



PUBLIC NOTICE

**U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT**

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**APPLICATION FOR PERMIT
United States Gypsum (USG) Plaster City Quarry Expansion**

Public Notice/Application No.: SPL-2014-00216-SAS

Project: U.S. Gypsum Company Plaster City Quarry Expansion

Comment Period: November 18, 2019 to December 18, 2019

Project Manager: Kyle Dahl; (760) 602-4834; Kyle.J.Dahl@usace.army.mil

Applicant

Luis Carrazco
United States Gypsum Company
7801 Split Mountain Rd
Ocotillo Wells, California 92004

Contact

Tricia Wotipka
Dudek
605 Third Street
Encinitas, California 92024

Location

The project is located to the south of the existing United States Gypsum (USG) Plaster City mine, 7801 Split Mountain Road, near the city of Ocotillo Wells, Imperial County, California (33.014722 N, -116.085872 W). (Figure 1)

Activity

The proposed project involves the expansion of the USG Plaster City Gypsum Quarry, including the construction of haul roads and reclamation and hydrologic berms, and the installation of a new water well and water supply pipeline to the quarry site related. A more specific project description is included below. (Figure 2)

Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act. Comments should be mailed to:

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
ATTN: Kyle Dahl

Alternatively, comments can be sent electronically to: Kyle.J.Dahl@usace.army.mil

The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- An environmental impact statement (EIS) has been prepared for the proposed work. A draft supplemental environmental impact statement (SEIS) to supplement the initial EIS has been published and the final SEIS is currently being prepared. The Bureau of Land Management (BLM) is the federal lead for the EIS and the Corps is a cooperating agency.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

Coastal Zone Management- This project is located outside the coastal zone and preliminary review indicates it would not affect coastal zone resources. After a review of the comments received on this public notice and in consultation with the California Coastal Commission, the Corps will make a final determination of whether this project affects coastal zone resources after review of the comments received on this Public Notice.

Essential Fish Habitat- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project.

Cultural Resources- BLM, as the Federal lead for the project, has made the initial determination that the proposed project would not affect historic properties. As such, BLM has initiated consultation with the California State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act (NHPA). Additionally BLM has initiated consultation with tribes within the region.

Endangered Species- BLM, as the Federal lead for the project, has made the initial determination that the proposed project may adversely affect Federally listed species. As such, BLM has initiated consultation with the United State Fish and Wildlife Service.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

Basic Project Purpose- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). Because no fills are proposed within special aquatic sites, identification of the basic project purpose is not necessary.

Overall Project Purpose- The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the proposed project is to maintain a

reliable supply of gypsum ore to existing processing facilities in order to produce gypsum related products at levels consistent with current and projected demand in the southwestern United States.

Additional Project Information

Baseline information- The existing Plaster City Quarry is bounded by Anza Borrego Desert State Park to the west and northwest, the Fish Creek Mountains Wilderness Area to the east and south and public lands administered by the Bureau of Land Management (BLM). Quarrying activities have been ongoing at the quarry site since 1921 and USG has owned and continuously operated the Quarry since 1945. An existing narrow gauge railroad provides gypsum ore to an existing processing facility located at Plaster City for the production of gypsum related products.

Project description- The proposed project involves the expansion of the USG Plaster City Quarry, including the construction of haul roads and reclamation and hydrologic berms, and the installation of a new water well and water supply pipeline to the quarry site.

Expansion of the quarry areas would occur in areas to the south and southeast of the existing mine. Quarrying activities related to the expansion would consist of a multi-phased plan that would quarry and process gypsum. Operations activities at the quarry area would include mining, pre-milling (primary and secondary crushing and screening) and shipping material via narrow gauge rail to the Plaster City Plant for processing.

Mining activities related to the quarry expansion would involve outcrop quarrying and alluvial wash quarrying. Outcrop quarrying would occur along the hillsides above the elevation of the existing wash in areas where little overburden is present. Alluvial wash quarrying would occur within the existing stream wash and would involve removal of alluvial overburden to expose gypsum deposits. Activities related to the expansion of the quarry would involve permanent impacts to 133.63 acres of non-wetland waters of the US for the purpose of conducting gypsum mining activities.

The proposed quarry expansion would also include construction of haul roads to access two of the proposed mine phases within the mine expansion areas. Construction of the haul roads would involve permanent impacts to 0.39 acres of non-wetland waters of the U.S. for the purpose of providing access to proposed mine phases within the proposed quarry expansion.

The proposed project would also involve the construction of a reclamation and hydrologic berm. The reclamation berm would be constructed with the top one foot of surface alluvium which would be pushed to the western slopes of the wash to be used during reclamation. The hydrologic berm would be constructed with alluvial overburden on the east bank of the wash to divert sheet flow away from quarry operations. Activities related to the construction of the hydrologic and reclamation berm would result in permanent impacts to 5.23 acres of non-wetland waters of the U.S.

The proposed project would also include the construction of a proposed water well and water supply line for the quarry. The new water supply line would deliver water from a proposed water well to the quarry site. Activities related to the installation of the proposed water well and water supply line would result in temporary impacts to 0.21 acres of non-wetland waters of the U.S.

Proposed Mitigation- The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

Avoidance: The applicant has evaluated alternative project designs to avoid impacts to waters of the U.S. Alternative designs related to avoidance of waters of the U.S. involve evaluating underground mining methods to avoid surficial impacts to waters of the U.S. These alternative methods include room and pillar, block caving, long wall mining, and stoping.

Minimization: The applicant has also evaluated alternative project designs to minimize impacts to waters of the U.S. Alternative designs related to minimizing impacts to waters of the U.S. involve reducing the extent or eliminating various mining phases of the proposed mine expansion. Specifically, the applicant has evaluated eliminating reducing or eliminating mining phases in the lower, middle and upper portions of the watershed within the proposed mine expansion area.

Compensation: The applicant has provided an initial mitigation plan to compensate for the unavoidable project related losses to waters of the U.S. The applicant is currently proposing to provide compensatory mitigation via permittee responsible mitigation. The proposed mitigation would include the re-establishment of non-wetland waters of the U.S. at a site located north of the town of Borrego Springs.

Proposed Special Conditions

The following list is comprised of proposed Permit Special Conditions, which are required of similar types of projects:

In the event that an authorized activity requires the establishment of permittee responsible mitigation, the associated permit will include special conditions to ensure that the proposal meets Corps mitigation requirements located in 33 CFR 332.

Additionally, the permit would include a conditions related to the inadvertent discovery of historic properties and associated notification requirements.

For additional information please call Kyle Dahl of my staff at (760) 602-4834 or via e-mail at Kyle.J.Dahl@usace.army.mil. This public notice is issued by the Chief, Regulatory Division.

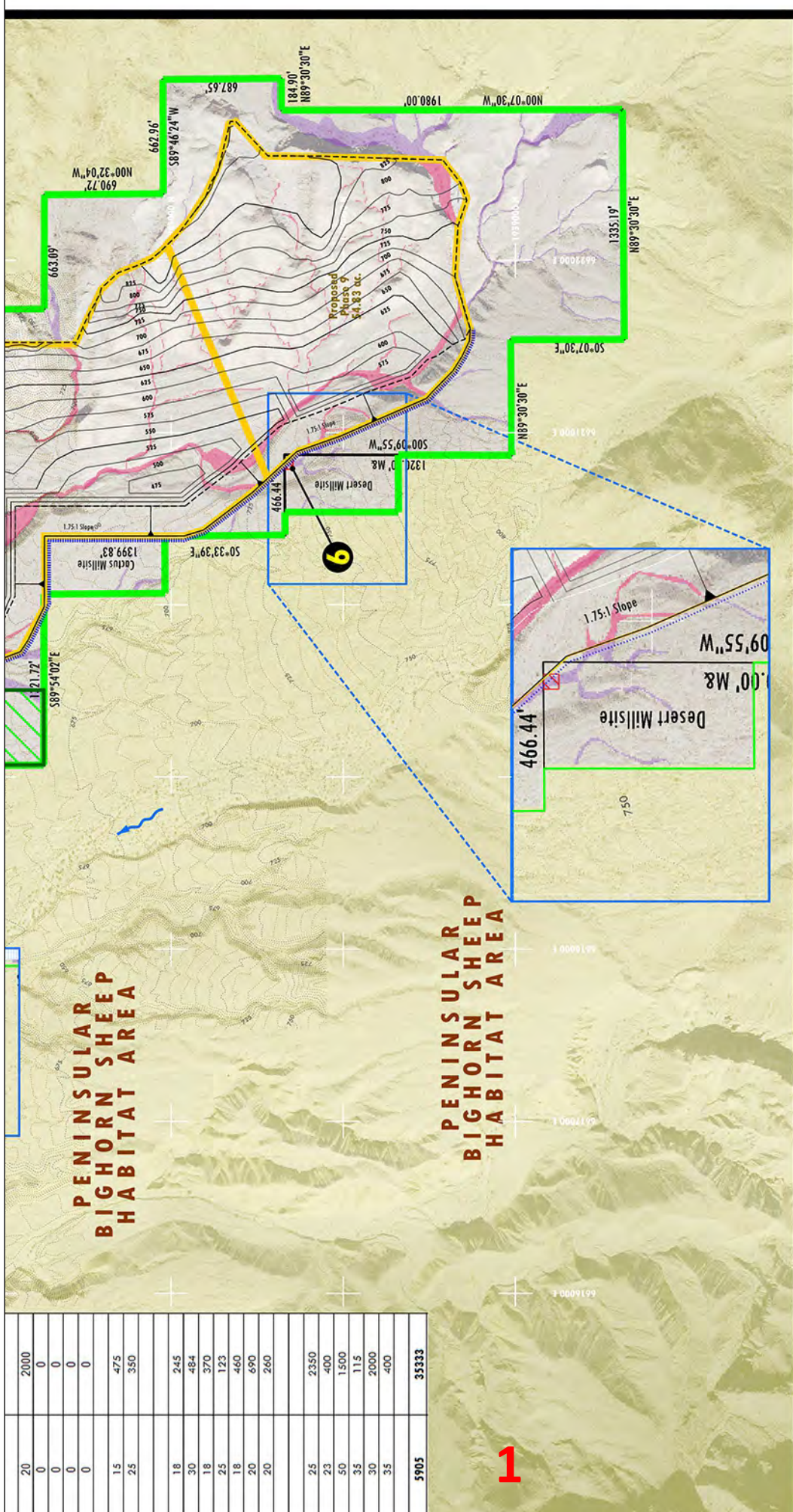


Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS

WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY



No.	Date	By	Revision Description
1			
2			
3			
4			
5			

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LILBURN CORPORATION

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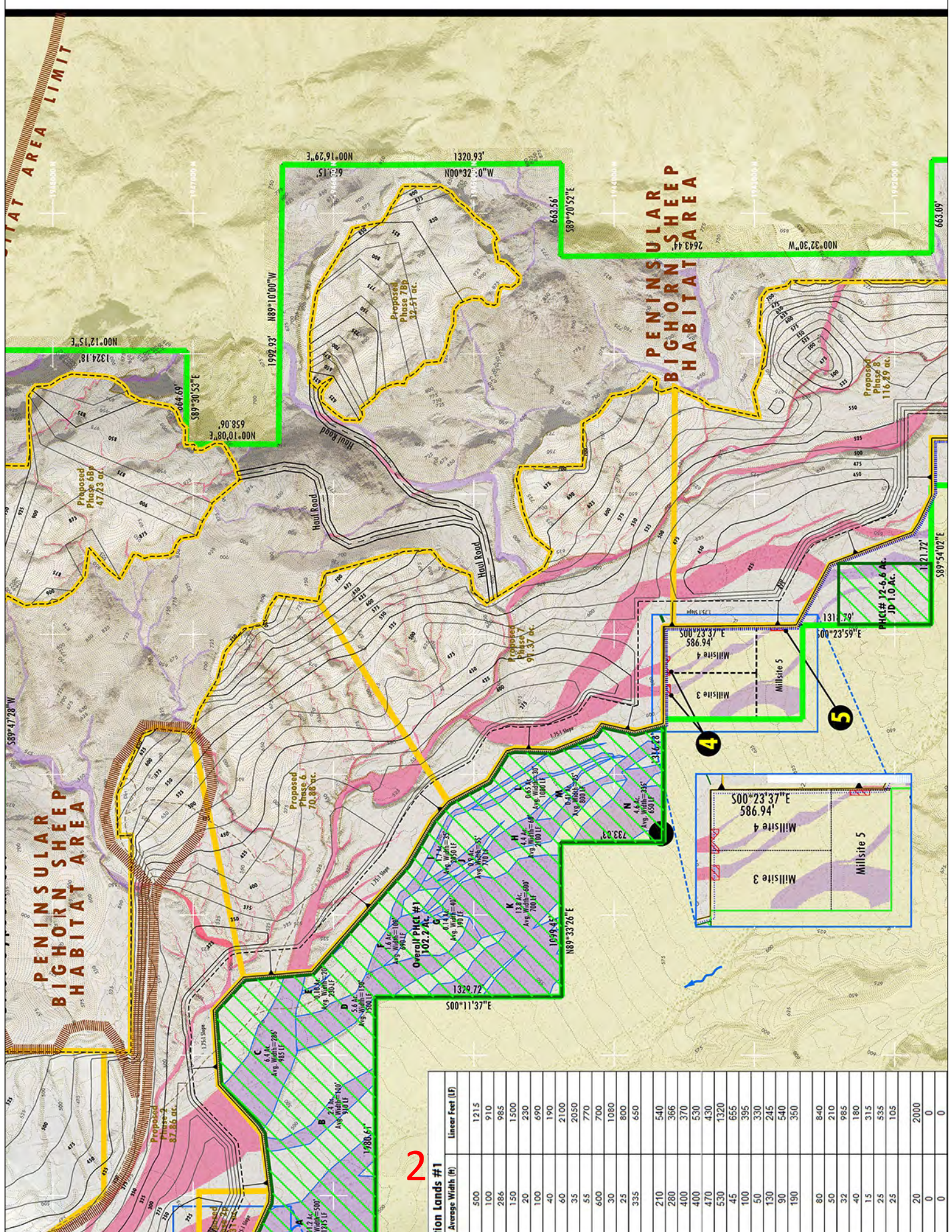
Regional Location

Plaster City Quarry

Scale: 1 inch = 600 feet
Map Prepared By: Lilburn Corporation (TAG) 04/2016
Index Contour Interval = 75 Feet
Topo Source: 2008

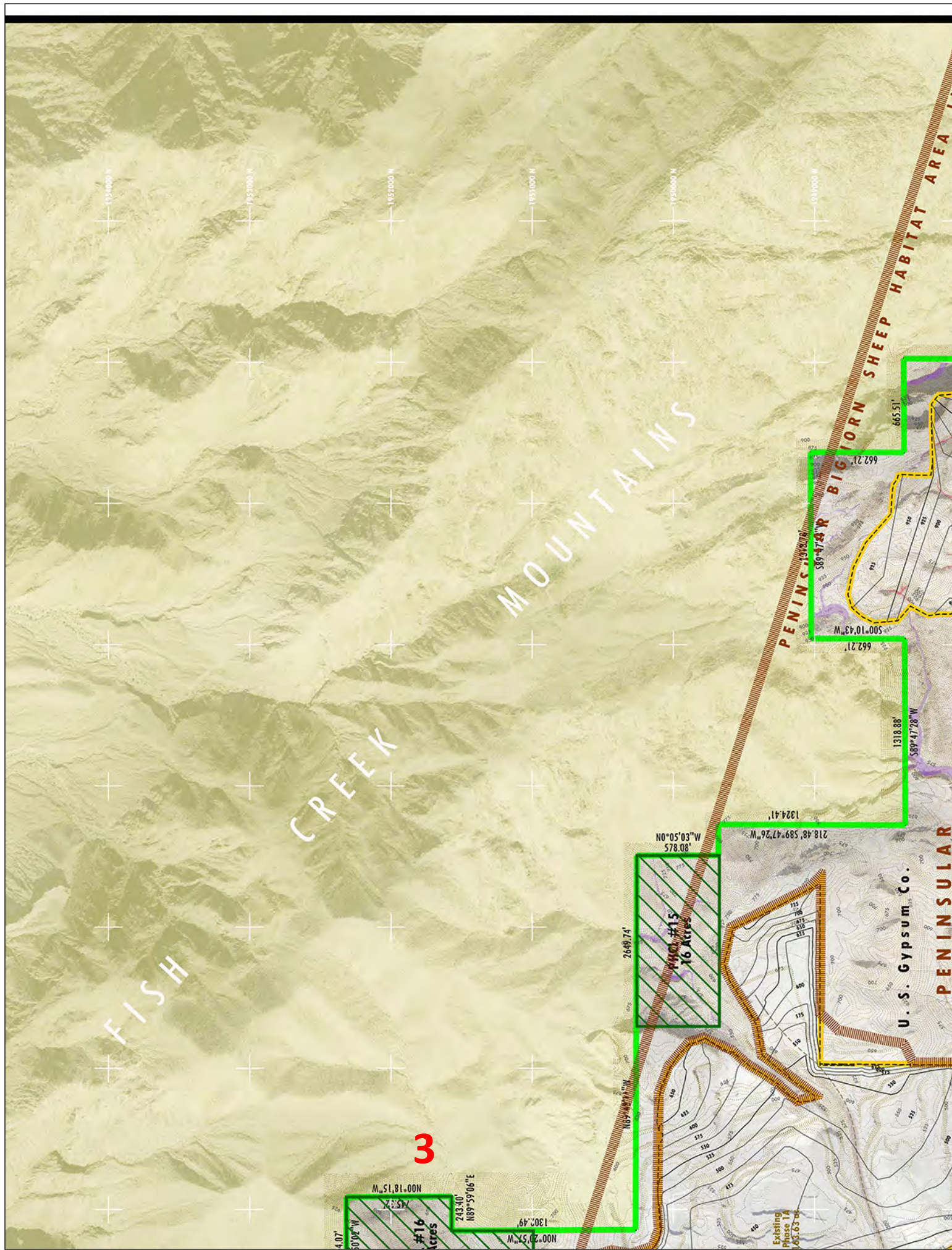
LEGEND

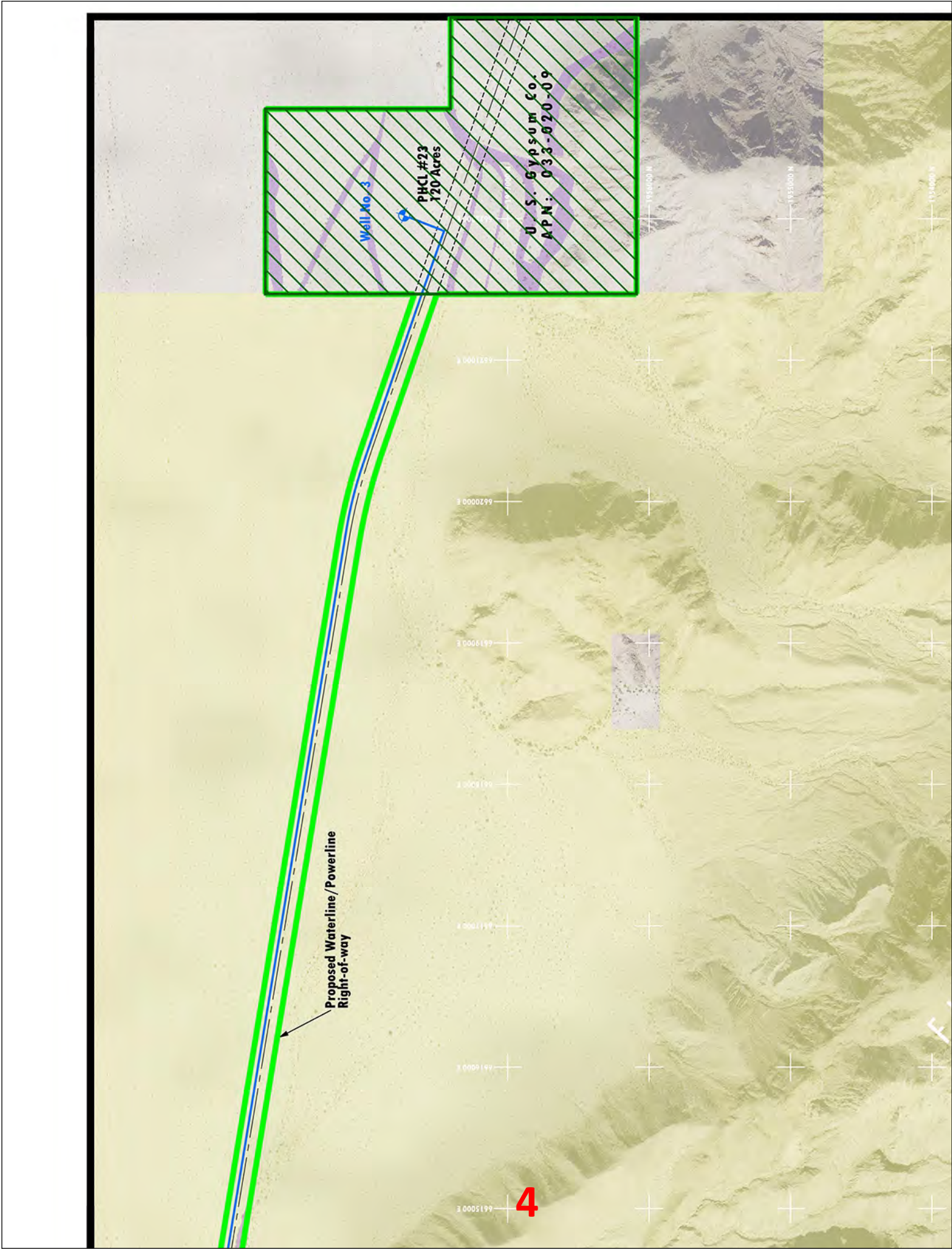
- Plaster City Project Area/
Waters of the U.S. Survey Area
- Patented Land
- Mill Site



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Habitat Lands #1		Linear Feet (LF)	
Average Width (ft)			
500	1215	210	540
100	910	280	366
286	985	400	370
150	1500	400	530
20	230	470	430
100	690	530	1320
40	190	45	655
60	2100	100	395
35	2050	50	330
55	770	130	245
600	700	90	540
30	1080	190	350
25	800	80	840
335	650	50	210
210	540	32	985
280	366	40	180
400	370	15	315
400	530	25	535
470	430	25	105
530	1320	20	2000
45	655	0	0
100	395	0	0
50	330	0	0
130	245		
90	540		
190	350		
80	840		
50	210		
32	985		
40	180		
15	315		
25	535		
25	105		
20	2000		
0	0		
0	0		





PHCL #15	TOTAL	16	0.9	2
PHCL #16		17	0	0
PHCL #17		5	0	0
PHCL #18		10	0	0
PHCL #19		1.25	0	0
PHCL #20		10		
A			0.1	1
B			0.15	2
TOTAL		40		
PHCL #21				
A			0.06	1
B			0.3	3
C			0.1	1
D			0.08	2
E			0.2	1
F			0.3	2
G			0.1	2
TOTAL		40		
PHCL #22				
A			1.7	2
B			0.2	2
C			1.5	5
D			0.1	3
E			1.6	3
F			0.6	3
TOTAL		389.05	101.75	59
GRAND TOTAL				



PENINSULAR
BIGHORN SHEEP
HABITAT AREA

DRAFT

PLASTER CITY QUARRY JURISDICTIONAL WATERS

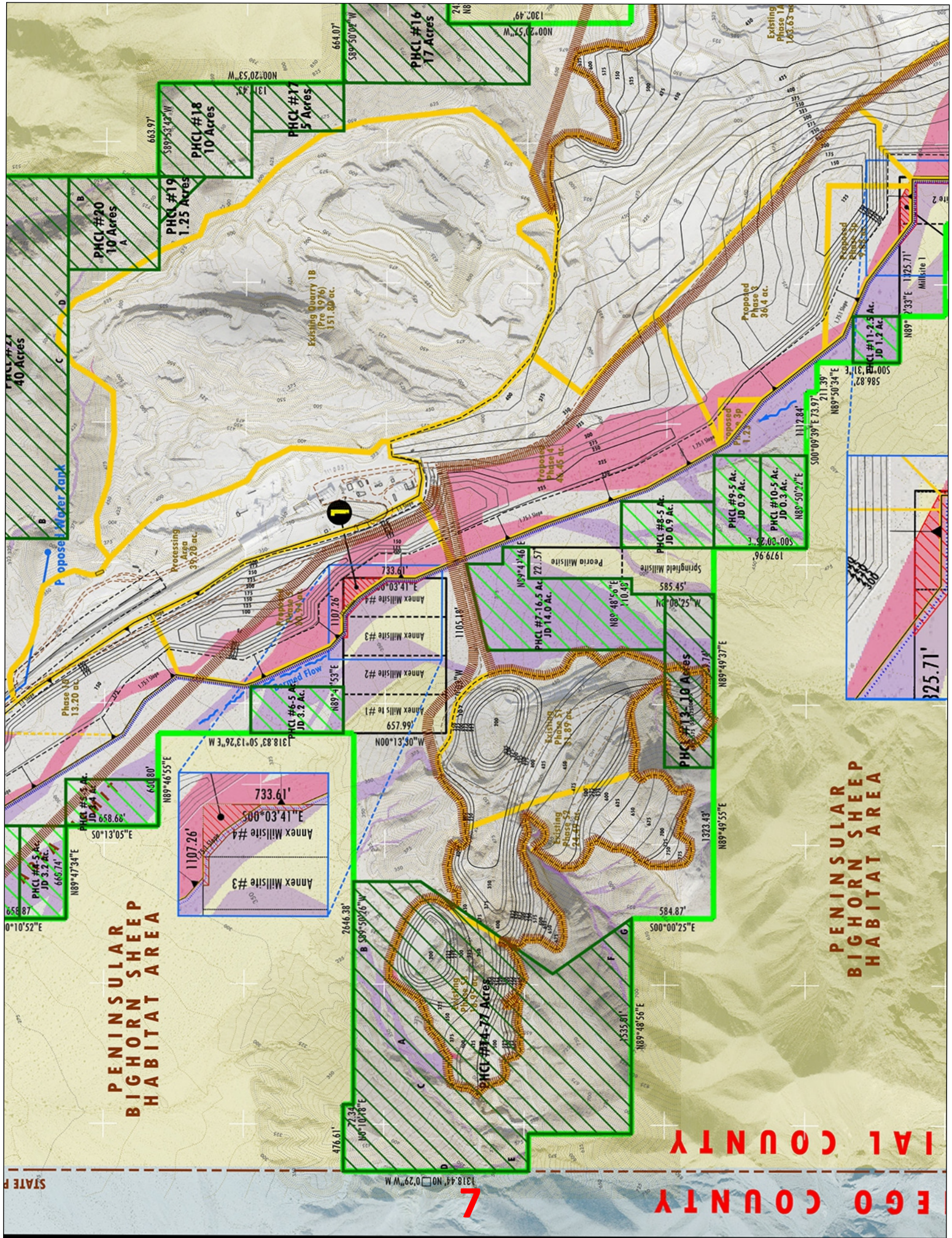
SUPPLEMENTAL EIS FEDERAL ACTION AREAS U.S. Gypsum Plaster City Quarry County of Imperial, California

Scale: 1"=600'
Date: 11/01/18
DGN: USG-Supp EIS Fed Action Areas 2016

EXHIBIT E



JDW within Potential Habit Conservation Land				
Designation	Total Parcel Area (acres)	JDW Area (acres)	Average	
PHC #1	107.2			
A		11.2	5	
B		2.4	1	
C		6.4	2	
D		5.6	1	
E		0.1	1	
F		1.6	1	
G		0.14	4	
H		4.4	1	
I		1.7	3	
J		0.9	5	
K		13.8	6	
L		0.65	5	
M		0.41	2	
N		4.6	3	
TOTAL				
PHC #2	5	3.1	2	
PHC #3	5	2.2	2	
PHC #4	5	3.2	4	
PHC #5	5	3.4	4	
PHC #6	5	3.2	4	
PHC #7	16.5	14	5	
PHC #8	5	0.9	4	
PHC #9	5	0.9	1	
PHC #10	5	0.3	5	
PHC #11	2.5	2.4	1	
PHC #12	6.6	1	5	
PHC #13	5	1.6	1	
PHC #14	77			
A		2.1	8	
B		0.3	5	
C		0.6	5	
D		0.2	4	
E		0.1	1	
F		0.3	5	
G		0.06	2	
TOTAL				
PHC #15	16	0.9	2	
PHC #16	17	0	1	
PHC #17	5	0	1	



PENINSULAR
BIGHORN SHEEP
HABITAT AREA

PENINSULAR
BIGHORN SHEEP
HABITAT AREA

IAGO COUNTY
IAGO COUNTY

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