

# Notice of Exemption

## Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk  
County of Imperial  
940 Main Street  
El Centro, CA 92243

From: (Public Agency):  
County of Imperial  
Planning & Development Services  
801 Main Street  
El Centro, CA 92243

Project Title: Conditional Use Permit (CUP) #25-0018 (Superseding CUP #02-0023)

Project Applicant: American Towers, Inc. (ATC)

Project Location – Specific:

The project is located at 402 East Beal Road, Niland, California.

Project Location – City: Unincorporated Area Project Location – County: Imperial

Description of Nature, Purpose and Beneficiaries of Project:

The applicant has submitted a Conditional Use Permit (CUP) application and supporting documents to renew entitlements for previously approved CUP #02-0023 for a new (15) fifteen-year term for an existing telecommunications tower located at 402 East Beal Road, Niland, California. The applicant intends to continue the operation of the existing 185-foot above ground level (AGL) tower, height approved through Variance #129-94 to exceed the 80-foot height limitation in the M-1-U (Light Industrial with Urban Area Overlay) zone by 105 feet.

Name of Public Agency Approving Project: Imperial County Planning Commission

Name of Person or Agency Carrying Out Project: Imperial County Planning & Developing Services Dept.

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));  
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
☒ Categorical Exemption. State type and section  
number: Sec. 15301 (Class 1 – Existing Facility)  
☐ Statutory Exemptions, State Code  
Number: \_\_\_\_\_

Reasons why project is exempt:

Per Article 19, Section 15301, of the California Environmental Quality Act (CEQA) Guidelines, the project is categorized as a Class 1 Categorical Exemption as it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Lead Agency


Contact Person: Alan C. Molina, Planner II

Area Code/

Telephone Extension: (442) 265-1736

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature:  Date: 01-22-2026 Title: ICPDS Assistant Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for Filing at OPR: \_\_\_\_\_