

**TABLE 2  
CONSERVATION AND OPEN SPACE ELEMENT POLICY MATRIX**

| Conservation and Open Space Issue Areas | General Plan Elements |                                    |         |             |       |                      |                                      |                              |       |
|---|-----------------------|------------------------------------|---------|-------------|-------|----------------------|--------------------------------------|------------------------------|-------|
|   | Agricultural          | Circulation/<br>Scenic<br>Highways | Housing | Land<br>Use | Noise | Parks/<br>Recreation | Renewable<br>Energy/<br>Transmission | Seismic/<br>Public<br>Safety | Water |
| Biological Resources                    |                       |                                    |         | X           |       |                      | X                                    |                              | X     |
| Cultural Resources                      |                       |                                    |         | X           |       |                      | X                                    |                              |       |
| Geologic Resources                      |                       |                                    |         | X           |       |                      | X                                    |                              |       |
| Mineral Resources                       |                       |                                    |         | X           |       |                      | X                                    |                              |       |
| Salton Sea Restoration                  | X                     |                                    |         | X           |       |                      | X                                    |                              | X     |
| Visual Resources                        |                       | X                                  |         | X           |       |                      | X                                    |                              |       |
| Water Resources                         | X                     |                                    |         | X           |       | X                    | X                                    | X                            | X     |
| Air Quality and Climate Change          |                       | X                                  |         | X           |       |                      | X                                    |                              |       |
| Open Space and Recreation               |                       |                                    | X       | X           |       | X                    | X                                    |                              |       |

#### **IV. IMPLEMENTATION PROGRAMS AND POLICIES**

##### **A. PREFACE**

The primary mechanism to implement the Goals and Objectives of the Conservation and Open Space Element is to incorporate environmental concerns into land use planning. This occurs primarily through the discretionary permit process of subdivision map review, rezones, conditional use permits, specific plans, and general plan amendments. Accompanying all of these applications is an environmental review process to identify significant site resources and evaluate project impacts.

In addition, the process of updating the County's resource data base needs to be a continual process of information exchange with County, State, and Federal resource agencies. This includes the Bureau of Land Management, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, Imperial Irrigation District, Soil Conservation Service, State Department of Conservation, Regional Water Quality Control Board, Air Pollution Control District, and others.

## B. POLICIES AND PROGRAMS

The following policies and programs describe activities which are intended to implement the Goals and Objectives that have been described in the previous section.

### 1. Biological Resource Conservation

#### Policy

Provide a framework for the conservation and enhancement of natural and created open space which provides wildlife habitat values.

#### Programs

- Identify Resource Areas (see Figures 1 through 3) to conserve and enhance native vegetation and wildlife. These areas include agency designated sensitive habitats with the US Fish & Wildlife, BLM Areas of Critical Environmental Concern (ACECs), and California Department of Fish & Wildlife. These designated lands are designed for the protection and perpetuation of rare, endangered, and threatened species and areas important for scientific study.
- Projects within or in the vicinity of a Resource Area should be designed to minimize adverse impacts on the biological resources it was created to protect.
- Accept donations of land which have high wildlife value. Where appropriate, Imperial County shall attempt to exchange donated lands of high wildlife value with other State, Federal, or other resource agencies equipped to protect and manage such lands for other lands more appropriate to County needs.
- Develop an environmental mitigation program that protects, and restores Salton Sea wildlife habitats as offsets to biological disturbances identified through the CEQA review process for development projects. The program would allow the County and/or Salton Sea JPA to restore habitat through financing mechanisms including land banks and/or direct financial contributions from the developers to mitigate their impacts.
- Conserve the native habitat of sensitive plants and animals through the dedication of open space easements, or other means that will ensure their long-term protection and survival. Such easements may preclude the erecting of any structures (temporary or permanent), vegetation removal, or any other activities. These dedicated open space easements would also serve to reduce potential indirect impacts to sensitive biological resources that may result from human activities associated with future developments.
- Areas designated for biological open space conservation shall include buffers, which provide important breeding and foraging habitats for native and migratory birds and animals. Such buffers shall serve to separate future development from adjacent native habitat areas to ensure the perpetual regeneration of these habitats.
- Protect riparian habitat and other types of wetlands from loss or modification by dedicating open space easements with adequate buffer zones, and by other means to avoid impacts from adjacent land uses. Road crossings or other disturbances of riparian habitat should be minimized and only allowed when alternatives have been considered and determined infeasible.

- Rock outcrops which serve as significant boulder habitat for sensitive biological resources should be considered within open space easements.
- Preserve existing California fan palms in natural settings and other individual specimen trees which contribute to the community character and provide wildlife habitat.
- Preserve and encourage the open space designation of wildlife corridors which are essential to the long-term viability of wildlife populations.
- Integrate open space dedications in private developments with surrounding uses to maximize a functional open space/recreation and wildlife management system.

## **Policy**

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.

## **Programs**

- Revegetation plans shall be submitted and approved by the Imperial County Planning and Development Services Department and relevant resource agencies for the mitigation of sensitive habitat lost, and for disturbed areas created by roads or installation of facilities adjacent to native habitat. Such plans shall mitigate for the loss of sensitive habitat and habitat value based on a ratio consistent with accepted policy, as recommended by the State and Federal resource agencies. These specifications shall include, at a minimum, the following:
  - Locations of ecologically appropriate planting areas.
  - Site preparation/remedial grading.
  - Amounts, sizes, and locations of appropriate over-story tree species to be planted.
  - Hydroseed/container stock planting mixes and locations for appropriate understory shrub species and groundcovers.
  - Timing of planting (for example, most plantings should be conducted during the rainy season).
  - Protective measures during and after plant installation, such as temporary chain-link fencing to keep out construction equipment/personnel; caging to avoid potential herbivory (animal browsing); and permanent wood-rail fencing or signage to deter human intrusions. This would also reduce potential impacts caused by future active uses, or "edge effects", from adjacent residential areas.
  - Irrigation schedule which specifies timing, frequency, length, and method of watering to ensure successful plant establishment. For example, temporary irrigation through the use of drip emitters should be installed around each tree to encourage deep tap rooting. Irrigation may only be necessary for the first one or two years, but could be extended throughout the monitoring period as determined necessary by the consulting biologist.

- The proposed habitat restoration sites shall be monitored for an appropriate period of time to ensure long-term plant survivorship. Monitoring shall be conducted by a qualified biologist proficient at horticultural and botanical sampling methods. The biological monitor shall be present at the time of plant installation to ensure correct implementation. The monitoring program shall clearly specify success criteria (e.g., percent vegetative cover for shrub species, percent canopy cover for tree species, etc.) to be evaluated by the biological monitor on a quarterly basis. Annual reports detailing the progress of the revegetation effort in attaining these goals shall be submitted to the Imperial County Planning and Development Services Department and relevant resource agencies.
- A maintenance program shall be implemented for the length of the monitoring period. Primary goals of the maintenance program shall include staking, weed control and replacement of planted material that is diseased or has died. If the proposed restoration sites are not meeting stated goals of the Plan, supplemental remedial measures, such as additional weed control or replacement plantings, shall be recommended during the monitoring and maintenance period.
- When appropriate, a bond or other security shall be provided for all required revegetation plans, which would be released by the County only after: 1) the consulting biologist has concluded that all specified success criteria have been met; and, 2) the County and other relevant permitting agencies have approved the successful completion of the plan.
- Clearing of shrubs, vines, and other native vegetation for purposes of fire control shall be coordinated with the local fire district, particularly in fire-prone areas. Where clearing is necessary, high-fuel plants shall be replaced with native, low-fuel plants. Where feasible or necessary for habitat protection, fire buffer clearing shall be done by hand so as to minimize disturbance to understory species. A list of important understory groundcover, shrubs, vines, ferns, and other vegetation shall be compiled by a qualified biologist, and included in all required landscape plans prior to final approval of individual projects.

## **2. Cultural Resources Conservation**

### **Policy**

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.

### **Programs**

- The County will use the CEQA process to conserve cultural resources and conform to Senate Bill 18 "Consultation with Tribal Governments" and Assembly Bill 52 "Consultation with Tribal Governments". Public awareness of cultural heritage will be stressed. All information and artifacts recovered in this process will be stored in an appropriate institution and made available for public exhibit and scientific review.
- Encourage the use of open space easements in the conservation of high value cultural resources.

- Consider measures which would provide incentives to report archeological discoveries immediately to the Imperial Valley Desert Museum.
- Coordinate with appropriate Federal, State, local and tribal agencies to provide regular updates to the "Sensitivity Map for Cultural Resources" (Figure 6).
- Discourage vandalism of cultural resources and excavation by persons other than qualified archaeologists. The County shall study the feasibility of implementing policies and enacting ordinances toward the protection of cultural resources such as can be found in California Penal Code, Title 14, Point 1, Section 622-1/2. The County should maintain confidentiality of specific resource locations to prevent vandalism and desecration of sensitive cultural resources.

### **3. Mineral Resources Conservation**

#### **Policy**

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.

#### **Programs**

- The County shall require all surface mine operators to submit surface mining and reclamation plans prior to beginning mining operations. Surface mining includes surface work incident to an underground mine. Such plans shall be processed by the Planning and Development Services Department and shall require the approval of the Planning Commission. Following the approval of those plans, the issuance of all other required regulatory permits, and the commencement of surface mining operations, the Planning and Development Services Department shall inspect each surface mining operation at least once a year, for the life of the operation to assure compliance with the mining plans. The County should coordinate with the Department of Conservation's Office of Mine Reclamation (OMR) and the State Mining and Geology Board (SMGB) to ensure proper administration of the Surface Mining and Reclamation Act of 1975 (SMARA).
- The County shall protect known mineral deposits and mining operations from the encroachment of incompatible urban land uses. All protected areas shall be reevaluated in light of future State reports identifying areas of regional and statewide mineral significance. The Existing Mineral Resources Map (Figure 8) for Imperial County provides the details and locations of mining activities.

### **4. Visual Resources Conservation**

#### **Policy**

Develop planning programs to conserve and protect visual resources and scenic views from incompatible development and land uses.

## Programs

- Through the development review and CEQA process, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas.
- Through the development review and CEQA process, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native landscaping that screens buildings and parking lots and blends development with the natural landscape.
- Amend the Land Use Ordinance, and/or Community Area Plans, as applicable, to enact or revise ordinance standards to protect scenic resources. Adoption and implementation of scenic protection standards shall not interfere with agricultural uses on private lands. Standards for land use permits, including industrial and processing uses, and subdivisions should include visual assessments by qualified experts; visually effective setbacks near highways and roadways; siting in unobtrusive locations; and standards for height, architectural design, landscaping, lighting, and signs. The standards should emphasize avoiding visual impacts through alternative locations and designs where feasible. Establish consistent Countywide Viewshed Protection Standards.

## Policy

Develop a Scenic Highway program that identifies scenic highways for future state-designation and visual resource preservation.

## Program

- Coordinate with Caltrans and the County to develop a scenic corridor program that establishes specific guidelines for identifying scenic corridors and analysis for new projects in the vicinity. At a minimum, the guidelines should:
  - a) specify the features that need to be protected through a site-specific analysis of each Viewshed
  - b) state why it is important to protect those features
  - c) where applicable, establish specific mapped boundaries that define the minimum area necessary to protect the identified features
  - d) identify the type of inappropriate development that should be regulated
  - e) involve area property owners
  - f) be accompanied by an economic assessment
- Coordinate with Caltrans to identify the candidate roads and highways for future scenic highway designation. The potential candidates considered eligible for designation include:
  - Interstate 8
  - State Route 78

- State Route 111
- County Highway S-22
- Work with property owners to preserve prominent ridgelines and scenic backdrops through open space agreements, contracts, or other appropriate instruments along designated scenic corridors.

## **5. Protection of Air Quality and Addressing Climate Change**

### **Policy**

Reduce PM10 and PM2.5 emissions from unpaved roads, agricultural fields, and exposed Salton Sea lakebed.

### **Programs**

- Implement all ICAPCD particulate matter (PM) emission controls including the Final PM10 2009 State Implementation Plan and the 2013 State Implementation Plan for the 2006 24-Hour PM2.5 Moderate Nonattainment Area.
- Support programs, policies, and efforts to restore the Salton Sea and reduce fugitive dust emissions from exposed playa.

### **Policy**

Work cooperatively with ICTC and other appropriate agencies to reduce vehicle miles traveled countywide in order to improve air quality and reduce greenhouse gas emissions.

### **Programs**

- Direct most new residential development away from rural and agricultural areas and concentrate it in higher density residential areas located near major transportation corridors, transit routes, community centers, and town/urban centers where resources and services are available.
- Cooperate in a countywide VMT Reduction Program in partnership with the ICAPCD, SCAG, ICTC, and Imperial Valley Transit (IVT).

### **Policy**

Promote alternative transportation programs, policies, and development in order to reduce vehicle miles traveled and address air quality and greenhouse gas emissions.

### **Programs**

- Review development applications to identify opportunities for connecting land uses to non-motorized routes, incorporating safe road crossings at major intersections, and including secure, weatherproof bicycle parking and storage facilities. Ensure long-term maintenance of all such facilities.

- Coordinate with SCAG, ICTC, IVT, and local cities to identify and map existing and future bus lines (routes) and transit corridors for inclusion in the Land Use and Circulation Element.
- Adopt a “Complete Streets” Ordinance to ensure that the County’s streets and roads are designed and operated as a balanced, multimodal transportation network that enables safe access for all users. “All users” includes pedestrians, bicyclists, persons with disabilities, movers of commercial goods, transit vehicles, and users, and motorists of all ages and abilities.

## **6. Open Space and Recreation Conservation**

### **Policy**

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. The following are examples of various regulatory techniques:

### **Programs**

- Ensure consistency with the Parks and Recreation Element and pertinent factors such as existing park conditions, funding sources, and anticipated recreational needs.
- Ensure consistency and compliance with the Quimby Act which allows the County to impose fees in order to ensure provision of 3 acres of park area per 1,000 residents. Assembly Bill 1359 allows fees collected from new housing development to be used on parks outside of the housing development’s neighborhood.
- Ensure compliance with Imperial County Land Use Ordinance (Title 9) Division 29: Parks and Recreation Regulations to ensure the provision of specific rules and regulations for County parks and recreational areas in order to promote public health, safety, and general public welfare.
- Agricultural lands shall require a minimum parcel size of 40 acres for the conservation and protection of productive agricultural lands.
- Continue use of the "S" Open Space Zone for all unincorporated areas of the County not included in a precise zoning map.
- There are some lands in public ownership at the present time. The value and potential uses of these lands should be evaluated, and the possibility of exchanges for desirable open space or recreation lands explored.
- The acquisition of development rights can also be used to permit the retention of the open character of certain land uses, notably agriculture. Incentive for owners to sell these rights would result from a considerably lower tax assessment in view of the absence of development potential.



## **Policy**

The County shall participate in conducting detailed investigations into the significance, location, extent, and condition of natural resources in the County.

## **Programs**

- Encourage State and Federal acquisition or management of areas or sites determined by the County and other agencies to possess important natural resource values, including small but significant landscape features and scientific sites.
- Participate in the process of site and area evaluation and analysis after an area is determined to possess natural resource value.
- Encourage acquisition of unique archaeological or scientific sites by State and Federal Agencies or non-profit organizations interested in preserving our cultural heritage.
- Allow only compatible land uses and consistent zoning adjacent to protected areas.
- Zone areas of natural resource value to conserve and protect their intrinsic values when applicable.
- Preserve unique sites and areas by controlling direct public access.
- Notify any agency responsible for protecting plant and wildlife before approving a project which would impact a rare, sensitive, or unique plant or wildlife habitat.

## **Policy**

The County shall discourage urban development on State-designated important agricultural lands including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance.

## **Programs**

- Recognize the incompatibility of small parcels to agricultural uses by adopting and enforcing large minimum acreage requirements in agricultural zones (excluding the A-1 Zone).
- Relate minimum acreage requirements in each zone to soil characteristics, climate, water availability, crop types, existing land use ownership patterns, and proximity to urban development.
- Encourage development of agriculturally related industries, such as packing and processing, on marginally productive lands.
- Continue a fee or assessment on new development which converts land presently in agricultural use. The revenue could be used to purchase development rights or fee title to other land still in production or open space, as deemed necessary.

## **Policy**

The County shall take a pro-active role in working with local, State, and Federal agencies to maintain and develop lands for outdoor recreation.

## **Programs**

- Encourage State and Federal Agencies to develop and operate recreational facilities which are determined by the County to possess more than local significance.
- Provide County input into State and Federal recreation and wilderness areas so that the natural values of the area are conserved.
- Support controlled development of recreation facilities in primitive or wilderness areas so that the natural values of the area are conserved.
- Off-road vehicle (ORV) use is recognized as a popular recreational pursuit in the Imperial Valley. Areas which are not environmentally sensitive should be identified for this purpose.
- Encourage the recreational use of lands located in hazardous areas such as flood plains.
- Establish adequate development standards for private recreation facilities to assure the conservation of natural and scenic values.
- Encourage the identification and designation of historic buildings, landmarks, and sites within the County.
- Encourage the acquisition of historic and cultural sites by public agencies or nonprofit organizations interested in their preservation.
- With the Imperial Irrigation District, explore the possibility of utilizing and improving certain portions of the canal system for picnic and fishing sites.
- Encourage the use of unobtrusive materials, structures, and color in power line transmission corridors. Vegetative screening is encouraged wherever possible.

## **Policy**

The County shall establish a program to identify open space necessary for the protection of public health and safety, such as floodplains, geologic risk areas, and airport flight zones, and maintain these areas in open space, agriculture, or other appropriate low intensity uses.

## **Programs**

- Floodway and floodplain boundaries shall be identified on County zoning maps when required studies have been completed.
- Structural development normally shall be prohibited in the designated floodways. Only structures which comply with specific development standards (Flood Drainage Prevention Regulation, Division 6) should be permitted in the floodplain.
- Limit use of floodplains to natural wildlife habitat, non-structural recreational use, and agricultural production.

- Some encroachment into floodplain areas may be permitted with proper hydrologic design, review by the Department of Public Works and the floodplain administrator to assure that no public safety hazard is created, and a determination made that no significant impact to wildlife is created.
- Identify areas of known seismic activity and delineate on County zoning maps general areas in which development should be restricted.
- Control structural development upon or in the vicinity of an active fault.
- Require detailed engineering or soil studies on a case-by-case basis for development proposals located in an area characterized by soils of limited structural capabilities.
- Control development in areas of soil with properties which exhibit problems of erosion, limited bearing capacity, subsidence, shrink-swell, or slippage.
- Adopt General Plan designations and appropriate zoning to control residential uses in the aircraft flight zones and in areas which may be subjected to severe noise levels.
- Coordinate the review and consistency of projects near airports with the Airport Land Use Commission.

### **Policy**

The County will establish a policy to clean up the Salton Sea and the rivers of Imperial County, specifically the New River and the Alamo River, in order to promote water recreation activities, habitat conservation, water quality, and other beneficial uses.

### **Programs**

- The County of Imperial will work with Mexico to establish clean up procedures for the New and Alamo Rivers.
- Landfills located in or near the New River should eventually be closed as part of the New River cleanup program.
- The County will coordinate with local, State and Federal agencies to implement Salton Sea restoration efforts that include the Salton Sea Ecosystem Restoration Program and Salton Sea Restoration and Renewable Energy Initiative.
- Develop an environmental mitigation program that protects and restores Salton Sea wildlife habitats as offsets to water quality and biological disturbances identified through the CEQA preview process for development projects. The program would allow the County and/or Salton Sea JPA to restore habitat through financing mechanisms including land banks and/or direct financial contributions from the developers to mitigate their impacts.