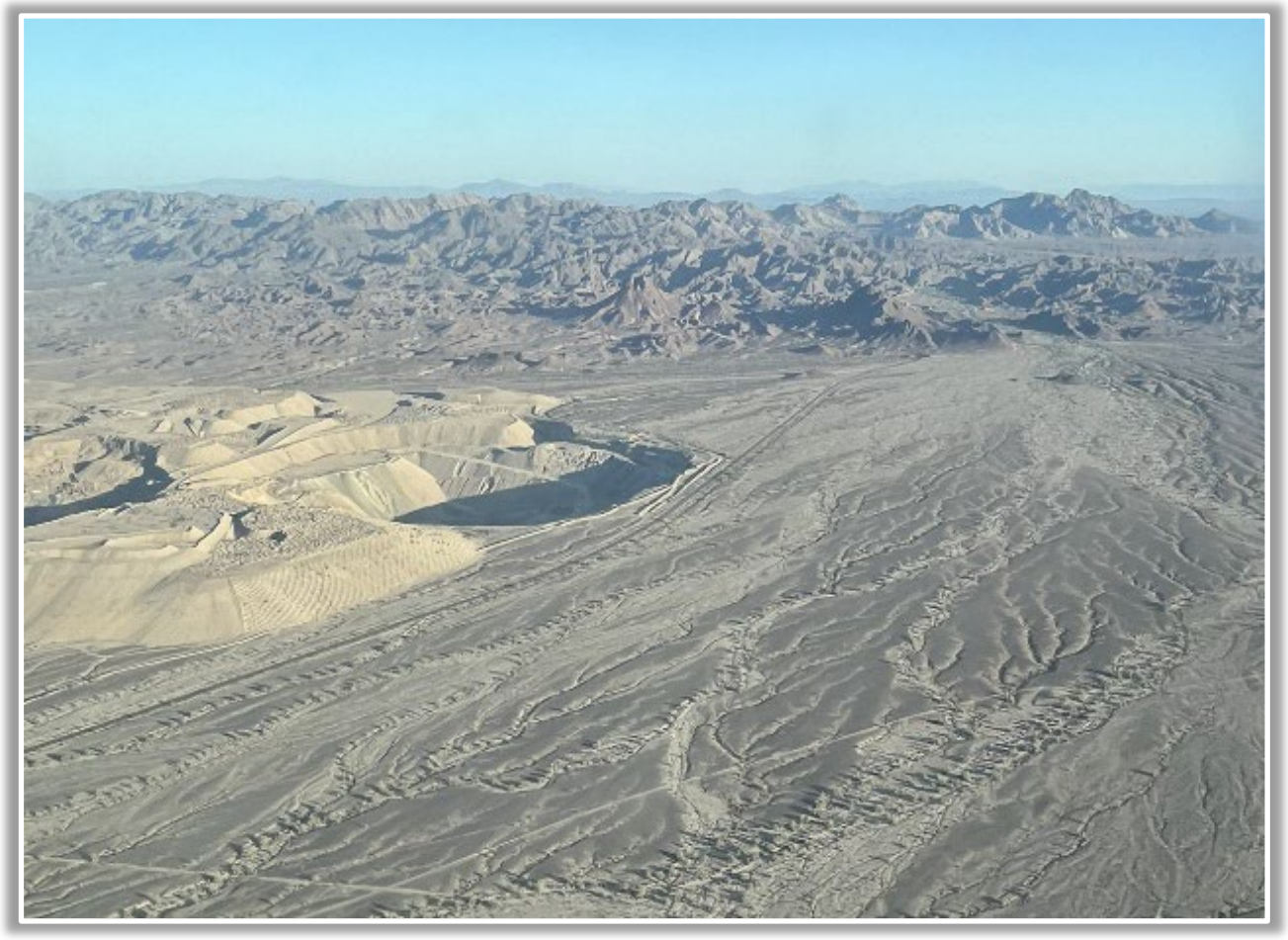
ADDENDUM TO 2002 FEIR/EIS
RAINBOW EAST EXPLORATION PROJECT

STATE CLEARINGHOUSE NO. 1998121054

Imperial County Planning Department
Reclamation Plan #24-0001/Initial Study #24-0017

September 2026



Lead Agency:
Imperial County Planning & Development Services Department
801 Main Street
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1. INTRODUCTION AND PROJECT SUMMARY

1.1 Introduction

Western Mesquite Mines, Inc. (WMMI) submitted Reclamation Plan Amendment (RPA) #24-0001 to Imperial County (County) pursuant to the Surface Mining and Reclamation Act of 1975 (SMARA) for the Rainbow East Exploration Project (the "proposed Project"). The Project consists of temporary mineral exploration activities followed by reclamation of approximately 2.34 acres of surface disturbance on Bureau of Land Management (BLM)-administered lands located immediately east of the Rainbow Pit area of the existing Mesquite Mine. Proposed activities include construction of temporary drill pads and access roads, drilling of exploration borings, collection of geologic information, and reclamation of all temporary disturbances following completion of exploration activities. The Project is limited to short-term exploration activities and associated reclamation. No mineral production or permanent mining facilities are proposed or would be authorized. Imperial County is the CEQA lead agency for its discretionary approval of the RPA pursuant to SMARA, while BLM has authority over the proposed exploration activities on BLM-administered lands.

Section 1 of this addendum provides an introduction and Project summary. Section 2 of this addendum provides an analysis of the applicable criteria that are required to be met for the preparation of an addendum. The analysis section also provides a brief summary of the *Initial Study for Western Mesquite Mine Reclamation Plan #24-0001 and Initial Study #24-0017* (the "initial study"). The initial study concludes that no new significant impacts would occur as a result of the proposed Project. The initial study also concludes that the applicable California Environmental Quality Act (CEQA) compliance document for the proposed Project is an addendum to the environmental impact report/environmental impact statement (EIR/EIS) for a previous Mine expansion approved in 2002. Section 2 concludes with the necessary findings that must be made under CEQA if a lead agency, in this case the County, decides to prepare an addendum as the applicable CEQA compliance document for a proposed Project.

1.2 Project Summary

The Project Area, which consists of the 214.9-acre Reclamation Plan Amendment area and encompasses the 2.34-acre Exploration Disturbance Area, is located within and adjacent to areas previously evaluated in environmental documents prepared for the Mesquite Mine, including the certified 2002 Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) (State Clearinghouse No. 1998121054) and subsequent environmental review documents. As discussed throughout the Initial Study, the proposed temporary exploration activities and reclamation measures would not result in new significant environmental impacts or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS.

The Project consists of an exploratory drilling program for minerals. No mineral production would occur. Construction and drilling activities are expected to occur over a period of approximately six months to one year. However, the Project approval would allow activities to occur over a period of up to 24 months to accommodate operational needs, weather conditions, evaluation of drilling results, interim stabilization and maintenance of disturbed areas, and final reclamation.

Construction and drilling activities may occur intermittently during the 24-month period and may not be continuous.

Proposed activities would consist of constructing up to 4,500 linear feet of 10-foot-wide access roads where required to reach certain pads for which currently there are no access roads, widening approximately 1,315 linear feet of existing BLM road (Route 949) by 4 feet, constructing up to 22 drill pads, drilling 23 exploration holes on those pads and obtaining and recording geological data from the exploration holes. Each drill pad would include a temporary drill sump lined with an appropriate liner material suitable for the size and configuration of the sump to contain drilling fluids and cuttings during exploration activities and facilitate reclamation. A total of five new access roads would be constructed to access 19 of the proposed drill pads. The remaining three drill pads would be constructed within existing BLM Route 949.

The Imperial County Planning Department (Imperial County; County) has applied a land use designation of "Recreation/Open Space" to the Project Area per the current Imperial County General Plan (Imperial County 2015). Imperial County must comply with the California Environmental Quality Act of 1970 (CEQA) when it undertakes an activity defined by CEQA as a "project" that must receive some level of discretionary approval. While the BLM is the lead agency with authority over the proposed exploratory drilling activities, pursuant to requirements under the California Surface Mining and Reclamation Act of 1975 (SMARA) for projects that would entail over one acre of surface disturbance, an RPA is also required to be approved by Imperial County. The RPA addresses the reclamation activities that would be undertaken following completion of the proposed exploratory drilling activities. As the authorized SMARA lead agency, Imperial County has sole discretion over approval of the RPA for the proposed Project. An RPA has been submitted to Imperial County (Reclamation Plan #24-0001) in compliance with SMARA and would be implemented should the Project be approved by BLM and Imperial County. The "Project" as defined under CEQA and evaluated in the Initial Study, consists of Reclamation Plan #24-0001 under SMARA for the approximately 2.34-acre Exploration Disturbance Area associated with the proposed temporary mineral exploration activities.

2. ANALYSIS AND FINDINGS

2.1 Analysis

The Initial Study evaluates whether the previously certified 2002 Final EIR/EIS, subsequent environmental review documents, and current Project-specific technical studies, updated resource surveys, agency coordination, and other Project-specific information provide substantial evidence supporting the County's determination that an Addendum is the appropriate CEQA document for the Project.

CEQA Guidelines Section 15063 authorizes the use of initial studies to determine whether certain impacts of a proposed project have been adequately addressed in previous environmental documents. Specifically, CEQA Guidelines Section 15063(b)(1)(B) provides:

> If the agency determines that there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment,

> regardless of whether the overall effect on the project is adverse or beneficial, the Lead Agency shall do one of the following:
>
> (B) Use a previously prepared EIR which the Lead Agency determines would adequately analyze the project at hand….

The Initial Study determined that the Project would be implemented in accordance with applicable environmental protection measures, including Project Design Features (PDFs), DRECP LUPA Conservation and Management Actions (CMAs), approved Project-specific CMAs identified through the U.S. Fish and Wildlife Service Activity Request Form (ARF) (Imperial County and BLM 2026), applicable mitigation measures from previous relevant CEQA/NEPA documents, regulatory and permit requirements, and other applicable requirements summarized in Appendix D of the Initial Study. Implementation of the proposed PDFs would be required as conditions of the County's approval of Reclamation Plan #24-0001.

Regarding determination of the appropriate CEQA compliance document (e.g., addendum, supplemental or subsequent EIR, negative declaration), CEQA Guidelines Section 15164(a) provides:

> The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

The referenced CEQA Guidelines Section 15162(a) provides:

> (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
>
> (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
>
> (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
>
> (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
>
> (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
>
> (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Reading 15063(b)(1)(B) and 15162(a) together, therefore, as long as the project changes, changed circumstances, or new information does not require a subsequent EIR, the lead agency may prepare an addendum. If none of the criteria are present, the lead agency (in this case the County) can use an addendum.

The Initial Study evaluated the proposed Project and considered whether the proposed Project would result in new significant environmental impacts, substantially increase the severity of previously identified impacts, or otherwise trigger any of the conditions identified in CEQA Guidelines Section 15162 requiring preparation of a Subsequent or Supplemental EIR. Accordingly, the County finds that none of the conditions described in CEQA Guidelines Section 15162 requiring preparation of a Subsequent or Supplemental EIR have occurred and that an Addendum prepared pursuant to CEQA Guidelines Section 15164 adequately addresses the proposed Project.

2.2 Findings

CEQA Guidelines Section 15164(e) provides:

> A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency‘s required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Based on this requirement, the County makes the following findings outlined in the sections below.

2.2.1 Finding 1

Finding

The County has reviewed the previously certified environmental documentation, application package, and supplemental information in the record and has considered Project revisions, new information, and changed circumstances that have occurred since the certification of the 2002 EIR/EIS. The County has determined, based on substantial evidence in the record, that the proposed Project meets none of the criteria provided in CEQA Guidelines Section 15162; therefore, an addendum is the appropriate CEQA compliance document for the proposed Project.

These findings are supported by the limited and short-term nature of the proposed Project, implementation of existing mitigation measures, incorporation of PDFs, compliance with applicable CMAs and regulatory and permit requirements, and reclamation of the Exploration Disturbance Area following completion of exploration activities.

Substantial Evidence in Support of Finding 1

The substantial evidence supporting Finding 1 is provided in Findings 2 through 4, the initial study prepared for the proposed Project, the environmental compliance documents referenced in Finding 2, and the entirety of the administrative record for the proposed Project.

2.2.2 Finding 2

Finding

The County has reviewed the changes to the proposed Project. Based on substantial evidence in the record and summarized below, the changes would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects and therefore do not require major revisions to the previous EIR.

Substantial Evidence in Support of Finding 2

The proposed Project would result in approximately 2.34 acres of temporary surface disturbance associated with mineral exploration activities. No mining, ore processing, waste rock disposal, heap leaching, or expansion of existing mining operations is proposed. Implementation of existing mitigation measures, incorporation of PDFs, and compliance with applicable CMAs, regulatory and permit requirements, and other pertinent environmental protection requirements identified in the Initial Study would ensure that no new significant effects or substantial increase in the severity of previously identified effects would occur. These requirements are detailed in the Initial Study. The following environmental review documents are on file with the County and included in the County's administrative record for the proposed Project:

- *Final Program Environmental Impact Report for the County of Imperial General Plan* (Imperial County 2008), available, along with this document, at the County Planning & Development Services Department, 801 Main Street, El Centro, California 92243, or call (442) 265-1736;
- *Draft Environmental Impact Report and Environmental Impact Statement for the Proposed Mesquite Mine Expansion* (Imperial County and BLM 2000) and *Final Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for the Proposed Mesquite Mine Expansion* (Imperial County and BLM 2002);
- *Final Environmental Impact Report/Environmental Assessment (EIR/EA) for the Proposed VCR Mining Project* (Imperial County and BLM 1987); and
- *Final Environmental Impact Report/Environmental Assessment (EIR/EA) for the Proposed Mesquite Project* (Imperial County and BLM 1984).
- *Western Mesquite Mines, Inc. Mesquite Mine Consolidated Reclamation Plan: Addendum to 2002 FEIR/EIS*. Prepared by Benchmark Resources for Imperial County Planning and Development Services Department, Jan. 2017.

2.2.3 Finding 3

Finding

The County has reviewed the changes that have occurred related to the circumstances under which the Project is undertaken. The changes do not require major revisions of the previously certified

environmental documentation summarized above in Finding 2 because, based on substantial evidence in the record and summarized below, no new significant environmental effects or substantial increase in the severity of previously identified significant effects would occur.

Substantial Evidence in Support of Finding 3

The proposed Project would result in approximately 2.34 acres of temporary surface disturbance associated with exploratory drilling activities, including drill pads, temporary sumps, access road improvements, and subsequent reclamation. In addition, mining operations have continued within the Mesquite Mine pursuant to existing permits and approvals since certification of the FEIR/EIS and subsequent environmental documentation. Further, the use of water and other resources associated with existing operations has continued at levels anticipated in prior environmental analyses. Since certification of the FEIR/EIS, updated environmental resource information has become available, including biological resource surveys, cultural resource investigations, paleontological evaluations, and other technical studies prepared for the proposed Project. These updated environmental conditions, technical studies, and regulatory changes constitute the key changed circumstances compared to the environmental setting under which the previous environmental documents were evaluated. For each key environmental resource topic, the following discussion provides substantial evidence of why no new significant environmental effects and no substantial increase in the severity of previously identified significant effects resulting from the proposed Project would occur.

Aesthetics

The proposed Project would result in approximately 2.34 acres of temporary surface disturbance associated with exploratory drilling activities, including construction of drill pads, temporary sumps, access road improvements, drilling equipment, temporary fencing, and associated support vehicles. As discussed in the Initial Study, public views of the Project Area are limited primarily to motorists traveling along Highway 78, and visibility of Project features would be constrained by distance, topography, and the relatively small scale of the proposed disturbances. The Project Area is located within lands managed under BLM Visual Resource Management (VRM) Class III objectives, which allow for moderate changes to the existing landscape character while partially retaining the visual quality of the surrounding environment. Temporary visual changes associated with exploration activities would be localized and would not substantially alter scenic vistas, scenic resources, or the existing visual character of the area. Following completion of exploration activities, disturbed areas would be reclaimed through removal of temporary facilities, recontouring to blend with surrounding topography, and revegetation in accordance with Reclamation Plan #24-0001 and applicable BLM requirements. In addition, applicable existing visual resource mitigation measures identified in prior environmental documents, including reclamation and revegetation requirements, as identified in the Initial Study Table 5, "Existing Mitigation Measures – Aesthetics," would continue to apply to the proposed Project, as applicable. Accordingly, the proposed Project would not result in new significant visual impacts or substantially increase the severity of visual impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions and mitigation measures identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Agriculture and Forest Resources

The proposed Project does not affect agriculture or forest resources and the final EIR/EIS concluded that all impacts associated with agriculture and forest resources were less than significant and did not require mitigation. Therefore, the conclusions identified in the previously certified final EIR/EIS remain accurate and applicable to the proposed Project.

Air Quality

Air pollutant emissions would primarily consist of short-term exhaust emissions from diesel-powered construction and drilling equipment and fugitive dust generated during surface disturbance, vehicle travel, and reclamation activities. As discussed in the Initial Study, the Project would implement applicable dust control measures, stormwater and erosion control best management practices, and resource protection measures designed to minimize emissions during exploration and reclamation activities. Water for dust suppression would be supplied from WMMI's existing permitted water supply and applied as necessary to control fugitive dust. The proposed Project would not increase ore production, mineral processing, heap leaching, waste rock disposal, or other operational activities at the existing Mesquite Mine. In addition, the Project would be subject to applicable Imperial County Air Pollution Control District requirements, California Air Resources Board regulations, and existing permit conditions governing equipment emissions and fugitive dust control. The Initial Study concluded that Project-related emissions would be temporary, localized, and below applicable significance thresholds.

The mitigation measures identified in the certified FEIR/EIS reduced air quality impacts to a less-than-significant level. Because these mitigation measures would continue to apply to the proposed Project (as detailed in the Initial Study), air quality impacts associated with the proposed Project would remain less than significant. WMMI would continue to comply with applicable air quality permits and permit conditions governing equipment emissions and fugitive dust control. Based on the continued implementation of the existing mitigation measures and compliance with applicable California Air Resources Board fleet requirements (i.e., portable and on-road equipment must meet currently applicable emission standards), the proposed Project's potential to conflict with or obstruct implementation of an air quality plan would be less than significant. Therefore, the conclusions and mitigation measures identified in the certified FEIR/EIS, as identified in Table 10 of the Initial Study, "Existing Mitigation Measures – Air Quality," together with applicable air quality permit requirements, remain accurate and applicable to the proposed Project.

Biological Resources

The proposed Project contains desert habitats and biological resources similar to those previously evaluated in the certified FEIR/EIS and subsequent environmental review documents. Accordingly, impacts to biological resources from the proposed Project would be similar in nature to impacts previously analyzed. In addition, WMMI retained qualified biologists to conduct updated biological resource surveys and habitat assessments throughout the Project Area. The results of these investigations were incorporated into the Initial Study and supporting technical appendices. The surveys identified the biological resources present within the Project Area and informed the avoidance, minimization, monitoring, and reclamation measures applicable to the Exploration Disturbance Area. In addition, to the extent applicable, mitigation measures and resource protection requirements identified in previous

environmental documents would continue to apply to Project-related activities. By implementing these mitigation measures, the proposed Project's potential to have a substantial adverse effect, either directly or through habitat modifications, on biological resources in the Project Area would be less than significant. Accordingly, the proposed Project would not result in new biological resource impacts or substantially increase the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions of the certified FEIR/EIS remain applicable to the proposed Project. In addition, applicable existing mitigation measures adopted as part of the certified 2002 EIR/EIS and subsequent environmental review documents, as identified in the Initial Study Table 12, "Existing Mitigation Measures – Biological Resources," would continue to apply to the proposed Project, as relevant. In addition, incorporation of the Project's PDFs, including PDFs BIO-1 through BIO-7, and implementation of the applicable regulatory and permit requirements identified in the Initial Study would further address the Project's potential impacts to biological resources.

Cultural Resources

The proposed Project is located adjacent to areas previously evaluated in environmental documents prepared for the Mesquite Mine. To evaluate potential impacts associated with the proposed Project, updated cultural resources investigations were completed for the Project Area, including the Exploration Disturbance Area. In addition, consultation was initiated pursuant to AB 52 and Section 106 of the National Historic Preservation Act. The investigations did not identify historic properties would be adversely affected by implementation of the proposed Project. Certain cultural-resource mitigation measures, including a Cultural Resources Management Plan and avoidance or flagging requirements, were adopted through the 1984 and 1987 EIR/EAs and carried forward in the 2017 Addendum for the location-specific disturbance addressed by those approvals. As discussed in the Initial Study, those measures do not apply to the proposed Project. Cultural-resource protection for the proposed Project would instead be provided through PDFs CUL-1 through CUL-4 and applicable regulatory requirements identified in the Initial Study and its Appendix D. Accordingly, the proposed Project would not result in a new significant impact to historic resources or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions of the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

No prehistoric archaeological sites were identified during the cultural resource investigations. One prehistoric cultural isolate – a single cryptocrystalline flake – was identified; however, cultural isolates are not considered significant and are not eligible for listing in the National Register of Historic Places. With continued implementation of the measures provided in the Initial Study, the potential for the proposed Project to cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 would remain less than significant. In the event previously undiscovered archaeological resources are encountered during Project implementation, WMMI would implement the discovery procedures and resource protection measures identified in the Initial Study. Accordingly, the proposed Project would not result in a new significant impact to archaeological resources or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions of the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

The Project is not expected to disturb human remains, including those interred outside of formal cemeteries. Nevertheless, in the event human remains are encountered during Project implementation, WMMI would comply with all applicable state requirements governing the treatment and disposition of human remains, including notification of the County Coroner and Native American Heritage Commission, as applicable. With continued implementation of the measures provided in the Initial Study, impacts associated with human remains would remain less than significant. Accordingly, the proposed Project would not result in a new significant impact related to human remains or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions of the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Paleontological Resources

Since certification of the previous environmental documents, updated paleontological information has become available for the proposed Project. As discussed in the Initial Study, a Paleontological Sensitivity Review determined that the proposed Project has an undetermined potential to impact significant nonrenewable paleontological resources. Accordingly, the Initial Study evaluated the potential for exploratory drilling, temporary access road improvements, drill pad construction, and other ground-disturbing activities to affect previously unidentified paleontological resources.

Implementation of existing applicable mitigation measures, compliance with existing regulations, and incorporation of PDFs would ensure that any previously undiscovered paleontological resources encountered during Project implementation are appropriately identified, evaluated, and treated. With implementation of these measures as presented in Initial Study Appendix D, impacts to paleontological resources would be reduced to a less-than-significant level.

Therefore, the changed circumstances and updated information evaluated in the Initial Study do not result in new significant impacts to paleontological resources or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS. The Project's potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature would be less than significant. Therefore, the conclusions and mitigation measures identified in the certified FEIR/EIS remain accurate and applicable to the proposed Project.

Tribal Cultural Resources

The proposed Project is located adjacent to the areas previously evaluated in environmental documents prepared for the Mesquite Mine. To evaluate potential impacts to tribal cultural resources, consultation was conducted pursuant to AB 52 and Section 106 of the National Historic Preservation Act, and supporting cultural resource investigations were completed for the Project Area. The consultation process to date and supporting investigations did not identify tribal cultural resources that would be adversely affected by implementation of the proposed Project. As discussed under Cultural Resources, the location-specific cultural-resource measures carried forward in the 2017 Addendum do not apply to the proposed Project. Tribal cultural-resource protection would be provided through the ongoing consultation processes, PDFs CUL-1 through CUL-4, and applicable CMAs and regulatory requirements identified in the Initial Study and its Appendix D. Accordingly, the proposed Project would not result in a new significant impact to tribal cultural resources or a substantial increase in the

severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions of the certified FEIR/EIS remain accurate and applicable to the proposed Project.

Geology and Soils

The proposed Project would involve temporary mineral exploration activities on approximately 2.34 acres, including construction of drill pads and access roads, exploratory drilling, use of support vehicles and equipment, and reclamation of disturbed areas. As discussed in the Initial Study, the Project Area is located within a region characterized by desert alluvial deposits and bedrock formations typical of eastern Imperial County. The proposed exploration activities would involve localized excavation, grading, drilling, and temporary soil disturbance; however, the Project would not result in substantial alteration of landforms, creation of unstable slopes, or permanent changes to site topography. Potential impacts related to soil erosion, loss of topsoil, and soil compaction would be minimized through implementation of the applicable environmental protection measures identified in Appendix D of the Initial Study, including PDF GEO-1, existing mitigation measures, regulatory and permit requirements, and reclamation requirements incorporated into Reclamation Plan #24-0001. Together, these measures would ensure that the Project would not result in new significant geologic or soil-related impacts or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS. These requirements are detailed in the Initial Study and incorporated through the environmental compliance documents on file with the County. Therefore, the conclusions and mitigation measures identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Greenhouse Gas Emissions

The proposed Project would generate greenhouse gas (GHG) emissions primarily from temporary operation of diesel-powered drilling equipment, construction equipment, support vehicles, employee travel, and reclamation activities associated with approximately 2.34 acres of temporary surface disturbance. As discussed in the Initial Study, Project-related GHG emissions would be limited in duration and scope and would occur over a relatively small disturbance area. The proposed Project would not involve mineral extraction, ore processing, heap leaching, waste rock disposal, expansion of existing mining operations, or construction of permanent operational facilities. The Initial Study evaluated the Project's contribution to greenhouse gas emissions and determined that Project-related emissions would be below applicable significance thresholds and would not conflict with implementation of applicable plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions. In addition, the Project would be subject to applicable federal, state, and local regulations governing vehicle and equipment emissions, including California Air Resources Board requirements and applicable air quality permit requirements. Compliance with applicable mitigation measures, air quality permit requirements, and California Air Resources Board fleet requirements would ensure that GHG impacts would remain less than significant. Furthermore, the updated information regarding greenhouse gas emissions evaluated in the Initial Study does not constitute new information of substantial importance requiring major revisions to the certified FEIR/EIS pursuant to CEQA Guidelines Section 15162(a)(3). Accordingly, the proposed Project would not result in new significant greenhouse gas impacts or substantially increase the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions and applicable mitigation measures identified in the previously certified FEIR/EIS

remain valid and applicable to the proposed Project.

Hazards and Hazardous Materials

The proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The proposed Project consists of temporary mineral exploration activities, including exploratory drilling, temporary access road improvements, use of support vehicles and equipment, and reclamation activities. Hazardous materials associated with the Project would primarily consist of diesel fuel, gasoline, lubricants, drilling fluids, and other materials commonly used during exploration activities. Hazardous materials would be handled, stored, transported, and disposed of in accordance with applicable federal, state, and local regulations using routes approved for the transportation of hazardous materials. Compliance with these existing regulations would minimize potential hazards associated with the transport of hazardous materials to and from the Project Area. WMMI would continue to implement established safety procedures and spill prevention requirements, including maintenance of a Spill Prevention, Control, and Countermeasure Plan (SPCCP) and implementation of the Project Spill Contingency Plan. The plan describes spill prevention efforts that will be taken during Project activities including routine inspections and corrective action to ensure all equipment is maintained in good condition and unlikely to leak and required safety training for all personnel. The Project would construct temporary sumps at each drill pad for collecting drilling fluids and cuttings. The sumps would be lined with an appropriate liner material suitable for the size and configuration of each sump to ensure containment. The plan also describes notification and reporting procedures and spill response procedures to be implemented in the event a spill does occur. These procedures would minimize the potential impacts of an accidental spill through quick response, containment, and proper disposal of contaminated materials.

Implementation of existing mitigation measures, as identified in the Initial Study Table 21, "Existing Mitigation Measures – Hazards and Hazardous Materials," along with implementation of regulatory requirements and incorporation of PDFs, would ensure that potential impacts associated with hazardous materials remain less than significant. Accordingly, the changed circumstances evaluated in the Initial Study do not result in new significant hazards or hazardous materials impacts or a substantial increase in the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions and mitigation measures identified in the certified FEIR/EIS remain accurate and applicable to the proposed Project.

Hydrology and Water Quality

The proposed Project consists of temporary mineral exploration activities and reclamation and would include exploratory drilling, temporary access road improvements, construction of temporary sumps, and subsequent reclamation of disturbed areas. Potential impacts to water quality would primarily be associated with temporary surface disturbance, stormwater runoff, erosion, sedimentation, and the use of fuels and lubricants during exploration activities.

The Project would implement stormwater and erosion-control best management practices (BMPs), spill prevention measures, and applicable permit requirements designed to protect surface water and groundwater resources. In addition, WMMI would develop and implement a Stormwater Pollution Prevention Plan (SWPPP) incorporating Project-specific stormwater

pollution prevention and erosion-control BMPs and would comply with applicable RWQCB, CDFW, and stormwater requirements. WMMI also maintains a Spill Prevention, Control, and Countermeasure Plan (SPCCP) that governs the handling of potentially hazardous materials and helps ensure that Project activities do not adversely affect water resources. As discussed in the Initial Study Table 23, "Existing Mitigation Measures – Hydrology and Water Quality," implementation of the existing mitigation measures, compliance with regulatory requirements, and incorporation of the proposed PDFs would ensure that potential impacts associated with hydrology and water quality remain less than significant. Water required for drilling and dust suppression would be supplied from WMMI's existing Vista Well Field. The Initial Study determined that the Project would require approximately 2.7 acre-feet of water over the duration of the exploration program, which is substantially below WMMI's existing permitted water allocation and would not require new water supply infrastructure, increased groundwater extraction rights, or expansion of existing facilities. Accordingly, the changed circumstances evaluated in the Initial Study do not result in new significant impacts to groundwater resources or a substantial increase in the severity of previously identified impacts.

The Initial Study further concluded that the Project would not substantially alter drainage patterns, increase flood hazards, degrade water quality, or interfere with groundwater recharge. Therefore, the conclusions and applicable mitigation measures identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Land Use and Planning

The proposed Project is located on BLM-administered lands in a remote portion of eastern Imperial County immediately east of the existing Mesquite Mine. Existing land uses in the vicinity include mining operations, military training activities, and off-road recreation. Because the Project Area is located in an undeveloped desert environment with no nearby residential communities, implementation of the proposed Project would not physically divide an established community. The proposed Project consists of temporary mineral exploration activities and reclamation affecting approximately 2.34 acres and would not alter existing land use designations or establish a new long-term land use. As discussed in the Initial Study, the Project Area is designated Recreation/Open Space under the Imperial County General Plan, and the proposed exploration activities are consistent with the existing character and use of surrounding lands. The Project would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects. In addition, no habitat conservation plans or natural community conservation plans apply to the Mine site. Accordingly, the proposed Project would not result in new significant impacts related to land and planning or a substantial increase in the severity of previously identified impacts. Therefore, the conclusions and mitigation measures identified in the previously certified final EIR/EIS remain accurate and applicable to the proposed Project.

Mineral Resources

The proposed Project consists of temporary mineral exploration activities designed to obtain additional geologic information and better characterize mineralization within the Rainbow East exploration area. The Project would involve construction of drill pads and access roads, drilling of exploration borings, collection of geologic samples, and subsequent reclamation of approximately 2.34 acres of temporary surface disturbance. Although limited quantities of

material would be removed for testing and analysis purposes, the proposed Project does not authorize commercial mineral extraction, ore processing, heap leaching, waste rock disposal, or expansion of existing mining operations. As discussed in the Initial Study, the purpose of the exploration program is to evaluate the presence, extent, and characteristics of mineral resources within the Project Area. The proposed Project would not result in the permanent loss of availability of a known mineral resource of value to the region or the state and would not interfere with access to or recovery of mineral resources. Rather, the information obtained through the exploration program would support future evaluation of mineral resources within the area. Accordingly, implementation of the proposed Project would not result in new significant impacts to mineral resources or substantially increase the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Noise

Noise generated by the Project would be similar to that typically associated with temporary construction and exploration activities and would occur over a limited duration. As discussed in the Initial Study, the proposed Project is located in a remote portion of eastern Imperial County and is not located near sensitive noise receptors. Accordingly, Project-generated noise would be temporary, localized, and would not substantially increase existing ambient noise levels in the surrounding area. The proposed Project does not involve blasting, large-scale earthmoving operations, or other activities that would generate substantial groundborne vibration. Therefore, the Project does not involve new activities that would expose persons to excessive groundborne vibration or groundborne noise levels above existing conditions. As discussed in the Initial Study Table 27, "Existing Mitigation Measures – Noise," implementation of existing mitigation measures together with incorporation of the proposed PDFs and compliance with regulatory and permit requirements would ensure that potential impacts associated with noise remain less than significant. Accordingly, the changed circumstances evaluated in the Initial Study do not result in new significant noise impacts or a substantial increase in the severity of previously identified impacts.

The Project Area is not located within an airport land use plan, within 2 miles of a public airport, or within the vicinity of a private airstrip. Therefore, the conclusion and applicable mitigation measures identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Population and Housing

The proposed Project consists of short-term mineral exploration activities and associated reclamation and would not include residential development, expansion of permanent mining operations, or construction of facilities that would induce population growth. Exploration activities would be conducted by existing WMMI personnel and contractors and would not generate a substantial increase in employment or population within the region. Accordingly, the proposed Project would not induce population growth, displace housing, or displace a substantial number of people, necessitating the construction of replacement housing elsewhere. Accordingly, the changed circumstances evaluated in the Initial Study do not result in new significant population and housing impacts or a substantial increase in the severity of previously identified impacts. Therefore, the conclusions identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Public Services

No aspects of implementing the Project would require an increase in public services. In addition, as noted in the 1984 and 1987 EIR/EAs and the draft EIR/EIS for the Mine expansion, the Mine provides its own security force, firefighting systems, and emergency medical services (Imperial County and BLM 2000: 4.1-14-1). Additionally, the proposed Project consists of temporary mineral exploration activities and would not result in population growth, residential development, or construction of permanent facilities that would increase demand for public services. As discussed in the Initial Study, exploration activities would be conducted by existing WMMI personnel and contractors and would utilize existing operational support systems. In addition, WMMI would continue to maintain site-specific emergency response procedures, communication systems, safety equipment, and other measures necessary to support exploration activities. Compliance with regulatory requirements, incorporation of the proposed PDFs, and, as discussed in the Initial Study Table 30, "Existing Mitigation Measures – Public Services," implementation of existing, applicable mitigation measures would ensure that potential impacts associated with public services remain less than significant. Accordingly, the changed circumstances evaluated in the Initial Study would not result in new significant public services impacts or a substantial increase in the severity of previously identified impacts. Therefore, the conclusions identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Recreation

The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities. The proposed Project would not include residential development, permanent workforce expansion, or other activities that would increase the use of existing neighborhood parks, regional parks, or other recreational facilities. Accordingly, implementation of the proposed Project would not result in new significant recreation impacts or substantially increase the severity of impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Transportation/Traffic

The proposed Project is located in a remote desert area of eastern Imperial County with limited traffic volumes and access provided primarily via Highway 78 and BLM Route 949. Since certification of the FEIR/EIS, mining operations have continued within the existing adjacent Mesquite Mine pursuant to applicable permits and approvals, and regional transportation conditions have not changed in a manner that would result in new significant transportation impacts associated with the proposed Project. The proposed Project consists of temporary mineral exploration activities and would generate only limited, short-term vehicle trips associated with personnel transport, water delivery, equipment mobilization, and drilling operations. Traffic generation would occur intermittently over the exploration period and would cease following completion of exploration and reclamation activities. The proposed Project would involve widening approximately 1,315 linear feet of existing access road and constructing approximately 4,500 linear feet of new unpaved roads to connect Project components. In addition, the Project would construct four new access points from Highway 78 to serve the proposed internal roadways. Any temporary access improvements would be reclaimed following completion of exploration activities in accordance with RPA #24-0001.

Furthermore, the proposed Project would generate approximately 18 daily trips, which is below OPR's recommended screening criterion for VMT of 110 vehicle trips/day. This indicates that the anticipated increase in daily trips would be negligible. Accordingly, the proposed Project would not substantially increase traffic volumes, conflict with applicable transportation plans or policies, create hazardous roadway conditions, or impair emergency access. The changed circumstances evaluated in the Initial Study do not result in new significant transportation impacts or a substantial increase in the severity of transportation impacts previously analyzed in the certified FEIR/EIS. Therefore, the conclusions identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Utility and Service Systems

The proposed Project consists of temporary mineral exploration activities and reclamation and would not require the construction or expansion of water treatment facilities, wastewater treatment facilities, stormwater infrastructure, electrical transmission facilities, or other utility systems. As discussed in the Initial Study, water required for drilling and dust suppression would be supplied from WMMI's existing permitted Vista Well Field water supply. Total Project water demand is estimated to be approximately 2.7 acre-feet over the duration of the Project, which is substantially below WMMI's existing permitted water allocation of 4,033 acre-feet per year and would not require new water supply infrastructure or increased water entitlements.

The proposed Project is not serviced by a wastewater treatment provider. The proposed Project would not require the construction of new or expanded facilities for water or wastewater treatment. The proposed Project would not require the construction of new or changes to existing stormwater drainage facilities. Sanitary services during exploration activities would be provided through temporary portable toilets serviced by a licensed contractor. The Project would not generate industrial wastewater requiring treatment and would not require expansion of existing wastewater treatment facilities. Stormwater and erosion-control best management practices would be implemented as necessary to manage runoff from temporary disturbances and would not require construction of permanent stormwater facilities.

Solid waste generated during exploration activities, such as refuse, drilling additive containers, and miscellaneous debris, would be collected and managed through existing waste handling facilities at the adjacent Mesquite Mine prior to transport and disposal at an authorized landfill. Hazardous materials would be managed in accordance with the Project Spill Contingency Plan. Accordingly, the changed circumstances evaluated in the Initial Study do not result in new significant utility and service system impacts or a substantial increase in the severity of previously identified impacts. Therefore, the conclusions and applicable mitigation measures identified in the previously certified FEIR/EIS remain accurate and applicable to the proposed Project.

Wildfire

The proposed Project is not located within or adjacent to a residential community and does not contain habitable structures that would be exposed to substantial wildfire hazards. Implementation of the proposed Project would not impair emergency response capabilities or evacuation routes, would not substantially increase wildfire risk through the introduction of permanent structures or substantial new ignition sources, and would not expose people or

structures to significant risks associated with wildfire. In addition, reclamation activities would restore disturbed areas to conditions generally consistent with surrounding desert habitats and would not create conditions that would substantially increase wildfire hazards. The Initial Study concluded that the proposed Project would not significantly increase wildfire risks, contribute to post-fire slope instability or erosion hazards, or otherwise create wildfire-related impacts beyond those previously evaluated. Accordingly, the proposed Project would not result in new significant wildfire impacts or a substantial increase in the severity of previously identified impacts. Therefore, the conclusions identified in the certified FEIR/EIS remain accurate and applicable to the proposed Project.

2.2.4 Finding 4

Finding

The County has reviewed new information, which was not known and could not have been known, with the exercise of reasonable diligence at the time the previous EIR/EIS and EIRs/EAs were certified as complete and has determined that:

(A) the project would not have significant effects not discussed in the previous EIR/EIS and EIRs/EAs;

(B) the project's significant effects previously examined would not be substantially more severe than shown in the previous EIR/EIS and EIRs/EAs;

(C) there are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible, and would substantially reduce one or more significant effects of the project; and

(D) there are no mitigation measures or alternatives considerably different from those analyzed in the previous EIR/EIS and EIRs/EAs that would substantially reduce one or more significant effects on the environment.

Substantial Evidence in Support of Finding 4

The County reviewed updated air quality and emissions analysis, biological resource surveys, cultural resource investigations, paleontological evaluations, hydrologic and jurisdictional resource assessments, noise modeling, visual simulations, and other Project-specific information developed since certification of the previous environmental documents. Based on this review, the County has determined that none of the criteria specified in CEQA Guidelines Section 15162(a)(3) are met.

No New Significant Effects Are Present

The Initial Study evaluated the updated information and determined that the proposed Project would not result in one or more significant effects not discussed in the previous EIR/EIS and EIRs/EAs. Existing mitigation measures, PDFs incorporated into the Project, applicable CMAs, regulatory and permit requirements, and other relevant environmental protection requirements presented in Initial Study Appendix D would ensure that the Project would not result in significant environmental effects beyond those evaluated in the certified FEIR/EIS and subsequent environmental review documents.

No New Substantially More Severe Effects Are Present

The Initial Study determined that none of the significant environmental effects previously identified in the certified FEIR/EIS and subsequent environmental review documents would become substantially more severe as a result of the proposed Project. The proposed exploration activities are short-term, limited in scale, and subject to existing mitigation measures, PDFs incorporated into the Project, applicable CMAs, regulatory and permit requirements, and other pertinent environmental protection requirements presented in Initial Study Appendix D. Adherence to these requirements would ensure that the Project would not substantially increase the severity of any previously identified environmental effect beyond those identified in the certified FEIR/EIS and subsequent environmental review documents.

No Feasible Mitigation Measures or Alternatives Are Available That Would Reduce One or More Significant Effects

The Initial Study evaluated whether any previously infeasible mitigation measures or alternatives have subsequently become feasible and would substantially reduce one or more significant environmental effects associated with the proposed Project. Based on this review, Imperial County determined that no previously infeasible mitigation measures or alternatives have become feasible that would substantially reduce Project impacts beyond the level already achieved through existing mitigation measures, PDFs incorporated into the Project, relevant CMAs, regulatory and permit requirements, and other applicable environmental protection requirements presented in Initial Study Appendix D.

Mitigation Measures or Alternatives Considerably Different Than Those Provided in the EIR/EIS That Would Reduce One or More Significant Effects are not Available

The Initial Study evaluated whether mitigation measures or alternatives considerably different from those previously adopted are available and would substantially reduce one or more significant environmental effects associated with the proposed Project. Based on this evaluation, Imperial County determined that no considerably different mitigation measures or alternatives have been identified that would substantially reduce Project impacts beyond the level already achieved through compliance with existing mitigation measures, PDFs incorporated into the Project, applicable CMAs, regulatory and permit requirements, and other relevant environmental protection requirements presented in Initial Study Appendix D.

2.2.5 Finding 5

Finding

With assistance from its consultant, Benchmark Resources, the County has exercised its independent judgment in the preparation of the Initial Study.

Substantial Evidence in Support of Finding 5

The substantial evidence supporting Finding 5 is provided in Findings 2 through 4, the initial study prepared for the proposed Project, the environmental compliance documents provided in Finding 2, and the entirety of the administrative record for the proposed Project.

2.2.6 Finding 6

Finding

The County concurs with the finding in the Initial Study that the proposed Project would not result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts and an addendum to the 2002 EIR/EIS is the appropriate CEQA compliance document.

Substantial Evidence in Support of Finding 6

The substantial evidence supporting Finding 6 is provided in Findings 2 through 4, the Initial Study prepared for the proposed Project, the environmental compliance documents provided in Finding 2 and the entirety of the administrative record for the proposed Project.

2.2.7 Finding 7

Finding

The Initial Study provides substantial evidence that the proposed Project would not result in new significant environmental impacts or a substantial increase in the severity of previously identified impacts. Existing mitigation measures, PDFs incorporated into the Project, pertinent CMAs, regulatory and permit requirements, and other applicable environmental protection requirements identified in Appendix D of the Initial Study would apply to the proposed Project.

Substantial Evidence in Support of Finding 7

The substantial evidence supporting Finding 7 is provided in Findings 2 through 4, the initial study prepared for the proposed Project, the environmental compliance documents provided in Finding 2, and the entirety of the administrative record for the proposed Project.

3. CONCLUSION

Based on the findings and information contained in the previously certified 2002 FEIR/EIS; the analysis above and contained within the Initial Study; and the CEQA Statutes and Guidelines, including Sections 15164 and 15162, the proposed Project would not result in new, increased, or substantially different impacts from those previously considered and addressed in the 2002 FEIR/EIS. No major revisions to the 2002 FEIR/EIS analyses are necessary, nor is there a need for additional mitigation measures. Therefore, pursuant to the CEQA Guidelines, Section 15164, the Imperial County Planning Commission hereby adopts the Sections 15162 and 15164 findings relating to the proposed Project and the previously certified 2002 FEIR/EIS.

4. REFERENCES

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