owned by the federal and State governments and not subject to County zoning requirements (Imperial County 2022).

Mining activities may be permitted within any County zoning designation, including lands designated as Open Space Preservation, subject to the provisions of the County Surface Mining and Reclamation Ordinance. As the local land use authority, Imperial County authorizes mining activities on unincorporated lands through the issuance of surface mining permits and approval of reclamation plans pursuant to Imperial County Code of Ordinances, Title 9, Land Use Code, Division 20, Surface Mining and Reclamation. The provisions of the County’s Surface Mining and Reclamation Ordinance apply to all lands within the county, both public and private. As provided by this ordinance, surface mining operations are permitted only upon County approval of a surface mining permit (or existence of vested rights), reclamation plan, and financial assurances for reclamation. Thus, the existing quarry and the proposed project are consistent with the County Zoning Ordinance.

4.7.2.3 Imperial County Surface Mining and Reclamation Ordinance

As the local land use authority, Imperial County authorizes surface mining activities on unincorporated lands through the issuance of surface mining permits pursuant to Imperial County Code of Ordinances, Title 9: Land Use Code, Division 20: Surface Mining and Reclamation. The Quarry currently operates under such a county surface mining permit (CUP 08-0004), which was approved by Imperial County. This permit regulates the mining of gypsum and authorizes reclamation. Quarrying operations are vested.

The provisions of the County’s Surface Mining and Reclamation Ordinance (Section 6.80 et. seq. of the County Ordinance Code) are summarized below and apply to all lands within the County, both public and private. As provided by this ordinance, surface mining operations are permitted only upon County approval of a surface mining permit (or determination of a vested right), reclamation plan, and financial assurances for reclamation.

An objective of SMARA is to create a mineral lands inventory by designating certain areas of California as being important for the production and conservation of existing and future supplies of mineral resources. Pursuant to Section 2790 of SMARA, the State Mining and Geology Board has designated certain mineral resource areas to be of regional significance.

The project area and the Viking Ranch restoration site and Old Kane Springs Road preservation site are in areas that have not yet been mapped as part of a Mineral Land Classification study (DOC 2022). However,

the Fish Creek Mountains gypsum deposit constitutes the largest reserves of this commodity in California and the Quarry is the largest gypsum quarry in the country and sole active gypsum quarry in Imperial County (Imperial County 2006). Thus, the site of the Quarry and the larger gypsum deposit are considered a locally important mineral deposit.

No locally important mineral resources are identified at either the Viking Ranch restoration site or the Old Kane Springs Road preservation site (San Diego County 2011).

4.7.2.4 San Diego County General Plan

The San Diego County General Plan was last updated in 2011 and consists of seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety, Noise, and Environmental Justice. The following San Diego County General Plan goals and policies that pertain to land use and planning and apply to the proposed project. A project consistency analysis is provided in Table 4.7-1.

Land Use Element

- Goal LU-4:** Inter-jurisdictional Coordination. Coordination with the plans and activities of other agencies and tribal governments that relate to issues such as land use, community character, transportation, energy, other infrastructure, public safety, and resource conservation and management in the unincorporated County and the region.
- Policy LU-4.2:** Review of Impacts of Projects in Adjoining Jurisdictions. Review, comment, and coordinate when appropriate on plans, projects, and proposals of overlapping or neighboring agencies to ensure compatibility with the County’s General Plan, and that adjacent communities are not adversely impacted.
- Goal LU-5:** Climate Change and Land Use. A land use plan and associated development techniques and patterns that reduce emissions of local greenhouse gases in accordance with state initiatives, while promoting public health.
- Policy LU-5.3:** Rural Land Preservation. Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi Rural Land Use Designations.
- Goal LU-6:** Development—Environmental Balance. A built environment in balance with the natural environment, scarce resources, natural hazards, and the unique local character of individual communities.
- Policy LU-6.1:** Environmental Sustainability. Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.
- Policy LU-6.2:** Reducing Development Pressures. Assign lowest-density or lowest-intensity land use designations to areas with sensitive natural resources.

Policy LU-6.8: Oversight of Open Space. Require that open space associated with future development that is intended to be preserved in perpetuity either be: 1) Retained in private ownership of the property owner or a third party with a restrictive easement that limits use of the land as appropriate; or 2) Transferred into public ownership of an agency that manages preserved open space. The owner of the open space will be responsible for the maintenance and any necessary management unless those responsibilities are delegated through an adopted plan or agreement. Restrictive easements shall be dedicated to the County or a public agency (approved by the County) with responsibilities that correspond with the purpose of the open space. When transferred to a third party or public agency, a funding mechanism to support the future maintenance and management of the property should be established to the satisfaction of the County.

4.7.2.5 San Diego County Zoning Ordinance

The offsite mitigation properties are in San Diego County and are subject to the land use regulations of the San Diego County General Plan and San Diego County Zoning Ordinance. The Viking Ranch Restoration Site is designated Semi-Rural Residential (SR-4). The Old Kane Springs Road preservation site is designated Rural Lane (RL-30) (San Diego County 2011). Both properties are zoned by San Diego County as S92 (General Rural). This zoning designation is intended to provide approximate controls for land, which is rugged terrain, watershed, dependent on ground water for a water supply, desert, susceptible to fire and erosion, or subject to other environmental constraints (County of San Diego 2022).

4.7.2.6 Project Consistency with Local Planning Documents

See Table 4.7-1, “Project Consistency with Local Planning Documents,” below for an analysis of relevant policies and their consistency with the proposed project.

**Table 4.7-1
 Project Consistency with Local Planning Documents**

Goals/Objectives/Policies	Consistency Analysis
IMPERIAL COUNTY GENERAL PLAN AGRICULTURAL ELEMENT	
As discussed in the Initial Study prepared for the project (see SEIR Appendix A), the project site and surrounding area do not contain important agricultural soils or active agricultural operations; are not within an area zoned for agricultural use; and are not subject to a Williamson Act Contract. Therefore, the goals and policies contained in the Agricultural Element are not relevant to the proposed project and are not analyzed here for consistency.	
IMPERIAL COUNTY GENERAL PLAN CIRCULATION AND SCENIC HIGHWAYS ELEMENT	
As discussed in the Initial Study prepared for the project (see SEIR Appendix A), a portion of State Route (SR) 78 in the project area is eligible for designation as a state scenic highway. However, the project site and off-site mitigation sites are located two or more miles from SR 78 and are not visible from the highway. Therefore, the goals and policies contained in the Circulation and Scenic Highways Element are not relevant to the proposed project and are not analyzed here for consistency.	
IMPERIAL COUNTY GENERAL PLAN CONSERVATION AND OPEN SPACE ELEMENT	
Objective 1.1: Encourage uses and activities that are compatible with the fragile desert environment and foster conservation.	Consistent. The quarry and well site are disturbed environments, and the proposed pipeline alignment is within an existing right-of-way along the narrow-gauge railroad. The location and design of the proposed improvements were developed to avoid disturbance to sensitive environments.

Goals/Objectives/Policies	Consistency Analysis
Objective 1.4: Ensure the conservation and management of the County's natural and cultural resources.	Consistent. With implementation of the mitigation measures provided in the SEIR, the project would not adversely affect the natural and cultural resources of the project site and off-site mitigation sites.
Objective 1.6: Promote the conservation of ecological sites and preservation of cultural resource sites through scientific investigation and public education.	Consistent. The project's potential effects on ecological sites are evaluated in Section 4.2, "Biological Resources," of this SEIR. With implementation of the mitigation measures provided therein, the project would have no significant adverse effects on ecological sites. The project proposes to restore and/or preserve two ecological sites, the Viking Ranch site and the Old Kane Springs Road site. As determined in Section 4.4, "Cultural Resources," with mitigation the project would have less than significant impacts on cultural resource sites. This determination is based on cultural resources reports prepared for the project by qualified archaeologists.
Objective 2.2: Develop management programs, including preservation of habitat for flat-tailed horned lizard, desert pupfish, and burrowing owl.	Consistent. As determined in Section 4.2, "Biological Resources," the project would have less than significant impacts on flat-tailed horned lizard, desert pupfish, and burrowing owl.
Objective 2.4: Use the CEQA and NEPA process to identify, conserve and restore sensitive vegetation and wildlife resources.	Consistent. The project has been reviewed pursuant to CEQA and NEPA as detailed in Section 1.0, "Introduction," of this SEIR. Potential impacts to sensitive vegetation and wildlife species are addressed in Section 4.3, "Biological Resources," of this SEIR.
Objective 2.6: Attempt to identify, reduce, and eliminate all forms of pollution; including air, noise, soil, and water.	Consistent. The project's air quality and water quality effects are evaluated in Section 4.1, "Air Quality," and Section 4.6, "Hydrology and Water Quality," of this SEIR. The project's noise and soil related effects were evaluated in the Initial Study (Appendix A) and determined to be less than significant. Where necessary, mitigation measures are provided to reduce potentially significant impacts to less than significant levels.
Objective 3.1: Protect and preserve sites of archaeological, ecological, historical, and scientific value, and/or cultural significance.	Consistent. As determined in Section 4.4, "Cultural Resources," (Impacts 4.4-1 and 4.4-2), the project would have less than significant impacts on historical and archaeological resources. As determined in Section 4.8, "Tribal Cultural Resources" (Impact 4.8-1), the project would have a less than significant impact on tribal cultural resources.
Objective 3.3: Engage all local Native American Tribes in the protection of tribal cultural resources, including prehistoric trails and burial sites.	Consistent. As described in Section 4.8, "Tribal Cultural Resources," Imperial County staff notified relevant tribes of the proposed project; consultation was not requested.
Objective 4.2: Require that mineral extraction and reclamation operations be performed in a way that is compatible with surrounding land uses and minimize adverse effects on the environment.	Consistent. Through the NEPA and CEQA processes, the project's adverse effects on surrounding land uses and the environment have been identified and avoided or minimized through mitigation where necessary.
Objective 4.3: Safeguard the use and full development of all mineral deposits.	Consistent. The project would expand and modernize the Quarry allowing for its continued operation and full development of the mineral resources on the site.

Goals/Objectives/Policies	Consistency Analysis
Objective 4.5: Preserve significant geological features such as rock outcroppings, the Algodones Dunes, Imperial Sand Dunes, Salton Buttes, and Shell Beds in Yuha Basin.	Consistent. No significant geological features have been identified on the project site or offsite mitigation sites beyond the gypsum resource itself. Mining activities would be limited to the gypsum resource and would not affect surrounding geologic features.
Objective 5.1: Encourage the conservation and enhancement of the natural beauty of the desert and mountain landscape.	Consistent. As discussed in the Initial Study (Appendix A), the proposed project would not result in any new or more severe existing impacts related to aesthetics and visual resources.
Objective 6.8: Discourage the use of hazardous materials in areas of the County where significant water pollution could pose hazards to humans or biological resources.	Consistent. Mining and construction activities routinely involve the use and storage of hazardous substances such as fuels, oils, lubricants, and paints. The project does not propose any changes to Quarry operations and would not result in any new or more severe impacts related to hazardous materials spills or leaks. See the Initial Study prepared for the project in Appendix A for more further discussion.
Objective 6.9: Identify and protect watersheds and key recharge areas for the protection of water quality and groundwater.	Consistent. See Section 4.6, “Hydrology and Water Quality,” of this SEIR for a detailed evaluation of the project’s potential impacts to water quality and groundwater. Most drainage generated on the project site would evaporate or percolate into the ground due to the arid conditions of the region. Any runoff would continue to be directed to the Fish Creek Alluvial Fan.
Objective 6.10: Encourage water conservation and efficient water use among municipal and industrial water users, as well as reclamation and reuse of wastewater.	Consistent. The project would pump water from the underlying aquifer at proposed Well No. 3 for use as dust suppression within the Quarry. As determined in Section 4.6, “Hydrology and Water Quality,” of this SEIR, proposed pumping would not adversely affect groundwater supplies, surface flows, or recharge. Due to the arid conditions of the project site, water reclamation and reuse is not feasible.
Objective 7.1: Ensure that all projects and facilities comply with current Federal, State, and local requirements for attainment of air quality objectives.	Consistent. See Section 4.1, “Air Quality,” of this SEIR. The project would comply with all applicable air quality objectives.
Objective 7.4: Enforce and monitor environmental mitigation measures relating to air quality.	Consistent. Project mitigation measures will be compiled in a Mitigation Monitoring and Reporting Program (MMRP) that will specify the timing of implementation and responsible party to ensure mitigation is fully implemented as intended.
Objective 7.5: Coordinate efforts with Imperial County Transportation Commission (ICTC) and other appropriate agencies to reduce fugitive dust from unpaved streets.	Consistent. The project would allow for groundwater pumping for use as dust suppression within the Quarry including along unpaved access roads.
Objective 8.9: Conserve desert lands, within the County’s jurisdiction for wildlife protection, recreation, and aesthetic purposes.	Consistent. When mining operations are completed, the Quarry would be reclaimed as open space providing wildlife habitat.
Biological Resource Conservation Policy 1 Provide a framework for the conservation and enhancement of natural and created open space which provides wildlife habitat values.	Consistent. When mining operations are completed, the Quarry would be reclaimed as open space providing wildlife habitat.
Biological Resource Conservation Policy 2 Landscaping should be required in all developments to prevent erosion on graded sites and, if the area is contiguous with undisturbed wildlife habitat, the plan should include revegetation with native plant species.	Consistent. When mining operations are completed, the Quarry would be reclaimed as open space including revegetation with native plant species. Restoration of the Viking Ranch site would include seeding of all graded areas with a native seed mix.

Goals/Objectives/Policies	Consistency Analysis
<p>Cultural Resources Conservation Policy 1 Identify and document significant historic and prehistoric resources, and provide for the preservation of representative and worthy examples; and recognize the value of historic and prehistoric resources, and assess current and proposed land uses for impacts upon these resources.</p>	<p>Consistent. Historic and prehistoric resources on the project site and offsite mitigation sites are described and evaluated in SEIR Section 4.3, “Cultural Resources.” None of the identified resources was determined to be significant. Implementation of Mitigation Measures 3.8-3 and 4.4-1 would ensure proper management of any cultural resources discovered during ground disturbing activities.</p>
<p>Mineral Resources Conservation Policy 1 Control the extraction of mineral resources in order to assure minimal disturbance to the environment, conservation of significant mineral deposits, and to protect mining operations from encroachment by incompatible land use.</p>	<p>Consistent. Quarry operations are carried out consistent with an approved mining permit and mitigation requirements resulting from the NEPA/CEQA review process. These requirements are intended to avoid or minimize environmental effects. The proposed project would not change current Quarry operations or effect adjacent land uses.</p>
<p>Protection of Air Quality and Addressing Climate Change Policy 1 Reduce PM₁₀ and PM_{2.5} emissions from unpaved roads, agricultural fields, and exposed Salton Sea lakebed.</p>	<p>Consistent. See SEIR Section 4.2, “Air Quality.” The project’s estimated emissions are shown in Table 4.2-4, “Jurisdictional Resources within the Old Kane Springs Road Preservation Site.” As shown, the Quarry Expansion and Modernization project would not exceed ICAPCD thresholds and would be reduced compared to the emissions estimates provided in the 2008 EIR/EIS.</p> <p>Mitigation Measure 4.2-1a and 4.2-1b would require implementation of measures during proposed restoration activities on the Viking Ranch site to minimize air emissions such as fugitive dust, including stabilization of unpaved roads.</p>
<p>Open Space and Recreation Conservation Policy 1 Identification of lands appropriate for open space conservation shall be included in the development review process. The application of regulatory controls must be non-confiscatory, non-arbitrary, and reasonable. It is not the intent of any of these measures to deny any landowners the reasonable use of his land, or be considered a “taking” under the law.</p>	<p>Consistent. When mining operations are completed, the Quarry would be reclaimed and maintained as open space.</p>
<p>Open Space and Recreation Conservation Policy 2 The County shall participate in conducting detailed investigations into the significance, location, extent, and condition of natural resources in the County.</p>	<p>Consistent. The technical studies prepared for the project identify and determine the significance of natural resources on and adjacent the project site including biological, cultural, and water resources. The reader is referred to SEIR Appendices D-1 to D-4, E-1, H-1, and H-2.</p>
IMPERIAL COUNTY GENERAL PLAN HOUSING ELEMENT	
<p>The proposed project does not include any residential development and the project site and off-site mitigation sites are located in rural area away from residences. None of the goals, objectives, or policies contained in the Imperial County Housing Element apply to the proposed project and are not analyzed here for project consistency.</p>	
IMPERIAL COUNTY GENERAL PLAN LAND USE ELEMENT	
<p>Goal 7: Identify and protect areas of regionally-significant mineral resources which are in locations suitable for extractive uses.</p>	<p>Consistent. The Plaster City Quarry is a regionally significant mineral resource. The project would expand and modernize the Quarry allowing for its continued operation and full development of the mineral resources on the site.</p>
<p>Objective 7.1: Provide adequate space and land use classifications to meet current and projected economic needs for extractive activities.</p>	<p>Consistent. The project would expand and modernize the Quarry allowing for its continued operation and full development of the mineral resources on the site.</p>
<p>Objective 7.2: Require that extractive uses are designed and operated to avoid air and water quality degradation, including groundwater depletion, other adverse environmental impacts,</p>	<p>Consistent. Quarry operations are carried out consistent with SMARA, the County’s Surface Mining Ordinance, and an approved mining permit as well as mitigation</p>

Goals/Objectives/Policies	Consistency Analysis
and comply with the State Surface Mining and Reclamation Act and County Surface Mining Ordinance.	requirements resulting from the NEPA/CEQA review process. These requirements are intended to avoid or minimize environmental effects. See SEIR Section 4.1, “Air Quality,” and 4.6, Hydrology and Water Quality, for further discussion of the project’s potential impacts to air and water quality and groundwater levels and recharge potential.
Objective 9.1: Preserve as open space those lands containing watersheds, aquifer recharge areas, floodplains, important natural resources, sensitive vegetation, wildlife habitats, historic and prehistoric sites, or lands which are subject to seismic hazards and establish compatible minimum lot sizes.	Consistent. When mining operations are completed, the Quarry would be reclaimed and maintained as open space.
Objective 9.7: Implement a review procedure for land use planning and discretionary project review which includes the Imperial County Air Pollution Control District.	Consistent: The ICAPCD was provided opportunities to review and comment on the proposed project both during the initial stages of the project and through the Environmental Evaluation Committee (EEC).
IMPERIAL COUNTY GENERAL PLAN NOISE ELEMENT	
The 2008 EIR/EIS determined that all potential impacts related to noise under the USG Expansion/Modernization Project, which includes the Quarry expansion and development of Well No. 3 and the associated pipeline, would be less than significant and no mitigation was required. The Initial Study prepared for the proposed project (see SEIR Appendix A) further determined that noise impacts resulting from the proposed changes to the project would also be less than significant and no mitigation is required. The goals, objectives, and policies of the Noise Element are not relevant to the proposed project and are not analyzed for project consistency here.	
IMPERIAL COUNTY GENERAL PLAN PARKS ELEMENT	
As discussed in the Initial Study The project does not propose any new housing or employment or otherwise cause increased demand for parks. The project also does not include the development of any parks or other recreational facilities. The goals, objectives, and policies of the Parks Element are not relevant to the proposed project and are not analyzed for project consistency here.	
IMPERIAL COUNTY GENERAL PLAN RENEWABLE ENERGY AND TRANSMISSION ELEMENT	
Objective 2.1: To the extent practicable, maximize utilization of IID’s transmission capacity in existing easements or rights-of-way. Encourage the location of all major transmission lines within designated corridors, easements, and rights-of-way.	Consistent: The proposed transmission line would not be an IID facility but would be installed within the existing right-of-way of the narrow gauge railroad.
Objective 2.2: Where practicable and cost-effective, design transmission lines to minimize impacts on agricultural, natural, and cultural resources, urban areas, military operation areas, and recreational activities.	Consistent: The proposed transmission line would be installed within the existing right-of-way of the narrow-gauge railroad which has been previously disturbed. As discussed throughout this SEIR development of the proposed pipeline and powerline would not significantly affect any agricultural, natural, recreational, or cultural resources. The project site is not located in an urban or military operation area.
IMPERIAL COUNTY GENERAL PLAN SEISMIC AND PUBLIC SAFETY ELEMENT	
Objective 1.1: Ensure that data on geological hazards is incorporated into the land use review process, and future development process.	Consistent. Geological hazards on the project site and offsite mitigation sites are addressed in the Initial Study provided as Appendix A to this SEIR. No significant impacts were identified.
Objective 1.2: Regulate development within flood-way areas in accordance with Federal Emergency Management Agency (FEMA).	Consistent: The project does not propose any inhabitable development.
Objective 1.4: Require, where possessing the authority, that avoidable seismic risks be avoided; and that measures, commensurate with risks, be taken to reduce injury, loss of life, destruction of property, and disruption of service.	Consistent. Geological hazards on the project site and offsite mitigation sites are addressed in the Initial Study provided as Appendix A to this SEIR. No significant impacts were identified.

Goals/Objectives/Policies	Consistency Analysis
Objective 1.7: Require developers to provide information related to geologic and seismic hazards when siting a proposed project.	Consistent: Geological hazards on the project site and offsite mitigation sites are addressed in the Initial Study provided as Appendix A to this SEIR. No significant impacts were identified.
Objective 1.8: Reduce fire hazards by the design of new developments.	Consistent. The project does not proposed any habitable development. Impacts related to wildfire hazards are evaluated in the project's Initial Study which is provided as Appendix A of the SEIR.
Objective 1.9: Encourage the reclamation of lands where mining, irrigation, landfills, solid waste, hazardous materials/waste storage or disposal, and natural soil erosion has occurred, so as to pose no danger to public health and safety.	Consistent: The project site will be reclaimed in accordance with the approved reclamation plan for the Quarry.
Objective 2.5: Minimize injury, loss of life, and damage to property by implementing all state codes where applicable.	Consistent: The project would comply with all applicable state codes as described throughout SEIR Chapter 4.0.
Objective 3.2: Minimize the possibility of hazardous materials/waste spills.	Consistent: See SEIR Section 4.6, "Hydrology and Water Quality." Impact 4.6-1 assesses the project potential impacts to surface and groundwater quality. During restoration activities at the Viking Ranch site, BMPs would be required as part of the SWPPP prepared for the project to minimize potential water quality degradation. These measures include routinely inspecting vehicles and equipment for leaks.
IMPERIAL COUNTY SURFACE MINING AND RECLAMATION ORDINANCE (COUNTY CODE OF ORDINANCES DIVISION 20)	
Quarry operations are carried out consistent with SMARA, the Imperial County Surface Mining and Reclamation Ordinance, and an approved mining permit. Quarry operations would remain essentially unchanged with project implementation. Thus, the Quarry would continue to operate consistent with the County's Surface Mining and Reclamation Ordinance and the associated mining permit.	

4.7.3 Significance Thresholds and Analysis Methodology

4.7.3.1 Significance Criteria

2008 EIR/EIS Significance Criteria

The 2008 EIR/EIS evaluated the project's land use impacts using the following significance criteria:

The project would normally have a significant effect on the environment if it would:

- Conflict with existing land uses;
- Conflict with adopted environmental plans and local community goals; or
- Conflict with established recreational, educational, religious or scientific uses of the area, or substantially degrade or reduce the quantity or quality of the area available for existing or future recreational opportunities.

CEQA Appendix G Thresholds of Significance

Based on Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to land use and planning if it would:

- a) physically divide an established community; or

- b) cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

4.7.3.2 Analysis Methodology

The project description was compared to the local governing plans that are applicable to the physical location of the project site. It was determined which policies within those plans are applicable to the project. In this case, the project is a quarry expansion, development of a well and associated pipeline, and restoration/preservation of open space. Therefore, only policies related to those proposed activities and included in the analysis.

4.7.4 Project Impacts and Mitigation Measures

4.7.4.1 2008 EIR/EIS Impact Analysis

Under the 2008 EIR/EIS, land use and planning impacts were determined to be less than significant, and no mitigation was required.

4.7.4.2 2019 SEIS Impact Analysis

Project Revisions

The proposed Quarry expansion and development of Well No. 3 and associated pipeline remain essentially unchanged and in substantively the same locations as those evaluated in the 2008 EIR/EIS. However, as a result of mitigation required in the 2008 EIR/EIS, two off-site mitigation sites have been identified and are now proposed for restoration and/or preservation as part of the project. These sites and proposed restoration activities were not evaluated in the 2008 EIR/EIS and could create a new or increased significant impact.

Changed Circumstances

As discussed previously, the overall land use conditions on and near the project site have remained essentially unchanged since publication of the 2008 EIR/EIS. There are no changed circumstances related to land use and planning.

New Information

Current regulatory requirements are addressed above. No new information of substantial importance is available that was not known and could not have been known with the exercise of reasonable diligence at the time the 2008 EIR/EIS was certified.

Significance Determination

Based on project revisions that may create a new or increased significant impact, the County has amplified and augmented the analysis contained in the 2008 EIR/EIS. This evaluation is provided in the following impact analysis.

4.7.4.3 Subsequent Environmental Analysis

Impact 4.7-1: Physically Divide an Established Community

Overall land use patterns in the project area have not changed since completion of the 2008 EIR/EIS. There are no established communities adjacent the Quarry or the proposed locations of Well No. 3 and the

associated pipeline. Continuation of Quarry operations and construction of Well No. 3 and an underground pipeline would not create a physical barrier to movement or growth. Similarly, the proposed off-site mitigation sites are not within or near an established community. No development is proposed on either site. Therefore, the proposed project would have no potential to physically divide an established community.

Level of Significance: No impact.

Mitigation Measure: None required.

Impact 4.7-2: Conflict with Land Use Plans, Policies, and Regulations

The proposed project would not conflict with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Conflicts between a project and applicable land use policies do not constitute significant physical environmental impacts in and of themselves. A policy inconsistency is considered a significant adverse environmental impact only when it is related to a policy adopted for the purpose of avoiding or mitigating an environmental effect, and if it is anticipated that the inconsistency would result in a significant adverse physical impact based on established significance criteria.

Expansion of the Quarry and development of Well No. 3 and associated pipeline would be consistent with the existing Imperial County General Plan land use designations for the site. Furthermore, as demonstrated in Table 4.7-1, the project would not substantially conflict with any applicable land use policies adopted by Imperial County or San Diego County for the purpose of avoiding or mitigating environmental effects. As a result, no significant land use impacts related to the project's consistency with land use policies would occur. Therefore, this impact would be less than significant.

Level of Significance: Less than significant.

Mitigation Measure: None required.