

PROJECT REPORT

TO: **Planning Commission**

AGENDA DATE: September 8, 2021

FROM: **PLANNING & DEVELOPMENT SERVICES**

AGENDA TIME 9:00 a.m. / No. 3

PROJECT TYPE: CUP #21-0007 Abraham Gutierrez, Jr. SUPERVISOR DIST# 5

LOCATION: 771 Sidewinder Rd. APN: 056-470-029-000

Winterhaven, CA PARCEL SIZE: +/- 46.37 Acres

GENERAL PLAN (existing) Recreation/Open Space GENERAL PLAN (proposed) N/A

ZONE (existing) S-2 (Open Space/Preservation) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 09/08/2021

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/15/2021

INITIAL STUDY: #21-0006

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER				

Quechan Historic, IID, CEO, City of Needles

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU APPROVE CONDITIONAL USE PERMITS #21-0007 BY TAKING THE FOLLOWING ACTIONS:

- 1) ADOPT THE NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED AT THE ENVIRONMENTAL EVALUATION COMMITTEE HELD ON THE JULY 15, 2021;
- 2) MAKE THE DE MINIMUS FINDINGS AS RECOMMENDED AT THE JULY 15, 2021 EEC HEARING THAT THE PROJECT WILL NOT INDIVIDUALLY OR CUMULATIVELY HAVE AN ADVERSE EFFECT ON FISH AND WILDLIFE RESOURCES, AS DEFINED IN SECTION 711.2 OF THE FISH AND GAME CODES; AND,
- 3) ADOPT THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS, APPROVING CONDITIONAL USE PERMITS (CUP) #21-0007, SUBJECT TO ALL THE CONDITIONS, AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CUP CONTRACT UPON RECEIPT FROM THE APPLICANT.

STAFF REPORT
Planning Commission
September 8, 2021
Conditional Use Permit (CUP) #21-0007

Applicant/Owner: Abraham Gutierrez, Jr.

Project Location:

The project site is located at 771 Sidewinder Road, Winterhaven, CA 92283. This parcel is located on Imperial County Assessor Parcel (APN) 056-470-029-000. The legal description for this parcel is identified as Parcel 1 of Parcel Map 891 of the North East Quarter of Section 21, Township 16 South, Range 21 East, SBM. The project site total acreage is approximately 46.37 and is currently vacant. The site is a relatively flat terrain with native desert landscape and sand. It is located directly to the north of the Southern Pacific Rail Road, and is in proximity to the township of Felicity. There are vacant parcels to the north and west of the project site, and a residential dwelling is located to the east.

Project Description:

The project site is located on a currently vacant parcel. The applicant is proposing to build a water well to have access to one acre foot of water per year. This will be used as an accessory for a future manufactured home on a foundation. The water well will be used for residential purposes.

The project has initially received comments from Imperial Irrigation District per letter dated April 28, 2021 requiring a water supply agreement as per item #3; however per IID's later clarification email dated August 24, 2021 the project is outside of IID's water service area and district boundary. As a result, IID comment #3 was removed and a water entitlement requirement through the Lower Colorado Water Supply project was required as per City of Needles email dated August 24, 2021.

Land Use Analysis:

According to the Land Use Element of the Imperial County General Plan, the project site is designated as "Recreation/Open Space". It is classified as S-2 (Open Space/Preservation) under the Imperial County Land Use Ordinance (Title 9), Division 25, Section 92570.00, Zone Map #70.

A residence is a permitted use in the S-2 zone per Division 5, Section 90519.01 of the abovementioned ordinance and the proposed project is considered consistent with Division 21 (Water Well Regulations), Section 92102.00 of the same ordinance, which requires a Conditional Use Permit for a water well.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Open Space	S-2	Recreation/Open Space
North	Open Space	S-2	Recreation/Open Space
South	Southern Pacific Rail Road	S-2	Recreation/Open Space
East	Residential	S-2	Recreation/Open Space
West	Southern Pacific Rail Road	S-2	Recreation/Open Space

Environmental Determination:

On July 15, 2021, the Environmental Evaluation Committee (EEC) determined that CUP #21-0007 for a new water well would not have a significant effect on the environment and recommended a Negative Declaration (ND) be prepared. The EEC also made the De Minimus Finding that the project will not individually or cumulatively have an adverse effect on fish and wildlife resources, as defined in Section 711.2 of the Fish and Game Codes.

On July 16, 2021, the public notice for the Negative Declaration was filed with the Imperial County Clerk-Recorders and was posted and circulated for a 20-day comment period from 07/16/2021 to 08/5/2021, comments received were made part of this package.

Staff Recommendation:

It is recommended that you conduct a public hearing and that you hear all the opponents and proponents of the proposed project. Staff would then recommend that you take the following action:

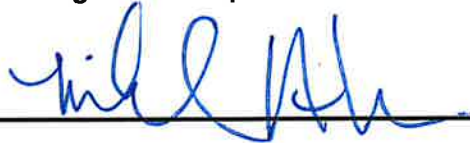
1. Adopt the Negative Declaration by finding that the proposed project would not

- have a significant effect on the environment as recommended at the Environmental Evaluation Committee (EEC) hearing on July 15, 2021;
2. Make the De Minimus Finding as recommended at the July 15, 2021 EEC hearing that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the Fish and Game Codes; and
 3. Adopt the attached Resolution(s) and Supporting Findings, and Conditional Use Permit (CUP) #21-0007, subject to all the Conditions and authorize the Planning & Development Services Director to sign the CUP upon receipt from the applicant.

PREPARED BY: Mariela Moran, Planner II
Planning & Development Services



REVIEWED BY: Michael Abraham, AICP, Assistant Director
Planning & Development Services



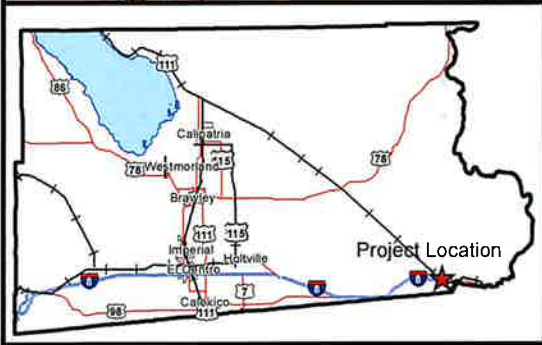
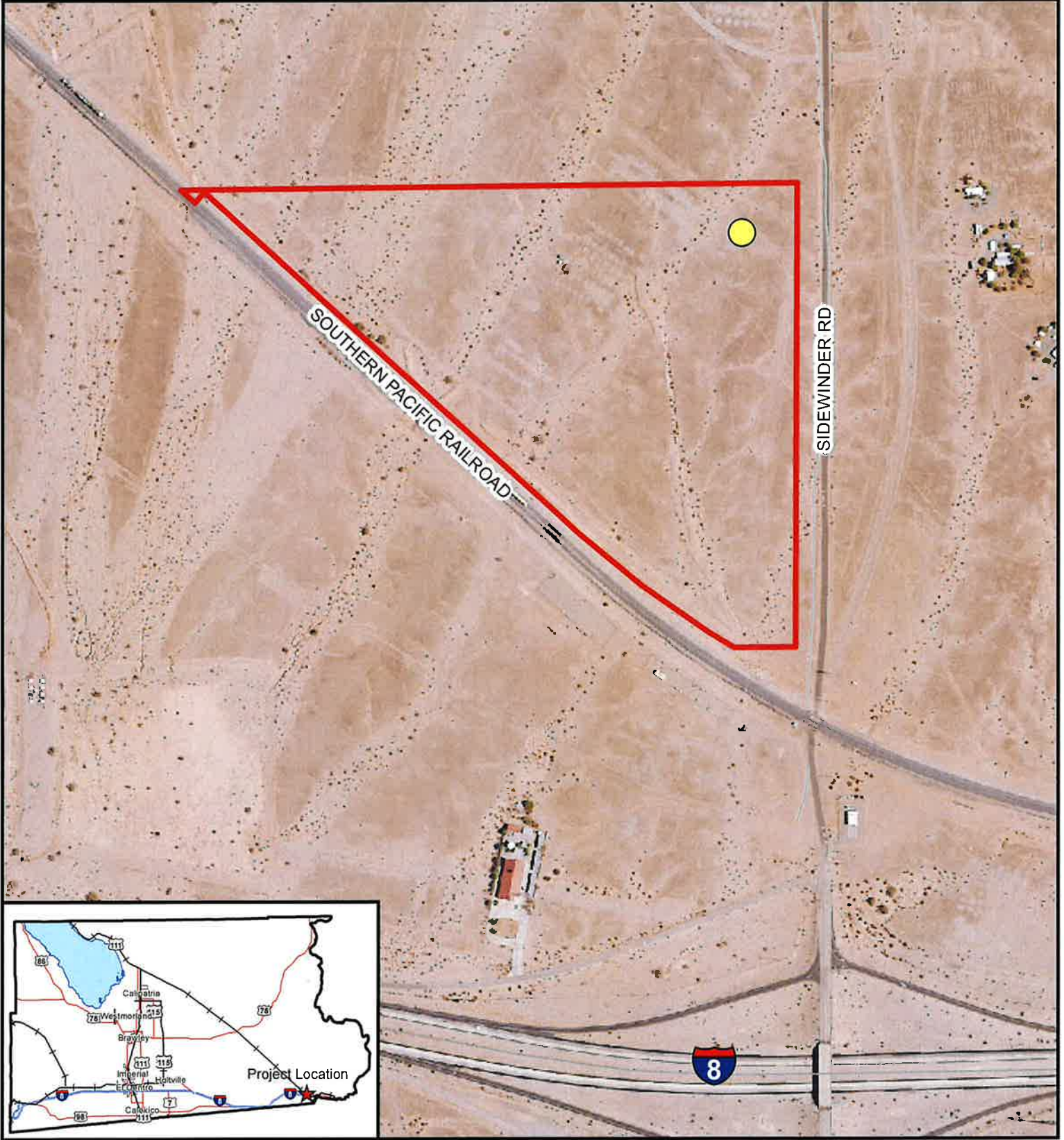
APPROVED BY: Jim Minnick, Director
Planning & Development Services






- ATTACHMENTS:**
- A. Location Map
 - B. Site Plan
 - C. CEQA Resolution
 - D. PC Resolution
 - E. CUP #21-0007 - Conditions of Approval
 - F. EEC Package
 - G. Comment Letters

Attachment A: Location Map

PROJECT LOCATION MAP



ABRAHAM GUTIERREZ JR.
CUP #21-0007 / IS #21-0006
APN #056-470-029

-  Project Parcel
-  Proposed Well Location
-  Centerline

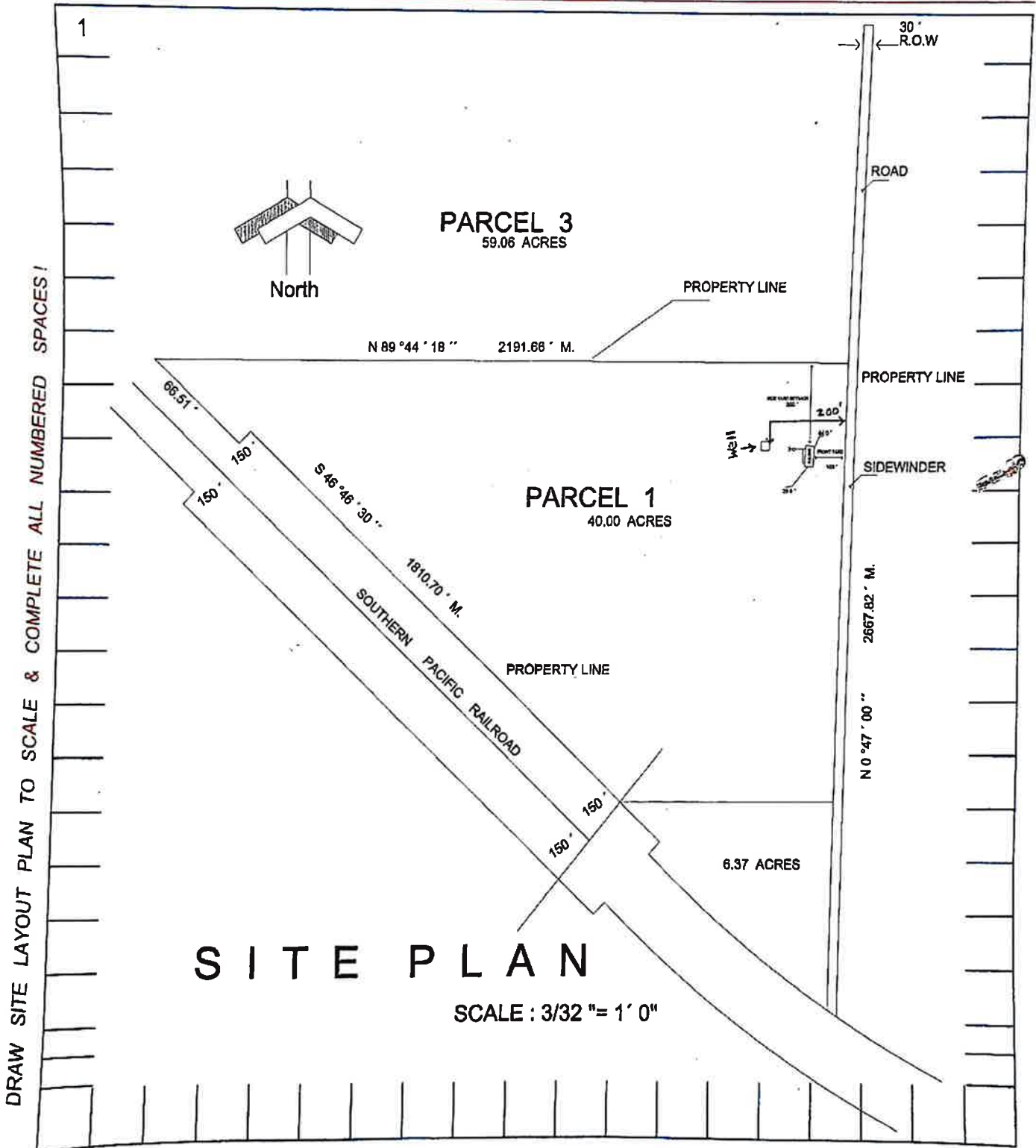


Attachment B: Site Plan

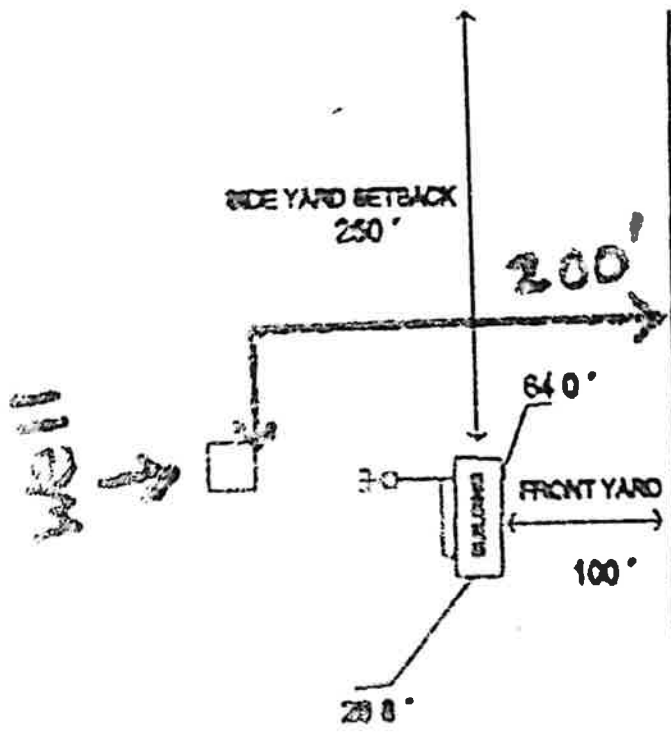
SITE PLAN

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (760) 482-4236

READ INSTRUCTIONS ON THE BACK! USE PEN TO DRAW - DO NOT USE PENCIL!



NAME OF APPLICANT 2 Abraham Gutierrez Jr.	APPLICANT PHONE NO. 3 (928) 306-7342	SIZE OF PARCEL 4 40 Acres
PROJECT SITE ADDRESS 5 771 Sidewinder Rd. N, Winterhaven, CA		ASSESSOR'S PARCEL I.D. 6 056-470-029-000



Attachment C: CEQA Resolution

RESOLUTION NO. 2021-

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING “NEGATIVE DECLARATION” (INITIAL STUDY #21-0006) FOR CONDITIONAL USE PERMIT #21-0007.

WHEREAS, on July 2, 2021, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for July 15, 2021;

WHEREAS, a Negative Declaration and CEQA Findings were prepared in accordance with the requirements of the California Environmental Quality Act, State Guidelines, and the County’s “Rules and Regulations to Implement CEQA, as Amended”; and

WHEREAS, on July 15, 2021, the Environmental Evaluation Committee heard the project and recommend to the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit #21-0007; and

WHEREAS, the Negative Declaration was circulated for 20 days from July 16, 2021 to August 5, 2021;

WHEREAS, the Planning Commission of the County of Imperial has been designated with the responsibility of adoptions and certifications; and

NOW, THEREFORE, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

The Planning Commission has reviewed the attached Negative Declaration (ND) prior to approval of Conditional Use Permit #21-0007. The Planning Commission finds and determines that the Negative Declaration is adequate and was prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations:

1. That the recital set forth herein are true, correct and valid; and
2. That the Planning Commission has reviewed the attached Negative Declaration (ND) for Conditional Use Permits #21-0007 and considered the information contained in the Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit; and
3. That the Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Negative Declaration for Conditional Use Permit #21-0007.

**Rudy Schaffner, Chairperson
Imperial County Planning Commission**

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on September 8, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

**Jim Minnick, Director of Planning & Development Services
Secretary to the Imperial County Planning Commission**

Attachment D: PC Resolution

RESOLUTION NO. 2021-

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, TO APPROVE CONDITIONAL USE PERMIT #21-0007 AND CONDITIONS OF APPROVAL FOR ABRAHAM GUTIERREZ, JR. FOR A WATER WELL

WHEREAS, Abraham Gutierrez, Jr. has submitted an application for Conditional Use Permit #21-0007 for a new water well for up to one acre feet of water.

WHEREAS, a Negative Declaration and Findings have been prepared in accordance with the requirements of the California Environmental Quality Act, the State Guidelines, and the County's "Rules and Regulations to Implement CEQA, as Amended";

WHEREAS, the Planning Commission of the County of Imperial has been delegated with the responsibility of adoptions and certifications;

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on September 8 2021;

WHEREAS, on July 15, 2021, the Environmental Evaluation Committee heard the proposed project and recommended the Planning Commission Adopt the Negative Declaration;

NOW, THEREFORE, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

SECTION 1. The Planning Commission has considered Conditional Use Permit #21-0007 and Conditions of Approval prior to approval; the Planning Commission finds and determines that the Conditional Use Permit and Conditions of Approval are adequate and prepared in accordance with the requirements of the Imperial County General Plan and Land Use Ordinance, and the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning Law and the County of Imperial, the following findings for the approval of Conditional Use Permit #21-0007 have been made:

A. The proposed use is consistent with the goals and policies of the adopted County General Plan.

The subject property is designated as a "Recreation/Open Space" area according to the Imperial County's General Plan, Land Use Element, and it is currently zoned "S-2" (Open Space/Preservation) by the Imperial County Land Use Ordinance, Division 25, Section 92570.00, Zone Map #70. The proposed project is therefore, consistent with the County General Plan and Land Use

Ordinance, Division 2, Section 90203.01 "Conditional Use Permit Defined" which authorizes a landowner to perform a particular use or activity after a determination of consistency with the General Plan by a decision making body. The proposed project is for a water well and is a conditionally permitted use pursuant to County's Land Use Ordinance (Section 92102.00).

B. The proposed use is consistent with the purpose of the zone or sub-zone which the use will be used.

The Project could be found consistent with the purpose of the zone it is located within. The existing water well will be used for residential use as identified in the project application. Section 92102.00 of the Imperial County Land Use Ordinance governs water wells. The proposed use could be considered a compatible use with a Conditional Use Permit pursuant to the Water Well Regulation (Land Use Ordinance, Section 92102.00).

C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed conditional use according to the procedures of Section 90203.10.

The proposed water well use is consistent with the definition of Land Use Ordinance, Section 92102.00 with an approved Conditional Use Permit.

D. The proposed use meets the minimum requirements of this Title applicable to the use and complies with all applicable laws, ordinances and regulations of the County of Imperial and the State of California.

The Conditions of Approval will ensure that the project complies with all applicable regulations of the County of Imperial and State of California. Therefore, the proposed project will meet the minimum requirements of the Land Use Ordinance, Section 90203.00.

E. The proposed use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

The applicant proposes to use up to one (1) acre-foot of water per year as set out in the project application. This use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

F. The proposed use does not violate any other law or ordinance.

The proposed project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to a Condition of Conditional Use Permit #21-0007 and current Federal, State, and Local regulations.

G. The proposed use is not granting a special privilege.

The proposed use of the existing water well is a permitted use subject to the conditions of approval of CUP #21-0007 (Land Use Ordinance, Section 92102.00) and will not grant any special privileges.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #21-0007 subject to the Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on September 8, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Minnick,
Director of Planning & Development Services
Secretary to the Planning Commission

**Attachment E: CUP #21-0007-
Conditions of Approval**

1 Recorded Requested by and
When Recorded Return To:

2 _____
3 Imperial County Planning & Dev. Services Department
801 Main Street
El Centro, California 92243
4 _____

5
6 **AGREEMENT FOR CONDITIONAL USE PERMIT #21-0007**
7 **DOMESTIC WATER WELL**
8 **(ABRAHAM GUTIERREZ, JR.)**
9 **(_____ by the Planning Commission on September 8, 2021)**

10 This Agreement is made and entered into on this _____ day of _____, 2021
11 by and between **Abraham Gutierrez, Jr.** hereinafter referred to as Permittee, and the
12 COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter
13 referred to as "COUNTY").

14 **RECITALS**

15 **WHEREAS**, Permittee is the owner, lessee or successor in interest in certain land
16 in Imperial County located on 771 Sidewinder Road, Winterhaven, CA. and further
17 described as Parcel 1, of Parcel Map 891, of the North East Quarter of Section 21,
18 Township 16 South, Range 21 East, SBM, Assessor's Parcel Number 056-470-029-000;

19 **WHEREAS**, Permittee has applied to the County to construct, drill and operate a
20 water well for domestic use for up to one (1) acre feet of water a year;

21 **WHEREAS**, Permittee and/or subsequent owner(s) would be required to and
22 intend to fully comply with all of the terms and conditions of the project as specified in this
23 Conditional Use Permit.
24

1 WHEREAS, the County, after a noticed public hearing, agreed to issue Conditional
2 Use Permit #21-0007 to Permittee, and/or his or her successor in interest subject to the
3 following conditions:
4

5
6 **GENERAL CONDITIONS:**

7 *The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions that are either*
8 *routinely and commonly included in all Conditional Use Permits as "standardized" conditions and/or are*
9 *conditions that the Imperial County Planning Commission has established as a requirement on all CUP's for*
consistent application and enforcement. The Permittee is advised that the General Conditions are as
applicable as the SITE SPECIFIC conditions!

10
11 **G-1 GENERAL LAWS:**

12 The Permittee shall comply with any and all local, state, and/or federal laws, rules,
13 regulations, ordinances, and/or standards as they may pertain to this project whether
14 specified herein or not (including but not limited to Divisions 21 and 22 of the Imperial
County Land Use Ordinance).

15 **G-2 PERMIT/LICENSE:**

16 Permittee shall obtain any and all permits, licenses, and/or approvals, for the construction
17 and/or operation of this project. This shall include, but shall not be limited to, County
18 Division of Environmental Health Services (EHS), Planning & Development Services
19 Department, Fire/Office of Emergency Services (OES), Colorado River Board of
20 California, RWQCB, and Public Works Department. Permittee shall likewise comply with
all such permit requirements for the life of the project. Additionally, Permittee shall submit
a copy of such additional permit and/or licenses to the Planning & Development Services
Department within 30-days of receipt, including amendments or alternatives thereto, if
requested.

21 **G-3 RECORDATION:**

22 This permit shall not be effective until it is recorded at the Imperial County Recorders
23 Office, and payment of the recordation fee shall be the responsibility of the Permittee. If
24 the Permittee fails to pay the recordation fee within six (6) months from the date of
approval, and/or this permit is not recorded within 180 days from the date of approval, this
25 permit shall be deemed null and void, without notice having to be provided to Permittee.
26 Permittee may request a written extension by filing such a request with the Planning
27 Director at least 30 days prior to the original 180-day expiration. The Director may
approve an extension for a period not to exceed 180 days. An extension may not be
granted if the request for an extension is filed after the expiration date.

1 **G-4 CONDITION PRIORITY:**

2 This project shall be constructed and operated as described in the Conditional Use Permit
3 application, the Environmental Assessment, the project description, and as specified in
4 these conditions. Where a conflict occurs, the Conditional Use Permit conditions shall
govern and take precedence.

5 **G-5 INDEMNIFICATION:**

6 As a condition of this Permit, Permittee agrees to defend, indemnify, hold harmless, and
7 release the County, its agents, officers, attorneys, and employees from any claim, action,
8 or proceeding brought against any of them, the purpose of which is to attack, set aside,
9 void, or annul the Permit or adoption of the environmental document which accompanies
10 it. This indemnification obligation shall include, but not be limited to, damages, costs,
11 expenses, attorneys fees, or expert witness fees that may be asserted by any person or
entity, including the Permittee, arising out of or in connection with the approval of this
Permit, whether or not there is concurrent, passive or active negligence on the part of the
County, its agents, officers, attorneys, or employees.

12 **G-6 RIGHT OF ENTRY:**

13 The County reserves the right to enter the premises at any time, announced or
14 unannounced, in order to make the appropriate inspection(s) and to determine if the
15 condition(s) of this permit are complied with. Access to authorized enforcement agency
personnel shall not be denied.

16 **G-7 SEVERABILITY:**

17 Should any condition(s) of this permit be determined by a Court or other agency with
18 proper jurisdiction to be invalid for any reason, such determination shall not invalidate the
remaining provision(s) of this permit.

19 **G-8 PROVISION TO RUN WITH LAND:**

20 The provisions of this project are to run with the land/project and shall bind the current and
21 future owner(s) successor(s)-in-interest; assignee(s) and/or transferee(s) of said project.
22 Permittee shall not without prior notification to the Planning and Development Services
23 Department assign, sell, or transfer, or grant control of project or any right or privilege
24 therein. The Permittee shall provide a minimum of 60 days written notice prior to such
proposed transfer becoming effective. The permitted use identified herein is limited for
use upon this parcel described herein and may not be transferred to another parcel.

25 **G-9 COMPLIANCE/REVOCAION:**

26 Upon the determination by the Planning and Development Services Department that the
27 project is or may not be in full compliance with any one or all of the conditions of this
Conditional Use Permit, or upon the finding that the project is creating a nuisance as

1 defined by law, the issue shall be brought immediately to the appropriate enforcement
2 agency or to the Planning Commission for hearing to consider appropriate response
3 including but not limited to the revocation of the CUP or to consider possible amendments
4 to the CUP. The hearing shall be held upon due notice having been provided to the
5 Permittee and to the public in accordance with established ordinance/policy.

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13 **G-10 TIME LIMIT:**

14 Unless otherwise specified within the project specific conditions this project shall be
15 limited to a maximum of (3) three years from the recordation date of the CUP. The CUP
16 may be extended for successive three (3) year(s) by the Planning Director upon a finding
17 by the Planning & Development Services Department that the project is in full and
18 complete compliance with all conditions of the CUP and any applicable land use
19 regulation(s) of the County of Imperial. Unless specified otherwise herein no conditional
20 use permit shall be extended for more than four (4) consecutive periods. If an extension is
21 necessary or requested beyond fifteen (15) years, Permittee shall file a written request
22 with the Planning Director for a hearing before the Planning Commission. Such request
23 shall include the appropriate extension fee. An extension shall not be granted if the
24 project is in violation of any one or all of the conditions or if there is a history of
25 non-compliance with the project conditions.

26
27
28 **G-11 COSTS:**

Permittee shall pay any and all amounts determined by the County to defray any and all
cost(s) for the review of reports, field investigations, monitoring, and other activities
directly related to the enforcement/monitoring for compliance of this Conditional Use
Permit, County Ordinance or any other applicable law. Any billing against this project,
now or in the future, by the Planning and Development Services Department or any
County Department for costs incurred as a result of this Permit, shall be billed through the
Planning and Development Services Department.

G-12 WATER AND SEWER:

Permittee shall provide water and sewer to Federal, State and County standards. Water
and sewer systems shall be approved by the Environmental Health Services and the
Planning and Development Services Department.

G-13 DEFINITIONS:

In the event of a dispute, the meaning(s) or intent of word(s) phrase(s) and/or conditions
or sections herein shall be determined by the Planning Commission of Imperial County.
Their determination shall be final unless an appeal is made to the Board of Supervisors 10
days from the date of their decision.

1 **G-14 SPECIFICITY:**

2 The issuance of this permit does not authorize the Permittee to construct or operate this
3 project in violation of any state, federal, local law nor beyond the specified boundaries of
4 the project as shown the application/project description/permit, nor shall this permit allow
5 any accessory or ancillary use not specified herein. This permit does not provide any
6 prescriptive right or use to the Permittee for future addition and/or modification to this
7 project.

8 **G-15 HEALTH HAZARD:**

9 If the County Health Officer determines that a significant health hazard exists to the
10 public, the County Health Officer may require appropriate measures and the Permittee
11 shall implement such measures to mitigate the health hazard. If the hazard to the public is
12 determined to be imminent, such measures may be imposed immediately and may
13 include temporary suspension of the subject operations. However, within 45 days of any
14 such suspension of operations, the measures imposed by the County Health Officer must
15 be submitted to the Planning Commission for review, and nothing shall prohibit Permittee
16 from requesting a special Commission meeting and Permittee bears all costs.

17 **G-16 CHANGE OF OWNER/OPERATOR:**

18 In the event the ownership of the site or the operation of the site transfers from the current
19 Permittee to a new successor Permittee, the successor Permittee shall be bound by all
20 terms and conditions of this Permit as if said successor was the original Permittee.
21 Current Permittee shall inform the County Planning and Development Services
22 Department in writing at least 60 days prior to any such transfer. Failure of a notice of
23 change of ownership or change of operator shall be grounds for the immediate revocation
24 of the CUP. In the event of a change, the new Owner/Operator shall file with the
25 Department, via certified mail, a letter stating that they are fully aware of all conditions and
26 acknowledge that they will adhere to all. If this Permit or any subservient or associated
27 permit requires financial surety, the transfer of this Permit shall not be effective until the
28 new Permittee has requisite surety on file. Furthermore, existing surety shall not be
released until replacement surety is accepted by Imperial County. Failure to provide
timely notice of transfer by Permittee shall forfeit current surety.

G-17 COMMENCEMENT OF WORK:

No commencement of work until all conditions pursuant to the CUP has been satisfied.
Evidence that all conditions pursuant to the CUP have been satisfied shall be provided to
the Planning Director prior to commencement.

(TOTAL "G" CONDITIONS are 17)

1 **WATER WELL SPECIFIC CONDITIONS**

2 **S-1 WATER USAGE:**

3 This permit allows the Permittee to pump up to a maximum of 1 acre-feet annually for a
4 proposed residential use. Exceeding the amount of water specified herein will result in
5 the Planning and Development Services Department taking action to rescind the
6 Conditional Use Permit for non-compliance.

7 **S-2 OFF-SITE WATER SALES:**

8 Water from the well shall not be used, sold, nor given to any individuals or entities and
9 used for purposes other than identified in the project description.

10 **S-3 WATER WELL MONITORING:**

11 A flow meter shall be installed and sealed by a California-Licensed Water Well Drilling
12 Contractor. Permittee shall submit a drilling and logging report to the Department of
13 Public Works and the Planning and Development Services Department indicating the
14 monthly amount of water extracted from the well. A photograph (dated and signed) of the
15 flow meter readings shall be included in the report. The report shall be received within
16 thirty (30) days following the date of the issuance of the Conditional Use Permit and the
17 well is spudded. In the event of a flow meter failure, the Permittee shall be required to
18 cease the water well operation and notify the Planning and Development Services
19 Department. The Permittee may be allowed to temporarily substitute the flow meter for an
20 alternative measuring device with the approval of the Planning and Development
21 Services Department.

22 **S-4 WELL REPLACEMENT:**

23 Any replacement water well shall be constructed by a California Licensed Driller in
24 accordance with California Department of Water Resources Bulletin 74-81 and 74-90
25 (including any subsequent revisions), and with the Imperial County Water Well
26 Ordinance, Section 92101.00, et seq.

27 Permittee shall submit copies of the "Report of Completion" (as required by California
28 Water Code, Section 13751), by a California Licensed Water Well Driller on the
29 construction of any water well replaced. Copies of this report shall be submitted to
30 Environmental Health Services, Planning and Development Services Department, and
31 Public Works Department within thirty (30) days of the construction or destruction of the
32 well. This report shall include:

- 33 1. A description of the exact location of the well;
- 34 2. A detailed log of the well;
- 35 3. A description of the type and depth of casings;
- 36 4. Details of perforation;

- 1 5. The methods used for sealing off surface or contaminated
- 2 water;
- 3 6. Methods for preventing contaminated waters from one
- 4 aquifer to mix with another aquifer;
- 5 7. Name of person who constructed the well.

6 **S-5 NO SLANT DRILLING:**

7 This permit does not authorize Permittee to "slant drill" under adjoining property.

8 **S-6 WELL ABANDONMENT:**

9 Should the water well be "abandoned" at any time for more than twenty four (24)

10 consecutive months, Permittee shall seal/cap the well according to standards set by the

11 State and in a manner acceptable to the County Building Official.

12 (Abandonment shall mean as follow :)

13 ABANDONMENT: A well is deemed "abandoned" when it has not been used for one (1)

14 year. An owner may have the well deemed "inactive" by filling a written notice with the

15 Department stating his/her intentions to use the well under specific conditions and/or time

16 frames. As evidence of his/her intentions, the conditions contained in Bulletin 74-81 (Sec.

17 21) shall be met. Any well that is open or whose services/operating equipment (e.g.

18 pumps/motors/pipes, etc.) has been removed shall be deemed abandoned.

19 **S-7 WELL REMOVAL:**

20 Permittee shall properly destroy any well on the property if replaced or abandoned. The

21 well shall be destroyed according to State standards and in a manner acceptable to the

22 County Building Official. A copy of the well driller's report by a California State Licensed

23 Water Well Drilling Contractor shall be sent to the Department of Public Works and the

24 Planning and Development Services Department within thirty (30) days following the

25 destruction of the water well.

26 **S-8 WELL REGISTRATION:**

27 The water well shall be registered with the Planning and Development Services

28 Department to comply with the existing Groundwater Ordinance. This Ordinance was

29 enacted by the Board of Supervisors on for the purpose of preserving and managing

30 groundwater resources in Imperial County.

31 **S-9 PERMITTING:**

32 The Permittee shall obtain all required permits from the Department of Public Works,

33 Department of Environmental Health Services (EHS), Air Pollution Control District

34 (APCD), Imperial Irrigation District (IID) and other applicable federal and state agency(s).

1 **S-10 ENVIRONMENTAL HEALTH SERVICES**

2 Once the applicant files for a building permit, the Division of Environmental Health will
3 revise the proposed project for the purpose of a possible plan review.*

4 **S-11 ARCHAEOLOGICAL RESOURCES/HUMAN REMAINS (HSC 7051 & PRC
5 5097.98)**

6 In the event of discovery or recognition of any human remains in any location other than a
7 dedicated cemetery there shall be no further excavation or disturbance of the site or any
8 nearby area reasonably suspected to overlie adjacent remains until the coroner of the
9 Imperial County has determined, in accordance with Chapter 10 (commencing with Section
10 27460) of Part 3 of Division 2 of Title 3 of the Government Code that the remains are not
11 subject to the provision of Section 27491 of the Government Code. If the Coroner
12 determines that the remains are not subject to his or her authority and if the coroner
13 recognizes the human remain to be those of a Native American, or has reason to believe
14 that they are those of a Native American, he or she shall contact, by telephone within 24, the
15 Native American Heritage Commission.

16 Upon discovery of Native American remains, the landowner shall ensure that the immediate
17 vicinity, according to generally accepted cultural or archaeological standards or practices,
18 where the Native American human remains are located, is not damaged or disturbed by
19 further development activity until the landowner has discussed and conferred, as prescribed
20 in this section, with the most likely descendants regarding their recommendation, if
21 applicable, taking into account the possibility of multiple human remains. The landowner
22 shall discuss and confer with the descendants all reasonable options regarding the
23 descendants' preferences for treatment.

24 **S-12 AIR POLLUTION CONTROL DISTRICT**

25 The project proponent will need to utilize compliant drilling equipment meeting the California
26 Portable Equipment Registration Program certifications.**

27 **S-13 CITY OF NEEDLES**

28 The City of Needles will require the applicant to show proof of water entitlements through the
Lower Colorado Water Supply Project. If the applicant does not have entitlements, they will
be required to obtain them for the tentative project.***

S-14 IMPERIAL IRRIGATION DISTRICT

1. To request electrical service for the water well pump, the applicant should be advised
to contact Joel Lopez, IID Customer Project Development Planner, at (760) 482-3300 or e-
mail Mr. Lopez at JFLopez@IID.com to initiate the customer service application process. In
addition to submitting a formal application (available for download at the district website

1 http://www.iid.com/home/showdocument?id=12923), the applicant will be required submit a
2 complete set of approved plans (including CAD files), construction schedule, completion
3 date, one-line electrical diagrams, electrical loads, panel size, and the applicable fees,
4 permits, easements and environmental compliance documentation pertaining to the
5 provision of electrical service to the pump. The applicants shall be responsible for all costs
6 and mitigation measures related to providing electrical service to the pump.

7
8 2. Please note that energy capacity is limited in the project area and a circuit study may
9 be required. If the study indicates circuit improvements are needed to allow for electrical
10 service to the new well pump, the applicant shall be financially responsible for the
11 improvements identified in the circuit study.

12 3. Any construction or operation on IID property or within its existing and proposed right
13 of way or easements including but not limited to: surface improvements such as proposed
14 new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any
15 other above ground or underground utilities; will require an encroachment permit, or
16 encroachment agreement (depending on the circumstances). The IID encroachment permit
17 application and instruction are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at
18 (760) 339-9239 for additional information regarding encroachment permits or agreements.

19 4. Any new, relocated, modified or reconstructed IID facilities required for and by the
20 project (which can include but is not limited to electrical utility substations, electrical
21 transmission and distribution lines, canals, drain, etc.) need to be included as part of the
22 project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation.
23 Failure to do so will result in postponement of any construction and/or modification of IID
24 facilities until such time as the environmental documentation is amended and environmental
25 impacts are fully analyzed. Any and all mitigation necessary as a result of the construction,
26 relocation and/or upgrade of IID facilities is the responsibility of the project proponent.****

27
28 *Environmental Health Services email dated April 14, 2021
**Air Pollution Control District comment letter dated August 20, 2021
***City of Needles email dated August 24, 2021
**** IID comment letter dated April 28, 2021

(TOTAL "S" CONDITIONS are 14)

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NOW THEREFORE, County hereby issues Conditional Use Permit #21-0007 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.

IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

PERMITTEE :

By _____
Abraham Gutierrez, Jr.

Date

COUNTY OF IMPERIAL, a political subdivision of the STATE OF CALIFORNIA:

By: _____
James A. Minnick, Director
Planning & Development Services Department

Date

1 **FOR PERMITTEE NOTARIZATION**

2 A notary public or other officer completing this certificate verifies only the identity of the
3 individual who signed the document to which this certificate is attached, and not the
4 truthfulness, accuracy, or validity of that document.

4 STATE OF CALIFORNIA

5 COUNTY OF _____ } S.S.

6
7 On _____ before me, _____,
8 a Notary Public in and for said County and State, personally appeared
9 _____, who proved to me on the
10 basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
11 within instrument and acknowledged to me that he/she/they executed the same in
12 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
13 instrument the person(s), or the entity upon behalf of which the person(s) acted, executed
14 the instrument.

14 I certify under PENALTY OF PERJURY under the laws of the State of California that the
15 foregoing is true and correct.

16
17 WITNESS my hand and official seal

18
19 Signature _____

20
21 ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment
22 of this certificate to unauthorized document.

23 Title or Type of Document _____

24 Number of Pages _____ Date of Document _____

25 Signer(s) Other Than Named Above _____

1 **FOR COUNTY NOTARIZATION**

2 A notary public or other officer completing this certificate verifies only the identity of the
3 individual who signed the document to which this certificate is attached, and not the
4 truthfulness, accuracy, or validity of that document.

4 STATE OF CALIFORNIA

5 COUNTY OF _____ } S.S.

7 On _____ before me, _____,
8 a Notary Public in and for said County and State, personally appeared
9 _____, who proved to me on the
10 basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
11 within instrument and acknowledged to me that he/she/they executed the same in
12 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
13 instrument the person(s), or the entity upon behalf of which the person(s) acted, executed
14 the instrument.

15 I certify under PENALTY OF PERJURY under the laws of the State of California that the
16 foregoing paragraph is true and correct.

17 WITNESS my hand and official seal

19 Signature _____

21 ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this
22 certificate to unauthorized document.

23 Title or Type of Document _____

24 Number of Pages _____ Date of Document _____

25 Signer(s) Other Than Named Above _____

27 S:\AllUsers\APNI056\470\029\CUP21-0007\PC\CUP21-0007 CONDITIONS OF APPROVAL .docx

Attachment F: EEC Package

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION
COMMITTEE

AGENDA DATE: July 15, 2021

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 1:30 PM / No. 2

Abraham Gutierrez, Jr.

PROJECT TYPE: IS#21-0006 for CUP#21-0007 SUPERVISOR DIST #5

LOCATION: 771 Sidewinder Rd., Winterhaven APN: 056-470-029 PARCEL SIZE: 46.37 AC

GENERAL PLAN (existing) Recreation/Open Space GENERAL PLAN (proposed) N/A

ZONE (existing) S-2 (Open Space/Preservation) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIRONMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/15/2021

INITIAL STUDY: #21-0006

NEGATIVE DECLARATION MITIGATED NEGATIVE DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG. COMMISSIONER	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
DEH/EHS	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
FIRE/OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED

OTHER: Quechan Historic Preservation, Imperial Irrigation District, County Executive Office

REQUESTED ACTION:

(See Attached)

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For:

CUP #21-0007
IS #21-0006
Abraham Gutierrez Jr. – Water Well



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
www.icpds.com

July 2021

EEC ORIGINAL PKG

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit #21-0007 (Refer to Exhibit "A" & "B"). For purposes of this document, the Conditional Use Permit will be called the "proposed project".

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County

of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study and Negative Declaration are informational documents which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Negative Declaration, prepared for the project will be circulated for a period of 20 days (30-days if submitted to the State Clearinghouse for a project of area-wide significance) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. **INTRODUCTION** presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. **ENVIRONMENTAL CHECKLIST FORM** contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. **MANDATORY FINDINGS** presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Negative Declaration will be conducted under a policy-level, project level analysis. Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the "County of Imperial General Plan EIR" prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

-
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
 - These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
 - The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. *Environmental Checklist*

1. **Project Title:** Conditional Use Permit (CUP) #21-0007, Abraham Gutierrez Jr.
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Mariela Moran, Planner II, (442)265-1736, ext. 1747
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** marielamorán@co.imperial.ca.us & jeanineramos@co.imperial.ca.us
6. **Project location:** 771 Sidewinder Road, Winterhaven, CA 92283
7. **Project sponsor's name and address:** Abraham Gutierrez Jr.
2811 W. Donley Rd.
Somerton, AZ 85350
8. **General Plan designation:** Recreation/Open Space
9. **Zoning:** S-2 (Open Space/Preservation)
10. **Description of project:** The applicant submitted a Conditional Use Permit (CUP) to build a water well to have access to one acre foot of water per year for a residential use. If approved, the applicant will submit a building permit for both the water well and the mobile home installation. Applicant proposes a minimum of 260 ft. by 6 in. dual rotary drilled cased well in the Winterhaven Area. Proposed pump is a 20FA15 Franklin Submersible pump/motor 1 HP/230V. The pump equipment is proposed to be designed for 15 GPM with 50 PSI.
11. **Surrounding land uses and setting:** The site is located directly to the north of the Southern Pacific Rail Road, and is in proximity to the township of Felicity. There are vacant parcels to the north and west of the project site, and a residential dwelling is located to the east. The parcel is surrounded by native desert landscape.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Planning Commission, Imperial County Public Health Department.
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?**
The Quechan Indian Tribe have requested to be consulted under Assembly Bill 52. Consultation letter was sent on April 13, 2021 and an email from the Quechan Indian Tribe Historic Preservation Officer received on April 14, 2021 stated that they did not have comments on this project.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology /Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials
<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

- Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: Yes No

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



 Jim Minnick, Director of Planning/EEC Chairman

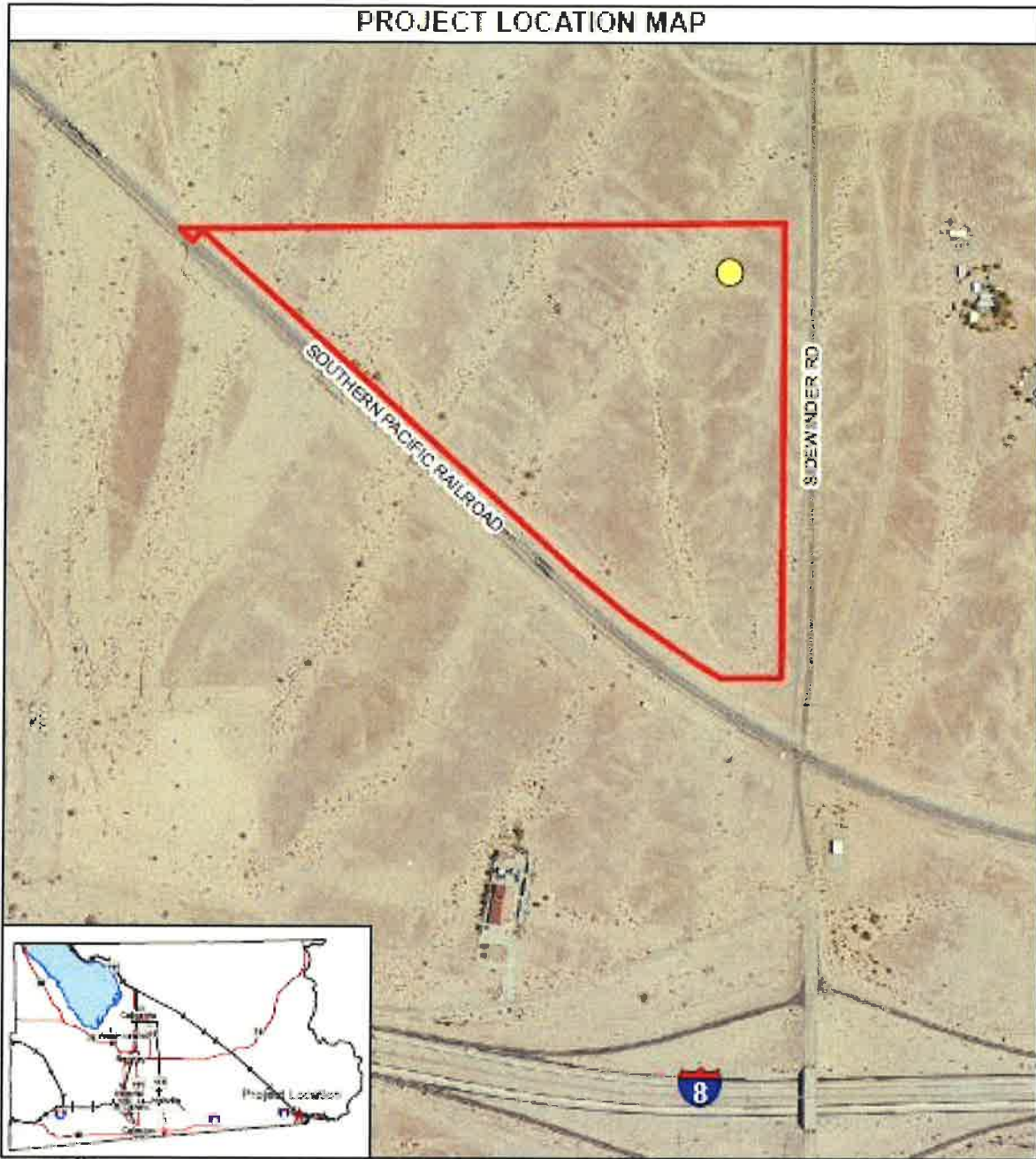
7-15-21

 Date:

PROJECT SUMMARY

- A. Project Location:** The project site is located at 771 Sidewinder Road, Winterhaven, CA 92283. This parcel is located on Imperial County Assessor Parcel (APN) 056-470-029-000. The legal description for this parcel is identified as Parcel 1 of Parcel Map 891 of the North East Quarter of Section 21, Township 16 South, Range 21 East, SBM.
- B. Project Summary:** The applicant is proposing to build a water well to have access to one acre foot of water per year for a future manufactured home on a foundation. The applicant has stated they will purchase and apply for the installation of the mobile home as soon as the conditional use permit for the water well has been approved.
- C. Environmental Setting:** The project is located in a currently vacant parcel. The site is a relatively flat terrain with native desert landscape and sand. It is located directly to the north of the Southern Pacific Rail Road, and is in proximity to the township of Felicity. There are vacant parcels to the north and west of the project site, and a residential dwelling is located to the east.
- D. Analysis:** Under the Land Use Element of the Imperial County General Plan, the project site is designated as "Recreation/Open Space". It is classified as S-2 (Open Space/Preservation) under the Imperial County Land Use Ordinance (Title 9).
- E. General Plan Consistency:** Under the Land Use Element of the Imperial County General Plan, the project site is designated as "Recreation/Open Space". The proposed project could be considered consistent with the General Plan since the proposed use will be for residential purposes which is an allowed use within the S-2 zone per Division 5 Zoning Areas Established §90519.01 of the Imperial County Land Use Ordinance (Title 9), and a Conditional Use Permit has been applied for a water well, pursuant to Division 21 Water Well Regulations §92102.00 of the aforementioned title.

Exhibit "A"
Vicinity Map



ABRAHAM GUTIERREZ JR.
CUP #21-0007 / IS #21-0006
APN #056-470-029



-  Project Parcel
- Proposed Well Location
-  Centerline

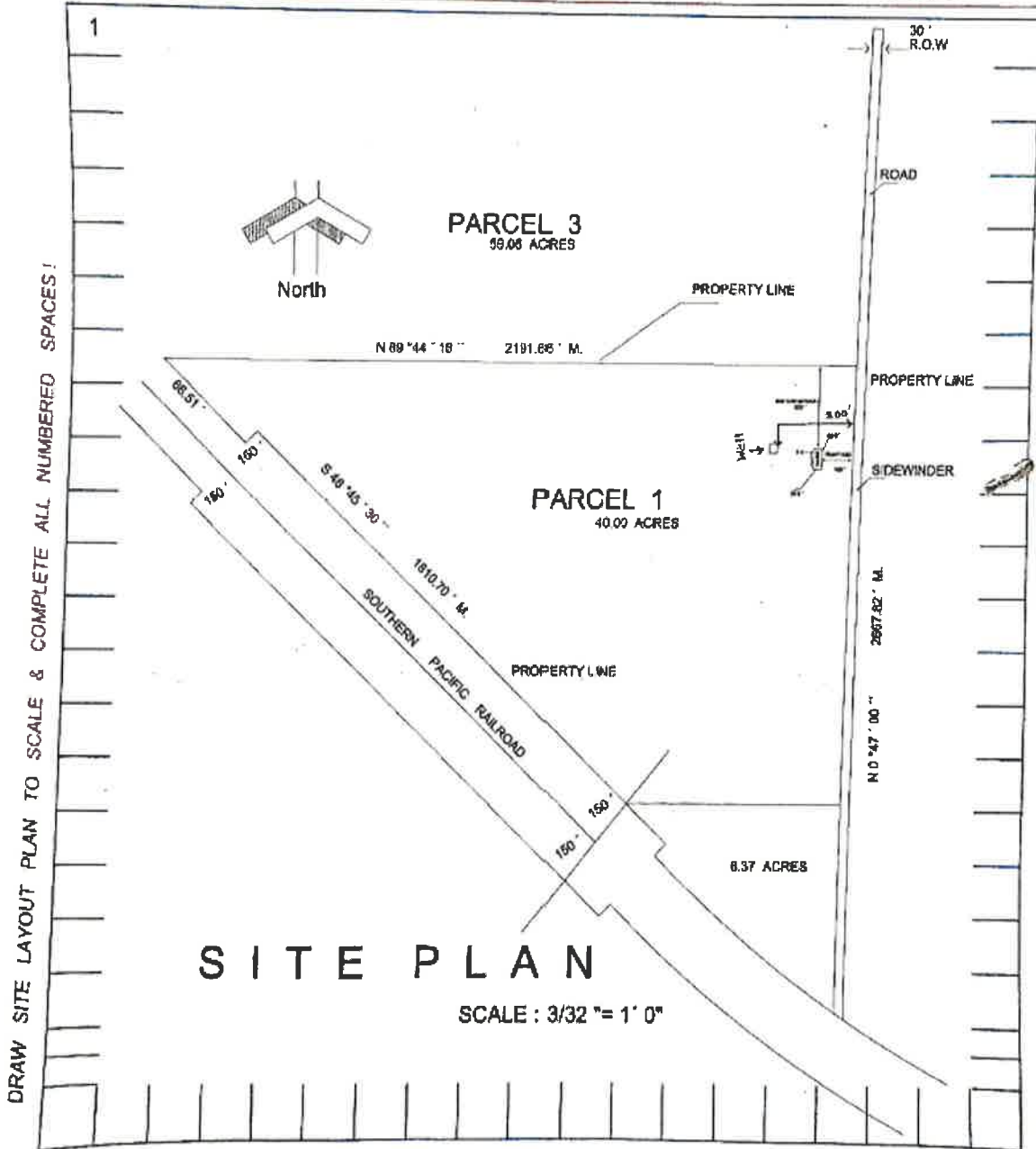


Exhibit "B"

SITE PLAN

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (760) 482-4236

READ INSTRUCTIONS ON THE BACK! USE PEN TO DRAW - DO NOT USE PENCIL!



DRAW SITE LAYOUT PLAN TO SCALE & COMPLETE ALL NUMBERED SPACES!

SITE PLAN

SCALE : 3/32" = 1' 0"

NAME OF APPLICANT 2 Abraham Gutierrez Jr.	APPLICANT PHONE NO. 3 (928) 366-7342	SIZE OF PARCEL 4 40 Acres
PROJECT SITE ADDRESS 5 771 Sidewinder Rd. N, Winterhaven, CA	ASSESSOR'S PARCEL ID. 6 056-470-029-000	

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. **AESTHETICS**

Except as provided in Public Resources Code Section 21099, would the project:

- a) Have a substantial adverse effect on a scenic vista or scenic highway?

a) The project site is not located near any scenic vista or scenic highway according to the Imperial County Circulation and Scenic Highway Element¹; therefore, no impact is expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

b) As previously stated, the proposed project is not located near a Scenic vista or Scenic Highway and would not substantially damage scenic resources. Therefore, no impact is expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

c) The proposed project is in a non-urbanized area and consists of building a water well for residential uses. While the proposed project will be visible to the public, it will be situated near an area that has been developed by other residences and the Museum of History in Granite. The proposed project is also located within an existing recreational/open space area and will not conflict with applicable zoning and other regulations governing scenic quality; therefore, less than significant impacts are expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

d) The proposed project is for a future water well that will be used for residential purposes and does not include any sources of substantial light or glare as part of the project. Any impacts are expected to be less than significant.

II. **AGRICULTURE AND FOREST RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

a) According to the California Department of Conservation Farmland Mapping and Monitoring Program (2016)², the project site's Farmland Type is designated as "Other Land", and therefore the proposed project will not convert any type of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impacts are expected.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

b) The proposed project's parcel is designated as "Non-Enrolled Land" per The California

¹ Imperial County General Plan Circulation and Scenic Highways Element

² California Department of Conservation Farmland Mapping and Monitoring Program (2016) <https://maps.conservation.ca.gov/DLRP/CIFF/>

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Department of Conservation Imperial County Williamson Act FY 2016/2017 Map³, therefore, no impacts are expected.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

c) The General Plan Land Use Map⁴ designates this parcel as "Recreation/Open Space", and no forest land is near the vicinity of the project. The proposed project will not conflict with the existing zoning and will not cause rezoning of forest land, timber land, or Timberland Production; therefore, no impact is expected to occur.

- | | | | | |
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| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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d) As previously stated above in item c), the proposed project will not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are expected.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

e) The implementation of the project would not result in changes to the environment which could result in the conversion of farmland to a non-agricultural use, since the project is not a part of a designated Farmland. Therefore, this would not cause an impact or conversion from forestland to non-forest use and no impacts are expected to occur.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

a) The proposed project is for the construction of new water well for residential uses. The applicant's intent is to apply for a building permit to install a manufactured home on the site upon approval of the conditional use permit for the well, and said permit will have to adhere to current California Building Code requirements. The project will also be subject to the Imperial County Air Pollution Control District (ICAPCD) approval and adhere to the Air District's Regulation VIII for the control of fugitive dust emissions, including the submittal of a construction notification to the Air District 10 days prior to earthmoving activities. Less than significant impacts are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

b) Based on a comment letter provided by APCD, construction of the project will have to adhere to Regulation VIII and the applicant will have to submit a Construction Dust Control Plan and notify the Air District 10 days prior to the start of construction in order to decrease the possibility of an increase in any criteria pollutants during construction. Therefore, less than significant impacts are expected in regards to an increase in any criteria pollutants as long as the design and construction of the project is done in compliance with all applicable County and APCD requirements.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Expose sensitive receptors to substantial pollutants concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

³ Imperial County Williamson Act FY 2016/2017 Map

⁴ Imperial County Land Use Plan Map <https://www.icpds.com/assets/planning/land-use-element/landuse-map.pdf>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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c) The project is not expected to expose sensitive receptors to substantial pollutant concentrations while the construction of the well takes place. However, any exposure would be temporary and would be lessened by showing compliance with APCDS's rules and regulations regarding construction pollutants. For these reasons, less than significant impacts are expected.

- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)

d) As previously mentioned some pollutants may be emitted during construction activities and would be dispersed rapidly from the project site. These pollutants are not expected to affect a substantial number of people due to the site being in a generally unpopulated remote area with very low density. Compliance with all County and APCD's regulations would bring the projects impacts to less than significant levels.

IV. **BIOLOGICAL RESOURCES** *Would the project:*

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

a) According to the Imperial County General Plan Conservation and Open Space Element⁵, Figure 1 "Sensitive Habitat Map", the project is not located within a sensitive habitat map; and according to Figure 2 "Sensitive Species Map", the project is located within the "Flat Tailed Horned Lizard Species Distribution Model" area. However, due to the approximate area of disturbance for the water well and future residence being only 20,000 SqFt. of the entire 46.37 Acre parcel, and the size of the well would result in only one acre foot of water per year; it is not expected to have a substantial adverse effect on species identified as a candidate, sensitive or special status species in local or regional plan, policies or regulations. Less than significant impacts are expected.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

b) According to the Imperial County General Plan's Conservation and Open Space Element, the project site is not within a sensitive or riparian habitat, or other sensitive natural community; therefore, it does not appear to have a substantial effect in local or regional plan, policies, and regulations regarding sensitive natural communities or by the Departments of Fish and Wildlife. Less than significant impacts are expected.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

c) As stated above under item a), according to the Imperial County General Plan Conservation and Open Space Element, Figure 1 "Sensitive Habitat Map", the project is not located within a sensitive habitat map, neither is located within state of federally protected wetlands; therefore, less than significant impacts are anticipated.

- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

d) The proposed project is for a residential well in a parcel located adjacent to three lots with existing dwellings and the rail road located in the southern boundary; therefore, it is not likely that it would interfere substantially with the movement of any residential or migratory fish or wildlife species or

⁵ IC General Plan Conservation and Open Space - <https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>

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with established resident or migratory wildlife, corridors or impede the use of native wildlife nursery sites. If there would be any impact, it is expected to be less than significant.

- e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?
- e)** The proposed project does not conflict with any local policy or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no impact is expected.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
- f)** The proposed project is not within a designated sensitive area according to the Imperial County General Plan's Conservation and Open Space Element, therefore, it would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impacts are expected.

V. **CULTURAL RESOURCES** *Would the project:*

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- a)** According to the Imperial County General Plan's Conservation and Open Space Element, Figure 5, the area is classified under "200m buffer around Ecotones", however the area surrounding the site is disturbed land, therefore it is not likely that the project may cause a substantial adverse change in the significance of a historical resource. Additionally, the Quechan Indian Tribe have requested to be consulted under Assembly Bill 52. Consultation letter was sent on April 14, 2021 and an email from the Quechan Indian Tribe Historic Preservation Officer received on April 14, 2021 stated that they did not have comments on this project. Less than significant impacts are expected.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- b)** As previously mentioned under item a) above, no comments were received from consultation with Quechan Tribe, therefore, it is not expected to cause a substantial change to an archeological resource. Less than significant impacts are expected.

- c) Disturb any human remains, including those interred outside of dedicated cemeteries?
- c)** There are no known cemeteries on or surrounding the project site. The project site is not known to have been a formal or informal cemetery. Therefore, the proposed project is not expected to disturb any human remains and less than significant impacts are anticipated

VI. **ENERGY** *Would the project:*

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- a)** The proposed project is for the construction of a water well for residential purposes; therefore, it is not expected to result in a significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources during project construction or operation. Less than significant impacts are expected.
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
- b)** The proposed project does not appear to conflict with or obstruct a state or local plan regarding

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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renewable energy or energy efficiency. Less than significant impacts are anticipated.

VII. **GEOLOGY AND SOILS** *Would the project:*

- a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:
- a)** The proposed project is construct a new water well and does not appear to conflict with the geology and soils of adjacent properties and does not appear to directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death. The proposed single family residence and water well will go through a ministerial review when the applicant applies for the building permits and would be subject to compliance to the latest edition of the California Building Code, including seismic requirements. Therefore, any impacts are expected to be less than significant.
- 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?
- 1)** The project is located approximately 5 miles east of the Algodones Fault according to the Fault Activity Map of California (2015)⁶; therefore, the site could be affected by the occurrence of seismic activity, in similitude to the surrounding residences; however, since the proposed project will go through a ministerial review when the applicant applies for the building permit for both the residence and the water well, impacts are considered less than significant.
- 2) Strong Seismic ground shaking?
- 2)** Ground shaking is expected to occur being that the project site is located in the seismically active Imperial Valley, with numerous mapped faults of the San Andreas Fault System traversing the region. The proposed project is located to the east of a known fault, however, all grading and construction work shall require earthquake resistant construction and would need to comply with the latest edition of the California Building Codes, as well as with all current building codes; therefore less than significant impacts are anticipated.
- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?
- 3)** As stated above under item a), the project is for the construction of a new water well for residential uses and the project site is not located in a Tsunami inundation area according to the California Official Tsunami Inundation Maps⁷, seismic-related ground failure impacts including liquefactions and seiche/tsunami are considered to be less than significant.
- 4) Landslides?
- 4)** The proposed project is not located within a Landslide Activity area according to the Imperial County Seismic and Public Safety Element⁸, Figure 2 (Landslide Activity). The topography within the project site is generally flat, and therefore will not be directly or indirectly affected by a landslide. No impacts are expected.
- b) Result in substantial soil erosion or the loss of topsoil?
- b)** The proposed project is not located within an area of substantial soil erosion according to Imperial County Seismic and Public Safety Element, Figure 3 (Erosion Activity). Less than significant impacts are expected.

⁶ Fault Activity Map of California (2015) <https://maps.conservation.ca.gov/cgs/fam/>

⁷ Department of Conservation Tsunami Inundation Maps <https://www.conservation.ca.gov/cgs/tsunami/maps>

⁸ Imperial County Seismic and Public Safety Element - <https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>

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<p>c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?</p> <p>c) The project site is approximately 5 miles east of the Algodones Fault and will go through a ministerial review when the applicant applies for the building permit for both the residence and water well and will comply with the latest addition of the California Building Code. The site is approximately a quarter mile from three existing residences and a half mile from the Museum of History of Granite, and due to such close proximity of this construction and having not seen a history of unstable geological units and or/soil, the project is not expected to become unstable as a result of the project. Therefore, less than significant impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?</p> <p>d) The proposed project soil site may not be considered highly expansive, in addition the proposed project will be subject to a ministerial review and will need to be in compliance with the latest edition of the California Building Code when the building permit for the water well and residence are applied for, therefore, the proposed project impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</p> <p>e) The proposed project is for the construction of a new water well for residential purposes. Therefore any septic tank or alternative waste water disposal systems will be subject to a ministerial review when the installation for the residence is applied for and will be subject to the latest edition of the California Building Code and Imperial County Public Health Department (EHS) requirements; therefore, any impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p> <p>f) The proposed project is for the construction of a new water well to be used for residential purposes and will disturb approximately 20,000 SqFt. of the 46.37 Acre parcel. There are no known unique paleontological resources or geological features on the site; therefore, less than significant impacts are expected to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII. **GREENHOUSE GAS EMISSION** *Would the project:*

<p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p> <p>a) The proposed project is to extract one acre foot of water from the proposed water well for a new single family residence, and it is not expected to generate greenhouse gas emissions, that either directly or indirectly, may have a significant impact on the environment. Any impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p> <p>b) The proposed project is not expected to conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Less than significant impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IX. **HAZARDS AND HAZARDOUS MATERIALS** *Would the project:*

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|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
a) The proposed project is not expected to create a significant hazard to the public or the environment since it does not include any handling of hazardous materials. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
b) As stated above under item a), the proposed project does not anticipate handling hazardous materials. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
c) The proposed project is not located within ¼ mile of a school, thus, the project would not represent a risk to school facilities; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
d) The proposed project site is not located on a site included on a list of hazardous material sites ⁹ ; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
e) The proposed project is not located within an airport land use plan, or within two miles of a public airport or public use airport, and would not result in a safety hazard for people residing or working in the project area; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
f) The proposed project is not expected to interfere with an adopted emergency response plan or emergency evacuation plan; therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?
g) The proposed project is for the construction of a water well for residential purposes. Additionally, the project site is classified as LRA Moderate under the Fire Hazard Severity Zone according to the "Draft Fire Hazard Severity Zones in LRA" Imperial County map dated September 19, 2007. As a result of this classification, when the applicant applies for the building permit to construct these improvements, they will undergo a ministerial review. Therefore, any impacts related to the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires is considered to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

⁹ EnviroStor Database <http://www.envirostor.dtsc.ca.gov/public/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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X. **HYDROLOGY AND WATER QUALITY** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
a) The proposed water well would extract one acre feet of water a year as initially requested under this Conditional Use Permit application, therefore it is not expected to violate any water quality standards or waste discharge requirements or substantially degrade surface or ground water quality. Per a comment letter from the Imperial County Public Health Department (EHS), the proposed project may go through a plan review upon submittal of the building permit for the water well. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
b) As commented above under item a), the proposed project anticipates the extraction of one acre feet of water from the proposed water well and it is not expected to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
c) As stated above under item a), the proposed project is for the extraction of one acre feet of water a year from the proposed water well and it is not likely that it will substantially alter the existing drainage pattern of the site or area. There are no rivers or streams near the project site. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) result in substantial erosion or siltation on- or off-site;
(i) As stated above under item c), the proposed project is for the construction of a water well for residential purposes for the extraction of one acre-feet of water a year and it is not likely that it would cause substantial erosion or siltation on- or off- site. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
(ii) The proposed project is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;
(iii) The proposed project would not appear to create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Impacts appear to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iv) impede or redirect flood flows?
(iv) The proposed project is for the operation of a new water well and it is not expected to impede or redirect flood flows. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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pollutants due to project inundation?

d) The project site is not located within a flood zone, Tsunami Inundation Area, or seiche zone and it is not expected to expose people or structures to a significant risk release of pollutants due to project inundation. Less than significant impacts are expected.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

e) The proposed project is for the extraction of one acre feet of water a year from the proposed water well and it is not expected to conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. As previously mentioned under item A) listed above, the project may undergo a plan review by EHS upon submittal of the building permit application. Less than significant impacts are expected.

XI. **LAND USE AND PLANNING** *Would the project:*

a) Physically divide an established community?

a) The proposed project is for the construction of a new water well which would be used for residential purposes and it is not expected to physically divide an established community; therefore, no impact is expected.

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

b) The proposed project is for the construction of a new water well for residential purposes. The parcel is zoned S-2 (Open Space/Preservation), the residential use is also being proposed alongside the well, therefore it would comply with the Imperial County Land Use Ordinance, and it is not expected to cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Less than significant impacts are expected.

XII. **MINERAL RESOURCES** *Would the project:*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

a) The proposed project is not located within the boundaries of an active mine per Imperial County General Plan's Conservation and Open Space Element, Figure 8 "Existing Mineral Resources". Therefore, no impacts are expected.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

b) The proposed project is not expected to result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. No impacts are expected.

XIII. **NOISE** *Would the project result in:*

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

a) It can be expected that the construction of the water well and installation of the manufactured home would generate temporary increase in ambient noise. However, the construction phase of the

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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water well and installation of the manufactured home would be subject to the Construction Noise standards per the Noise Element¹⁰ of the Imperial County General Plan. Compliance with such standards would bring impacts to less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Generation of excessive groundborne vibration or groundborne noise levels?
b) During the construction of the water well and installation of the manufactured home groundborne vibration and noise levels are expected to increase in a short term; however as stated above under item a), the construction phase of the residence will be subject to the Construction Noise standards per Noise Element of the Imperial County General Plan. Compliance with such standards would bring impacts to less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
c) The project site is not located within a runway protected zone or approach/departure zone of a local airport. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. **POPULATION AND HOUSING** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
a) The proposed project is for the construction of a water well to be used for residential purposes. Due to the fact that a single family residence is an allowed use within this site and zone, the density for this area will not be exceeded upon construction. Therefore, the proposed project is not expected to induce substantial unplanned population growth in the area either directly or indirectly. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
b) The proposed project will not displace substantial numbers of people necessitating the construction or replacement housing elsewhere. Therefore, no impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. **PUBLIC SERVICES**

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
a) The proposed project is not expected to result in substantial adverse physical impacts associated with potential impacts foreseen on public services. However, any impact would be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) Fire Protection?
1) The proposed project is not expected to result in substantial impacts on fire protection; any new | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹⁰ Imperial County Noise Element - <https://www.icpds.com/planning/land-use-documents/general-plan/noise-element>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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impacts would be less than significant.

2) Police Protection?

2) The proposed project is not expected to have result in substantial impacts on police protection; less than significant impacts are expected.

3) Schools?

3) The proposed project is not expected to have a substantial impact on schools. Less than significant impacts are expected.

4) Parks?

4) The proposed project is not expected to create a substantial impact on parks. Less than significant impacts are expected.

5) Other Public Facilities?

5) The proposed project is not expected to create a substantial impact on other public facilities; however, any impacts would be less than significant.

XVI. RECREATION

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

a) The proposed project is not expected to increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated since the applicant is only proposing one new manufactured home and water well on the project site. Less than significant impacts are expected.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?

b) The proposed project does not include or require the construction of recreational facilities. No impacts are expected.

XVII. TRANSPORTATION *Would the project:*

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

a) The proposed project is not expected to conflict with the Imperial County General Plan's Circulation and Scenic Highways Element; a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; therefore, no impacts are expected.

b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?

b) The proposed project will not conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b) since it is not expected to have a significant transportation impact within transit priority areas. No impacts are expected.

c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

c) The proposed project does not appear to substantially increase hazards due to design features

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or incompatible uses. No impacts are anticipated.

- d) Result in inadequate emergency access?
- d)** The proposed project would not result in inadequate emergency access since the current use will change from a vacant property to a single family residence and the emergency access will remain the same; any impact would be less than significant.

XVIII. **TRIBAL CULTURAL RESOURCES**

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:

- a) The proposed project is for the construction of a new water well for residential purposes and it is not expected that the project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074. Additionally, the Quechan Indian Tribe was consulted under Assembly Bill 52 and no comments were received at this time. Therefore, less than significant impacts are expected.

- (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or

(i) The proposed project is not listed or is not likely that it would be eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), there is no evidence of cultural resources on site. Therefore, less than significant impacts are expected.

- (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

ii) There appears to be no history or association in the past with any evidence of historical resources for the property to be either identified as of significance or as candidate for listing in the California Register; therefore, less than significant impacts are expected.

XIX. **UTILITIES AND SERVICE SYSTEMS** *Would the project:*

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?

a) The proposed project is for the construction of a water well to be used for residential purposes. As required by the Imperial Irrigation District (IID) a complete set of approved plans, construction, schedule, completion date, and other required documentation will reviewed for the applicant to obtain electrical service to the new pump for the water well. The applicant is also responsible to comply with all applicable IID polices and regulations and will be required to enter into a water

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supply agreement which will be assessed for potential environmental and water supply impacts. If the applicant finds that it is necessary to construct within an existing IID water, sewer, storm water, or any other above ground or underground utility; an encroachment agreement will need to be between the applicant and IID. In addition to these requirements, EHS will also undergo a plan review once the applicant has submitted their building permit application for the water well and single family residence. Due to these requirements, it is not expected that the proposed project would require or result in the relocation or construction of new or expanded utilities and service system facilities, the construction of which would cause significant environmental effects. Less than significant impacts are expected.

- b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
b) The proposed project intends to extract one acre foot of water a year for residential purposes; and it is expected that there is sufficient water supplies to serve the proposed project from existing and reasonably foreseeable future development. Less than significant impacts are expected.
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
c) The proposed project is to construct a new water well for residential purposes. The applicant will also submit a building permit for the installation of a manufactured home upon approval of this CUP. This building permit will be submitted to the ICPDS for review and it will be required to comply with the California Building Code and the requirements of Agencies including Environmental Health Department for approval; therefore, it is expected that such compliance would bring impacts to less than significant levels.
- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
d) The proposed project would create the residential use, therefore, it is not expected that it would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Impacts are considered less than significant.
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
e) The proposed project does not require a solid waste plan. The proposed subsequent residence will be required to comply with all federal, state and local management and reduction status and regulations related to solid waste. Less than significant impacts are expected.

XX. **WILDFIRE**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
a) The proposed project is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones, the proposed project parcel is within an area classified as "Local Responsibility Area (LRA Moderate)-Unincorporated" under the Fire Hazard Severity Zones in SRA adopted by Cal Fire on November 7, 2007. However, the proposed project is not expected to substantially impair an adopted emergency response plan or emergency evacuation plan. Less than significant impacts are expected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<p>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p> <p>b) The proposed project is for the construction of a water well that will be used for residential purposes. The proposed project parcel is flat and surrounded by desert vacant parcels and residential dwellings to the east, therefore, it is not expected that the proposed water well will expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. As stated above under item a) the area is classified as "Local Responsibility Area (LRA)-Unincorporated"; and, less than significant impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p> <p>c) As previously stated under item a) above, the proposed project is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones, therefore, it would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Less than significant impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</p> <p>d) As previously stated under item b) above, the proposed project is generally flat, and it is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones, therefore it not expected to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Less than significant impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
 Revised 2011- ICPDS
 Revised 2016 – ICPDS
 Revised 2017 – ICPDS
 Revised 2019 – ICPDS

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Mariela Moran, Project Planner
- Jeanine Ramos, Planner
- Imperial County Air Pollution Control District
- Ag Commissioner
- Environmental Health Services

B. OTHER AGENCIES/ORGANIZATIONS

- Quechan Indian Tribe
- IID

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

1. Imperial County General Plan Circulation and Scenic Highways Element
2. California Department of Conservation Farmland Mapping and Monitoring Program (2016)-
<https://maps.conservation.ca.gov/DLRP/CIFF/>
3. Imperial County Williamson Act FY 2016/2017 Map
4. Imperial County Land Use Plan Map - <https://www.icpds.com/assets/planning/land-use-element/landuse-map.pdf>
5. IC General Plan Conservation and Open Space -
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
6. Fault Activity Map of California (2015) <https://maps.conservation.ca.gov/cgs/fam/>
7. Department of Conservation Tsunami Inundation Maps -
<https://www.conservation.ca.gov/cgs/tsunami/maps>
8. Imperial County Seismic and Public Safety Element -
<https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>
9. EnviroStor Database - <http://www.envirostor.dtsc.ca.gov/public/>
10. Imperial County Noise Element - <https://www.icpds.com/planning/land-use-documents/general-plan/noise-element>

VI. NEGATIVE DECLARATION – County of Imperial

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: Initial Study #21-0006 for Conditional Use Permit #21-0007
Abraham Gutierrez, Jr. – Water Well

Project Applicant: Abraham Gutierrez, Jr.

Project Location: The project site is located at 771 Sidewinder Road, Winterhaven, CA 92283. This parcel is located on Imperial County Assessor Parcel (APN) 056-470-029-000. The legal description for this parcel is identified as Parcel 1, of Parcel Map 891, of the North east ¼ of Section 21, Township 16 South, Range 21 East, SBBM.

Description of Project: The applicant is proposing a Conditional Use Permit (CUP) to build a water well to have access to one acre foot of water per year for a residential use. If approved, the applicant will submit a building permit for both the water well and the mobile home installation. The pump equipment will be designed for 15 GPM with 50 PSI at the well head and the pump will be set at 220 ft. within the well. The pump will be a 20FA15 Franklin Submersible pump/motor at ½ HP and 230 V/1 phase design.

VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:



The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.



The Initial Study identifies potentially significant effects but:

- (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
- (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
- (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

7-15-21

Date of Determination



Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.



Applicant Signature

7-15-21

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

S:\AllUsers\APN\056\470\029\CUP21-0007\EEC\CUP21-0007 Initial Study .docx

**Attachment A: CUP Application &
Supporting Documentation**

EEC ORIGINAL PKG

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME <u>Abraham Gutierrez Jr.</u>	EMAIL ADDRESS <u>FelivityFleet98@gmail.com</u>	
2. MAILING ADDRESS (Street / P O Box, City, State) <u>2812 W Donley Rd, Smerton, AZ, 85350</u>	ZIP CODE <u>85350</u>	PHONE NUMBER <u>928-366-7342</u>
3. APPLICANT'S NAME <u>Abraham Gutierrez Jr.</u>	EMAIL ADDRESS <u>Felivityfleet98@gmail.com</u>	
4. MAILING ADDRESS (Street / P O Box, City, State) <u>.</u>	ZIP CODE	PHONE NUMBER
4. ENGINEER'S NAME <u>Larry</u>	CA. LICENSE NO. <u>AC57, HAZ-753077</u>	EMAIL ADDRESS <u>AZCadrilling@aol.com</u>
5. MAILING ADDRESS (Street / P O Box, City, State) <u>P.O BOX 570 Ehrenberg, AZ, 85334</u>	ZIP CODE <u>85334</u>	PHONE NUMBER <u>928-923-9118</u>
6. ASSESSOR'S PARCEL NO. <u>056-470-029-000</u>	SIZE OF PROPERTY (in acres or square foot) 40.00 <u>46.7</u>	ZONING (existing) <u>S-2</u>
7. PROPERTY (site) ADDRESS <u>771 Sidewinder Rd, Winterhaven, CA, 92283</u>		
8. GENERAL LOCATION (i.e. city, town, cross street) <u>771 Sidewinder Rd, Winterhaven, CA, 92283</u>		
9. LEGAL DESCRIPTION <u>That par 1 PM 091 OF NEH SEC 21 16-21</u> <u>46.7</u>		

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	<u>(See attached sheet)</u>
11. DESCRIBE CURRENT USE OF PROPERTY	<u>Valant</u>
12. DESCRIBE PROPOSED SEWER SYSTEM	<u>Septic</u>
13. DESCRIBE PROPOSED WATER SYSTEM	<u>well</u>
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Abraham Gutierrez Jr. 4-6-21
Print Name Date
[Signature]
Signature

Print Name Date

Signature

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY:	<u>[Signature]</u>	DATE	<u>4/6/21</u>	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY:	_____	DATE	_____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY:	_____	DATE	_____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY:	_____	DATE	_____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED		DATE	_____	<input type="checkbox"/> O. E. S.
		DATE	_____	<input type="checkbox"/> _____

CUP #
21-0007

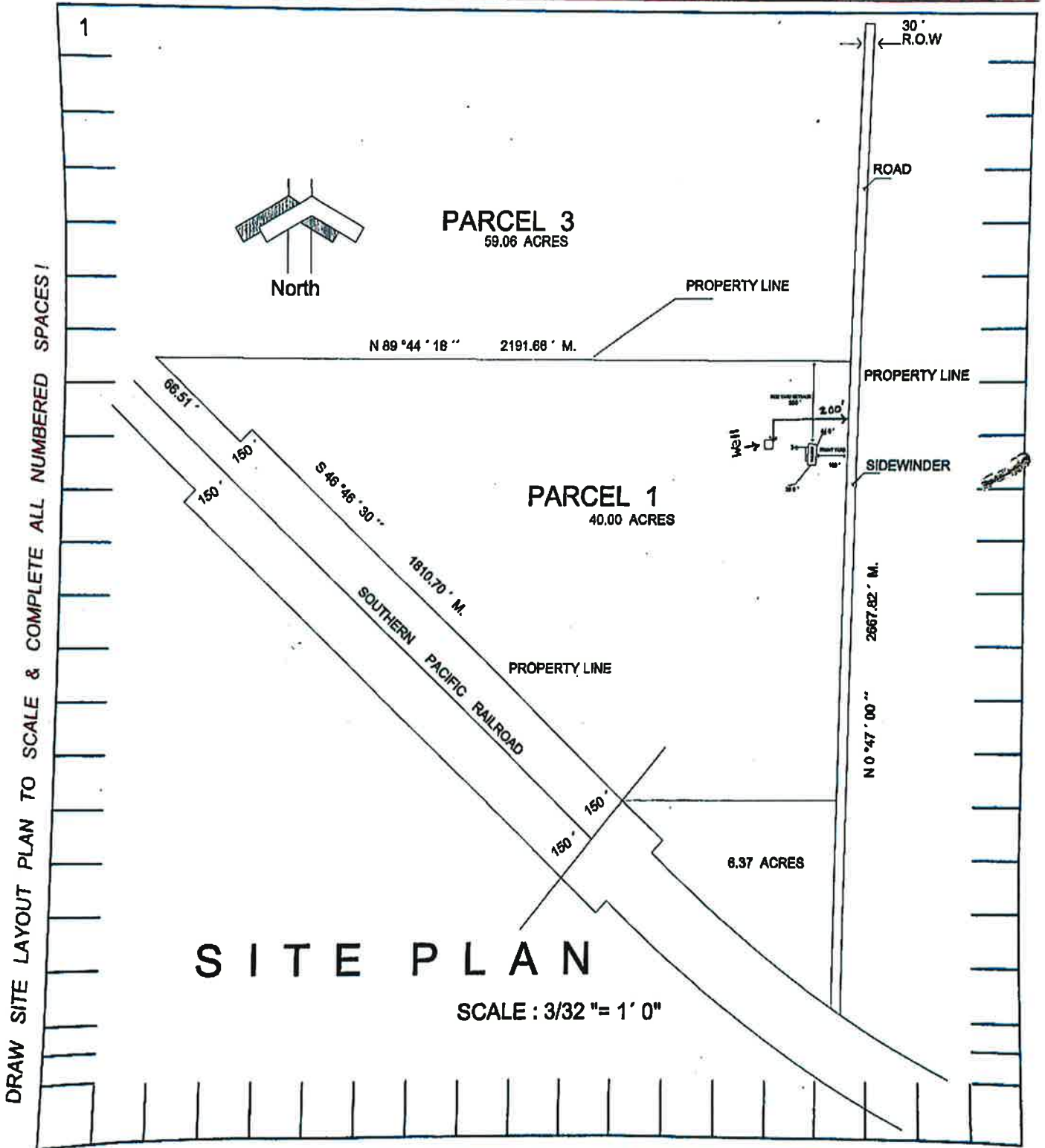
Proposed Use Of Property for 771 Sidewinder Rd, Winterhaven CA, 92283

The proposed use of 771 Sidewinder Rd, Winterhaven CA, 92283. Is to place a manufactured home on a foundation for my brother and I to live in. We would like to have water available in the property to make it a more habitable and proper establishment to fulfill our day to day needs of living. As we would like to drill a well to have access to "one acre of foot of water per year".

SITE PLAN

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (760) 482-4236

READ INSTRUCTIONS ON THE BACK! USE PEN TO DRAW - DO NOT USE PENCIL!



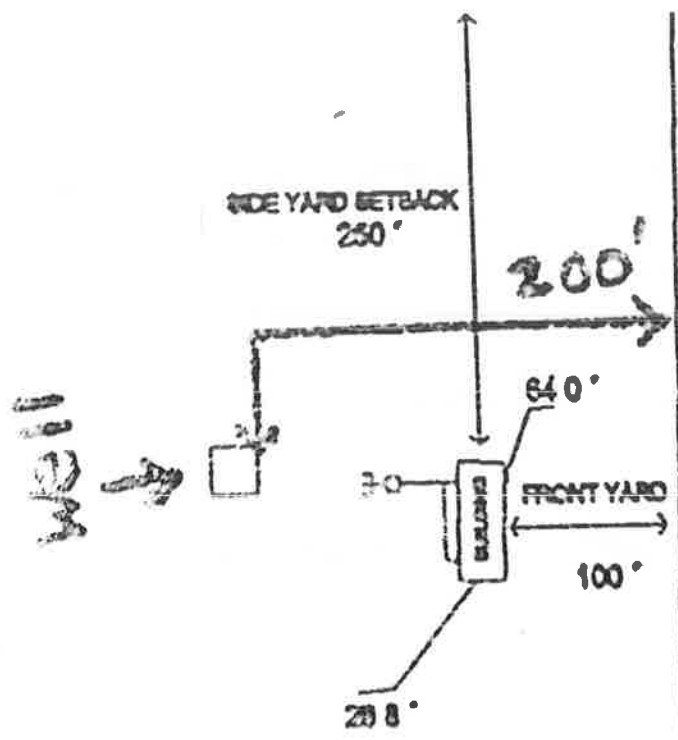
DRAW SITE LAYOUT PLAN TO SCALE & COMPLETE ALL NUMBERED SPACES!

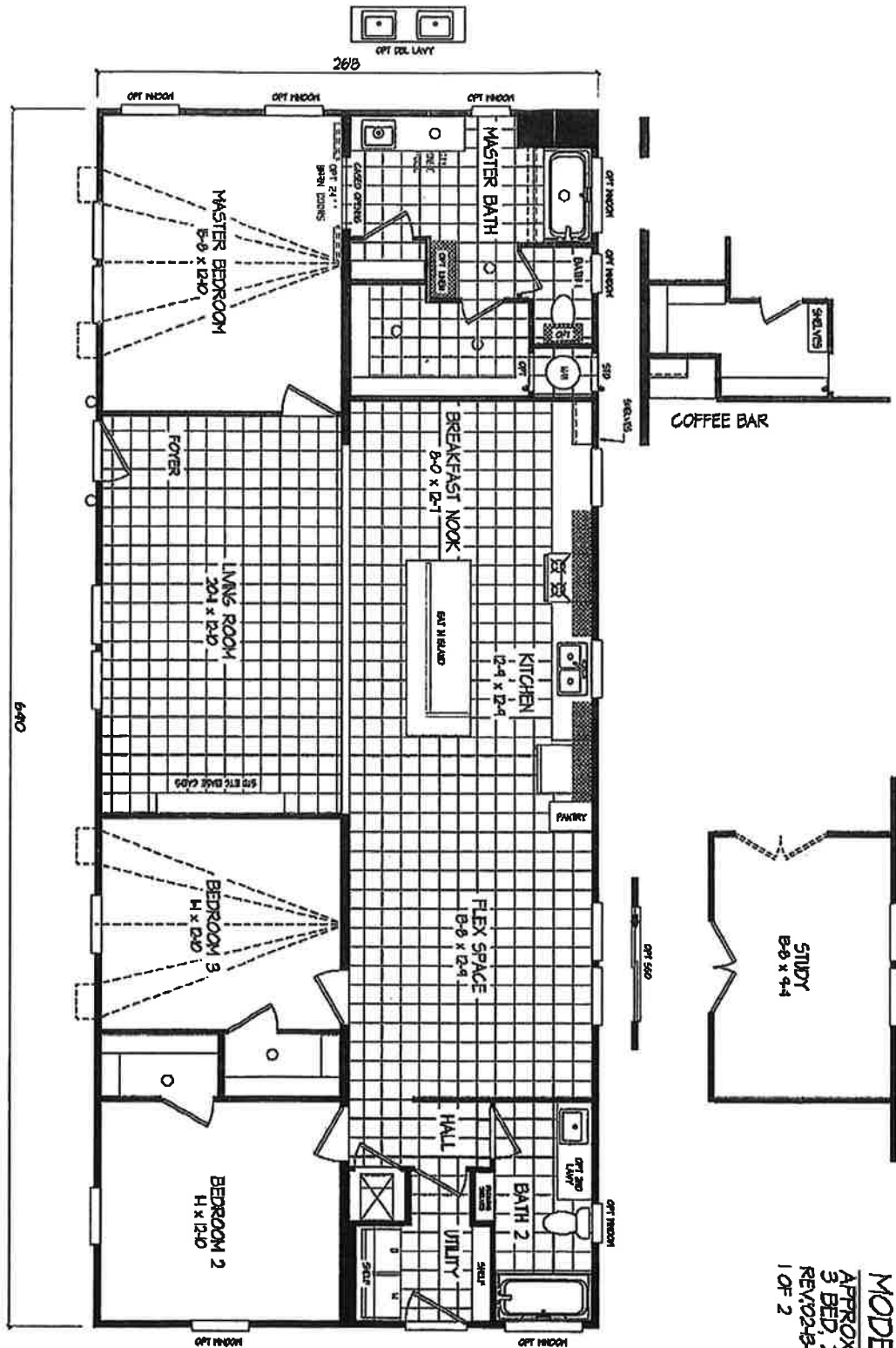
SITE PLAN

SCALE : 3/32" = 1' 0"

NAME OF APPLICANT 2 Abraham Gutierrez Jr.	APPLICANT PHONE NO. 3 (928) 366-7342	Size of Parcel 4 40 Acres
PROJECT SITE ADDRESS 5 771 Sidewinder Rd. N, Winterhaven, CA		ASSESSOR'S PARCEL I.D. 6 056-470-029-000

EEC ORIGINAL PKG





MODEL: CXP-28643
 APPROX: 170 SQ.FT.
 3 BED, 2 BATH
 REV: 02-8-20
 1 OF 2


AZCA DRILLING & PUMP, INC.

P.O. BOX 570
 EHRENBURG, AZ 85334
 AZ LIC. A 135159, DRL LIC#621
 CA LIC. A C57, HAZ-753077

Estimate

Date	Estimate #
4/20/2021	3981

Name / Address
GUTIERREZ, ABRAHAM 928-366-7342 seriousemail60@gmail.com



AZCA
Drilling & Pump, Inc
 P.O. Box 570-50078 Parker-Poston Rd. # 104
 Ehrenburg, AZ 85334
 Phone & Fax: 928-923-9118
 Cell 520-831-8171
 Home 828-823-7965
 Marana Office 520-882-2556
Larry Siddall
 azcadrilling@aol.com
 AZ LIC. A 135159, AZ Drl. Lic. 621, CA Lic. A.C57,HAZ753077

P.O. No.	Project

Description	Qty	Rate	Total
HELLO ABRAHAM, HERE IS A QUOTE FOR A 300' BY 6" DUAL ROTARY DRILLED CASED WELL IN THE WINTERHAVEN AREA. BILLING FOR THE ACTUAL WELL WILL BE BASED UPON LINE ITEM PRICING FOR THE ACTUAL FOOTAGE WITH A MINIMUM DEPTH OF 260'. THANKS FOR YOUR INQUIRY, LARRY SIDDALL *****NOTE*****REVISED QUOTE FROM 9/26/2019 WITH PUMPING EQUIPMENT AND CURRENT MARKET PRICES ON WELL CASING, THANKS, LARRY SIDDALL			
MOB/DEMOB	1	3,300.00	3,300.00
PERMIT BY YOU WITH OUR HELP	1	475.00	475.00
SUPPLY AND SET SURFACE CASING	1	1,500.00	1,500.00T
DRILL BIT WEAR AND DRILL SHOE	1	1,150.00	1,150.00T
RENTAL EQUIPMENT	1	1,875.00	1,875.00T
6IN BLANK CASING AT OUR COST PLUS 15% AT TIME OF PURCHASE *****CURRENT MARKET PRICE*****	300	21.85	6,555.00T
DRILLING SERVICES	300	30.00	9,000.00
INSTALL SURFACE SEAL	1	1,100.00	1,100.00
SWABBING AND AIR LIFT DEVELOPMENT	2	400.00	800.00
WE ASSUME WATER ON SITE TO DRILL WITH		0.00	0.00
PUMPING EQUIPMENT DESIGNED FOR 15GPM WITH 50 PSI AT THE WELL HEAD AND THE PUMP SET AT 220' IN THE WELL 20FA15 FRANKLIN SUBMERSIBLE PUMP/MOTOR 1PH/230V	1	1,560.00	1,560.00T

Subtotal

Sales Tax (6.3%)

Total

Phone #
(928) 923-9118

E-mail
AZCADRILLING@AOL.COM

AZCA DRILLING & PUMP, INC.

P.O. BOX 570
 EHRENBERG, AZ 85334
 AZ LIC. A 135159, DRL LIC#621
 CA LIC. A C57, HAZ-753077

Estimate

Date	Estimate #
4/20/2021	3981

Name / Address
GUTIERREZ, ABRAHAM 928-366-7342 seriousemail60@gmail.com

Ship To
GUTIERREZ, ABRAHAM

P.O. No.	Project

Description	Qty	Rate	Total
1 1/2HP DELUX CONTROL BOX	1	287.28	287.28T
6X2 SANITARY WELL SEAL	1	79.75	79.75T
X-HEAVY CLASS 120 PVC DROP PIPE WITH METAL COUPLINGS- 2IN	220	4.25791	936.74T
12/4 SUBMERSIBLE PUMP CABLE	240	1.64	393.60T
CH302 86GAL CA TANK	1	561.00	561.00T
ITEMS PURCHASED FOR PROJECT	1	355.00	355.00T
LABOR	1	800.00	800.00
NOTE: THE PUMP AND MOTOR WOULD BE A 1 1/2HP/230V/1PHASE DESIGNED FOR 15GPM @ 300' TOTAL HEAD			
		Subtotal	\$30,728.37
		Sales Tax (6.3%)	\$960.96
		Total	\$31,689.33

Phone #
(928) 923-9118

E-mail
AZCADRILLING@AOL.COM

PARCEL MAP NO. M-891

LEGAL DESCRIPTION

BEING A DIVISION OF THE NE 1/4 OF SECTION 21, TOWNSHIP 14 SOUTH, RANGE 21 EAST, S.B.M., COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF RE-SURVEY.

BASIS OF BEARINGS

THE EAST LINE OF THE NE 1/4 OF SEC. 21, T. 14 S., R. 21 E., S.B.M., AS SHOWN ON G.L.O. PLAT DATED NOV. 7, 1929, (BEING N 0° 57' 00" E)

SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AT THE REQUEST OF JOE L. GREEN ON NOV. 1, 1976. I HEREBY CERTIFY THAT IT CONFORMS TO THE APPROVED TENTATIVE MAP AND THE CONDITIONS OF APPROVAL THEREOF.



Thomas P. Yonell
THOMAS P. YONELL
L.S. NO. 2405

COUNTY SURVEYOR'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND THE SUBDIVISION ORDINANCE OF THE COUNTY OF IMPERIAL.

DATED: July 11, 77 SIGNED: *[Signature]*
COUNTY SURVEYOR

PLANNING DIRECTOR'S CERTIFICATE

PURSUANT TO SECTION 56022 OF THE CODIFIED ORDINANCES OF IMPERIAL COUNTY, I HEREBY CERTIFY THAT THIS MAP COMPLIES WITH THE APPROVED TENTATIVE MAP.

SIGNED: *[Signature]*
COUNTY RECORDER

COUNTY RECORDER'S CERTIFICATE

FILED THIS 17TH DAY OF July, 1977, AT 3:22 P.M. IN BOOK 18 OF Parcel Maps AT PAGE 22 AT THE REQUEST OF Joe L. Green

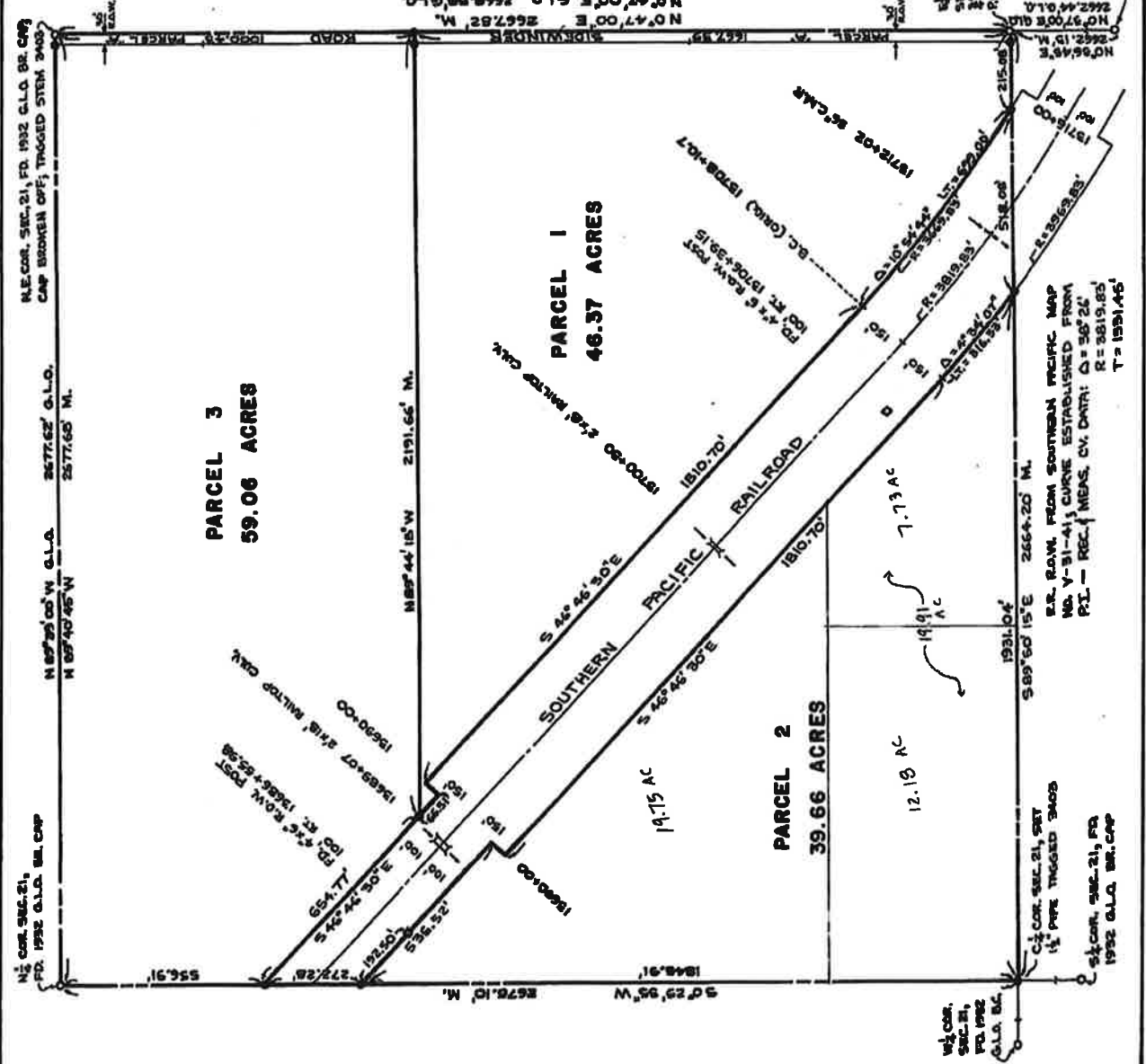
SIGNED: *[Signature]*
COUNTY RECORDER

LEGEND

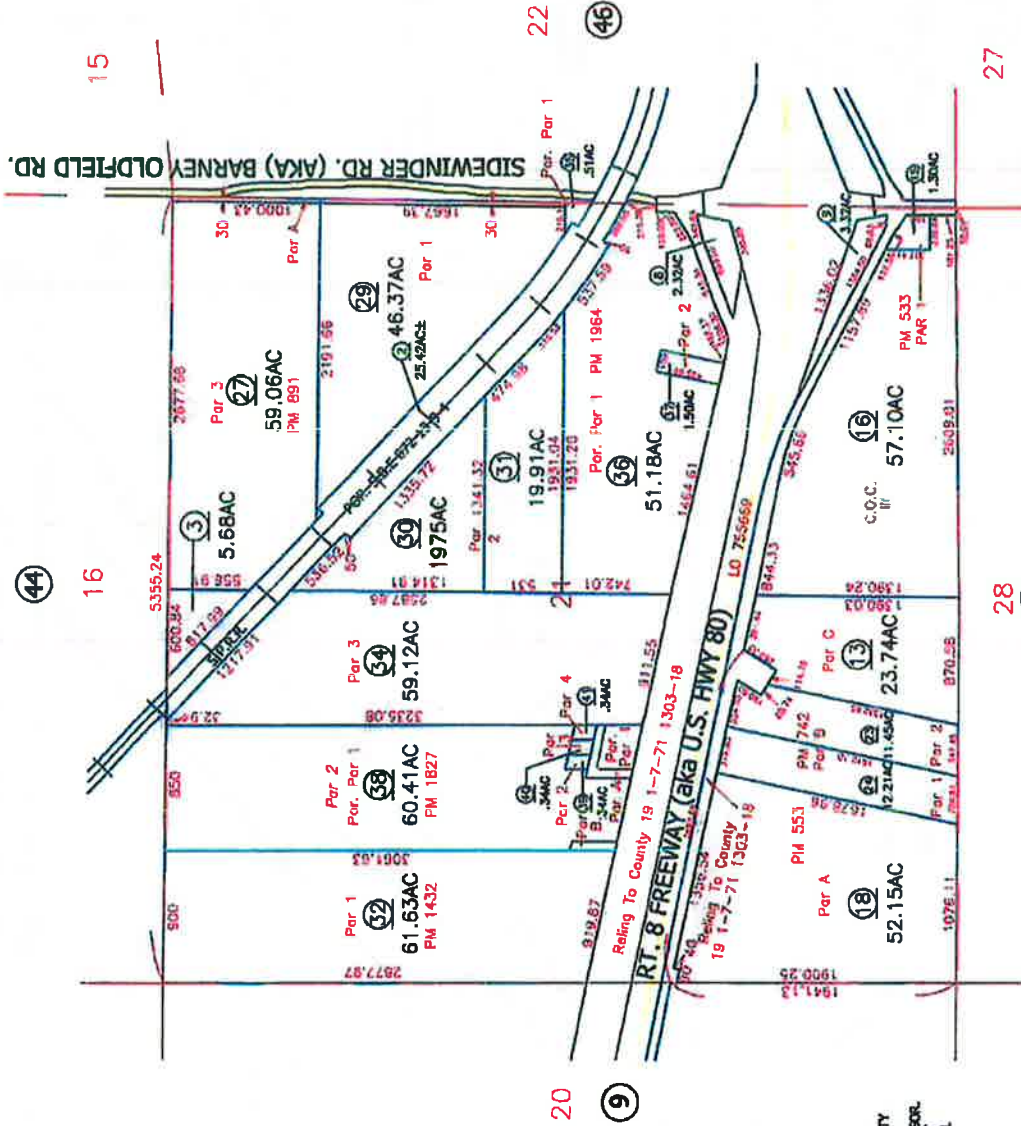
- FOUND AS NOTED
- SET 1 1/2" PIPE TAGGED L.S. 3405
- FOUND 4" x 6" RED WOOD MARKED R.R. R.O.W.
- PARCEL MAP BOUNDARY

PARCEL "A" IS FOR ROAD RIGHT OF WAY PURPOSES.

SHEET 1 OF 1 SHEETS



SEC. 21 T16S, R21E

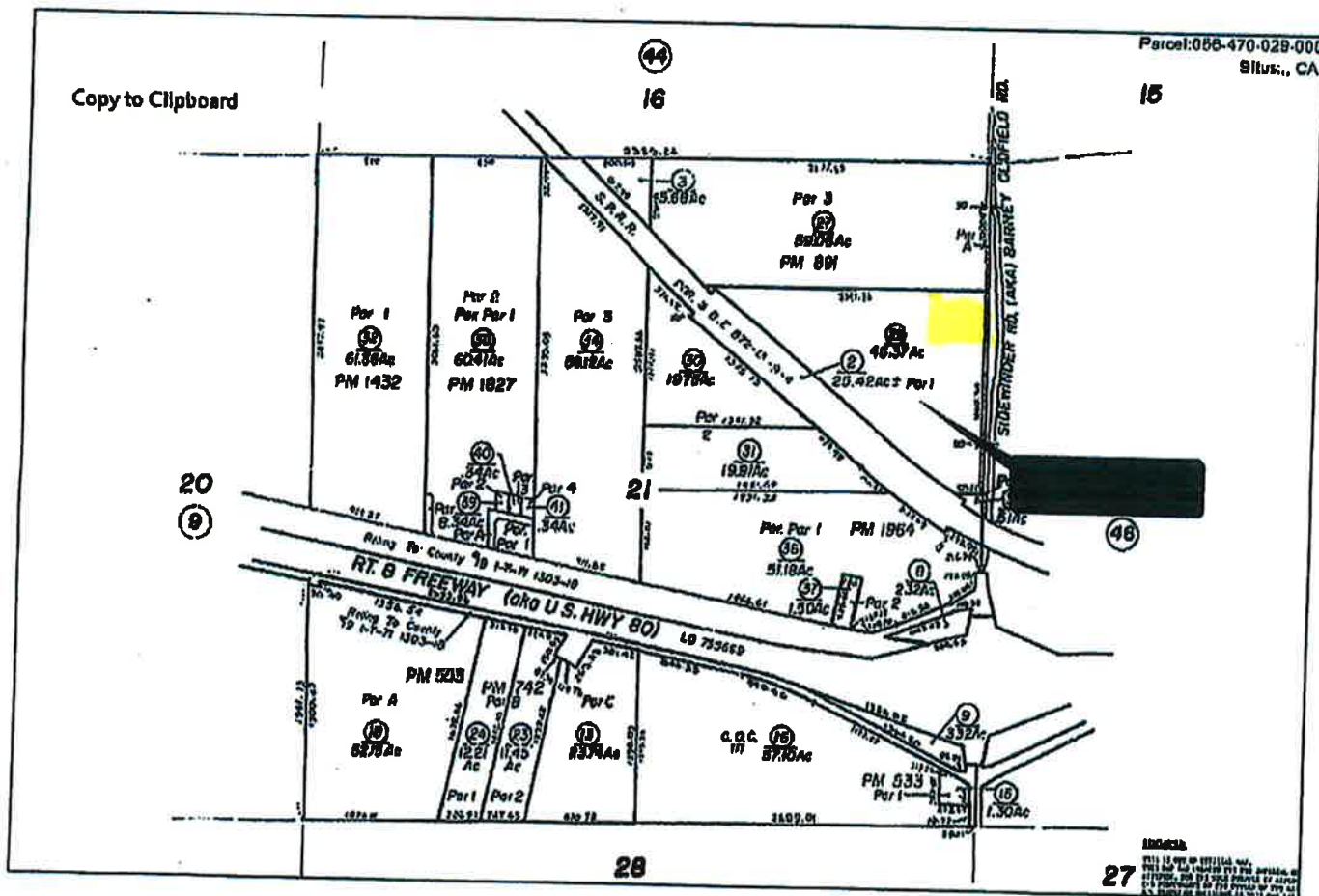


DISCLAIMER:
 THIS IS NOT AN OFFICIAL MAP.
 THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY
 ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN
 THE DETERMINATION OF THE DUTIES OF THE ASSESSOR.
 THE ASSessor OR COUNTY OFFICIALS IN THIS MAP ARE NOT
 THE RESPONSIBLE PARTY FOR THE COUNTY OF IMPERIAL
 OR THE ASSESSOR. (REV. & TNL CODE SEC. 327)

BLOW - UP
 From 56-10
 7-12-90 LS
 2-10-93 LS

Plat Map

Borrower/Client	The Estate Abraham Gutierrez <i>Abraham Gutierrez</i>
Property Address	APN 056-470-029-000
City	Winterhaven
County	Imperial
State	CA
Zip Code	92283
Lender	Maria G. Gutierrez



Attachment B: Comment Letters

EEC ORIGINAL PKG

Maria Scoville

From: Esperanza Colio
Sent: Wednesday, April 14, 2021 1:27 PM
To: Maria Scoville
Subject: RE: CUP21-0007 - Request for Review and Comment Letter

Good afternoon Maria,

I have no comments regarding this CUP.

Thank you

Esperanza M. Colio
Deputy County Executive Officer
County of Imperial
940 W. Main. St. Suite 208
El Centro, CA 92243
Tel. (442) 265-1011
Cell. (760) 604-0901
Fax: (760) 352-7876
[*esperanzacolio@co.imperial.ca.us*](mailto:esperanzacolio@co.imperial.ca.us)

RECEIVED

APR 14 2021

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

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From: Maria Scoville <mariascoville@co.imperial.ca.us>
Sent: Wednesday, April 14, 2021 9:16 AM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Tony Rouhotas <TonyRouhotas@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Ray Loera - Sheriff <rloera@icso.org>; rbenavidez@icso.org; Donald Vargas - IID <DVargas@IID.com>; rzleal@iid.com; 'jbarrett@cvwd.org' <jbarrett@cvwd.org>; ndscdda@citlink.net; rdaniels@cityofneedles.com; Maurice Eaton - CALTRANS DIST 11 <Maurice.Eaton@dot.ca.gov>; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; magdalena.rodriguez@wildlife.ca.gov; csahagun@blm.gov; historicpreservation@quechantribe.com; Quechan Indian Tribe <tribalsecretary@quechantribe.com>; katy.sanchez@nahc.ca.gov
Cc: Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Jim Minnick <JimMinnick@co.imperial.ca.us>; Mariela Moran <MarielaMoran@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>
Subject: CUP21-0007 - Request for Review and Comment Letter

Good morning commenting agencies,

Please see attached Request for Comments Packet for Abraham Gutierrez Jr. **CUP21-0007/APN 056-470-029-000**. Comments are due by **April 30, 2021 at 5:00 PM**.

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments Packet is being sent to you via this email.

Should you have any questions regarding this project, please feel free to contact Planner I Jeanine Ramos and Mariela Moran, Planner II (442)265-1736 ext. 1750/1747 or submit your comment letters to icpdscommentletters@co.imperial.ca.us

Thank you,

Maria Scoville

Office Assistant III

ICPDS – 442-265-1736

mariascoville@co.imperial.ca.us

PLEASE BE AWARE THAT DUE TO THE COVID-19, we are extremely short staffed and are experiencing longer zoning review and plan check processing times on all permit applications (including inspections). We do apologize for any inconvenience this may cause.

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Maria Scoville

From: Mario Salinas
Sent: Wednesday, April 14, 2021 10:27 AM
To: Maria Scoville
Cc: Jeanine Ramos; Michael Abraham; Jim Minnick; Mariela Moran; Carina Gomez; John Robb; Kimberly Noriega; Rosa Soto; Valerie Grijalva
Subject: RE: CUP21-0007 - Request for Review and Comment Letter

Good morning Ms. Scoville,

Pertaining to CUP21-0007, Division of Environmental Health does not have any comments at this time. Once the applicant files for a building permit, our division will revise the proposed project for the purpose of a possible plan review.

Thank you,

Mario Salinas, MBA

Environmental Health Compliance Specialist I
Imperial County Public Health Department
Division of Environmental Health
797 Main Street Suite B, El Centro, CA 92243
mariosalinas@co.imperial.ca.us
Phone: (442) 265-1888
Fax: (442) 265-1903
www.icphd.org



RECEIVED
APR 14 2021
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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From: Maria Scoville <mariascoville@co.imperial.ca.us>

Sent: April 14, 2021 9:16 AM

To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Tony Rouhotas <TonyRouhotas@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Ray Loera - Sheriff <rloera@icso.org>; rbenavidez@icso.org; Donald Vargas - IID

<DVargas@IID.com>; rzleal@iid.com; 'jbarrett@cvwd.org' <jbarrett@cvwd.org>; ndscdda@citlink.net; rdaniels@cityofneedles.com; Maurice Eaton - CALTRANS DIST 11 <Maurice.Eaton@dot.ca.gov>; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; magdalena.rodriguez@wildlife.ca.gov; csahagun@blm.gov; historicpreservation@quechantribe.com; Quechan Indian Tribe <tribalsecretary@quechantribe.com>; katy.sanchez@nahc.ca.gov

Cc: Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Jim Minnick <JimMinnick@co.imperial.ca.us>; Mariela Moran <MarielaMoran@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>

Subject: CUP21-0007 - Request for Review and Comment Letter

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Thank you,

Maria Scoville

Office Assistant III

ICPDS – 442-265-1736

mariascoville@co.imperial.ca.us

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Maria Scoville

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Wednesday, April 14, 2021 10:46 AM
To: Maria Scoville; MarielaMoran@co.imperial.ca.us; Jeanine.Ramos@co.imperial.ca.us
Cc: CommentLetters@co.imperial.ca.us
Subject: RE: CUP21-0007 - Request for Review and Comment Letter

RECEIVED

CAUTION: This email originated outside our organization; please use caution.

This email is to inform you that we do not wish to comment on this project.

APR 14 2021

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

From: Maria Scoville [mailto:mariascoville@co.imperial.ca.us]
Sent: Wednesday, April 14, 2021 9:16 AM
To: Carlos Ortiz; Sandra Mendivil; Jolene Dessert; Margo Sanchez; Matt Dessert; Monica Soucier; Ray Castillo; Tony Rouhotas; Rosa Lopez; Esperanza Colio; Vanessa Ramirez; Alphonso Andrade; Jorge Perez; Jeff Lamoure; Mario Salinas; Robert Menvielle; Alfredo Estrada Jr; Robert Malek; Andrew Loper; Guillermo Mendoza; John Gay; Ray Loera - Sheriff; rbenavidez@icso.org; Donald Vargas - IID; rzleal@iid.com; 'jbarrett@cvwd.org'; ndscdda@citlink.net; rdaniels@cityofneedles.com; Maurice Eaton - CALTRANS DIST 11; Roger Sanchez; magdalena.rodriguez@wildlife.ca.gov; csahagun@blm.gov; historicpreservation@quechantribe.com; Quechan Indian Tribe ; katy.sanchez@nahc.ca.gov
Cc: Jeanine Ramos; Michael Abraham; Jim Minnick; Mariela Moran; Carina Gomez; John Robb; Kimberly Noriega; Maria Scoville; Rosa Soto; Valerie Grijalva
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Thank you,

Maria Scoville

Office Assistant III
ICPDS – 442-265-1736
mariascoville@co.imperial.ca.us

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Virus-free. www.avast.com

Kimberly Noriega

From: Margo Sanchez
Sent: Friday, April 23, 2021 10:23 AM
To: Maria Scoville; ICPDSCCommentLetters; Mariela Moran
Subject: RE: CUP21-0007 - Request for Review and Comment Letter

Good morning Ms. Moran,

The Agricultural Commissioner's office has reviewed CUP21-007 for Abraham Gutierrez, Jr. for 771 Sidewinder Road, Winterhaven, CA and has No Comment on this project.

Best regards,
Margo



Margo E. Sanchez
Deputy Agricultural Commissioner/Sealer
Imperial County
agcom.imperialcounty.org
442.265.1500

RECEIVED
APR 23 2021
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

From: Maria Scoville <mariascoville@co.imperial.ca.us>
Sent: Wednesday, April 14, 2021 9:16 AM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Tony Rouhotas <TonyRouhotas@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Ray Loera - Sheriff <rloera@icso.org>; rbenavidez@icso.org; Donald Vargas - IID <DVargas@IID.com>; rzleal@iid.com; 'jbarrett@cvwd.org' <jbarrett@cvwd.org>; ndscdda@citlink.net; rdaniels@cityofneedles.com; Maurice Eaton - CALTRANS DIST 11 <Maurice.Eaton@dot.ca.gov>; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; magdalena.rodriguez@wildlife.ca.gov; csahagun@blm.gov; historicpreservation@quechantribe.com; Quechan Indian Tribe <tribalsecretary@quechantribe.com>; katy.sanchez@nahc.ca.gov
Cc: Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Jim Minnick <JimMinnick@co.imperial.ca.us>; Mariela Moran <MarielaMoran@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>
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Please see attached Request for Comments Packet for Abraham Gutierrez Jr. **CUP21-0007/APN 056-470-029-000**. Comments are due by **April 30, 2021 at 5:00 PM**.

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments Packet is being sent to you via this email.

Should you have any questions regarding this project, please feel free to contact Planner I Jeanine Ramos and Mariela Moran, Planner II (442)265-1736 ext. 1750/1747 or submit your comment letters to icpdscommentletters@co.imperial.ca.us

Thank you,

Maria Scoville
Office Assistant III
ICPDS – 442-265-1736
mariascoville@co.imperial.ca.us

PLEASE BE AWARE THAT DUE TO THE COVID-19, we are extremely short staffed and are experiencing longer zoning review and plan check processing times on all permit applications (including inspections). We do apologize for any inconvenience this may cause.

The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

AIR POLLUTION CONTROL DISTRICT



RECEIVED

APR 26 2021

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

April 26, 2021

Jim Minnick
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

SUBJECT: Condition Use Permit (CUP) 21-0007—Gutierrez Water Well

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on Condition Use Permit (CUP) 21-0007 ("Project") that would allow the construction of a water well for residential purposes at 771 Sidewinder Road in Winterhaven, California, also described as Assessor's Parcel Number 056-470-029-000.

Aside from the water well, the Project also identifies a proposed septic system. Construction of both must adhere to **Regulation VIII** which is a collection of rules designed to limit emissions of fugitive dust (PM₁₀) to 20% opacity. As the Project is over 10 acres, per Rule 801(E.1.c and E.1.d)—Construction and Earthmoving, the applicant must submit a **Construction Dust Control Plan** and notify the Air District 10 days prior to the start of construction. Should either the construction or operation phase of the Project include the use of a diesel generator above 50 brake horsepower the applicant must contact the Permitting & Engineering Division of the Air District to determine permitting requirements.

Air District rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have questions please feel free to contact the Air District for assistance at (442) 265-1800.

Respectfully,

Curtis Blondell

APC Environmental Coordinator

Monica N. Soucier

APC Division Manager



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April 28, 2021

Ms. Mariela Moran
Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Water Well for Residential Use Project; CUP Application No. 21-0007

Dear Ms. Moran:

On April 14, 2021, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit application no. 21-0007. The applicant, Abraham Gutierrez, is proposing to build a water well for residential purposes with a capacity of 1 acre-foot/year at 771 Sidewinder Road, Winterhaven, California (APN 056-470-029-000).

The Imperial Irrigation District has reviewed the information and has the following comments:

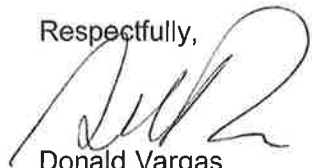
1. To request electrical service for the water well pump, the applicant should be advised to contact Joel Lopez, IID Customer Project Development Planner, at (760) 482-3300 or e-mail Mr. Lopez at JFLopez@IID.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the district website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required submit a complete set of approved plans (including CAD files), construction schedule, completion date, one-line electrical diagrams, electrical loads, panel size, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the pump. The applicants shall be responsible for all costs and mitigation measures related to providing electrical service to the pump.
2. Please note that energy capacity is limited in the project area and a circuit study may be required. If the study indicates circuit improvements are needed to allow for electrical service to the new well pump, the applicant shall be financially responsible for the improvements identified in the circuit study.
3. In order to obtain a water supply from IID for a non-agricultural project, the applicant has to comply with all applicable IID policies and regulations and will be required to enter into a water supply agreement. Such policies and regulations require, among other things, that all potential environmental and water supply impacts of the project be adequately assessed, appropriate mitigation developed if warranted, including any necessary approval conditions adopted by the relevant land use and permitting agencies. If IID implements a water allocation or apportionment program pursuant to the IID Equitable Distribution Plan, or any amending or superseding policy for the same or similar purposes,

during all or any part of the term of said water supply agreement, IID shall have the right to apportion the project's water as an industrial water user. For more information on how to obtain a water supply agreement, please visit the district's website at <https://www.iid.com/water/municipal-industrial-and-commercial-customers> or contact Justina Gamboa-Arce, IID Water Resources Planner, at (760) 339-9085 or jgamboaarce@IID.com.

4. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). The IID encroachment permit application and instructions are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
5. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, canals, drain, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvgargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Jamie Asbury – Assoc. General Counsel
Vance Taylor – Asst. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

Attachment G: Comment Letters

Jeanine Ramos

From: Rainie Torrance <rtorrance@cityofneedles.com>
Sent: Tuesday, August 24, 2021 3:44 PM
To: Jeanine Ramos
Cc: Mariela Moran; Diana Robinson; Michael Abraham
Subject: RE: CUP21-0007 Request for Review and Comments Package

CAUTION: This email originated outside our organization; please use caution.

Good Afternoon Jeanine,
The City of Needles will require to the applicant to show proof of water entitlements through the Lower Colorado Water Supply Project. If the applicant does not have entitlements, they will be required to obtain them for the tentative project.
Thank you,

Rainie Torrance
City of Needles
Assistant Utility Manager
(760)326-5700 X140

From: Jeanine Ramos <JeanineRamos@co.imperial.ca.us>
Sent: Tuesday, August 24, 2021 3:04 PM
To: Rainie Torrance <rtorrance@cityofneedles.com>
Cc: Mariela Moran <MarielaMoran@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>
Subject: RE: CUP21-0007 Request for Review and Comments Package

Good afternoon Mrs. Torrance,

We have received the attached email from IID today stating that the attached project is out of their jurisdiction. Could you please let us know at your earliest convenience if the City of Needles will be providing comments for this project? We have a tentative hearing date for this project on September 8th.

Thank you and have a great rest of your day!

Jeanine Ramos
Planner I
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
(442) 265-1736
(442) 265-1735 (Fax)
jeanineramos@co.imperial.ca.us

From: Jeanine Ramos
Sent: Tuesday, July 13, 2021 10:26 AM
To: rtorrance@cityofneedles.com

Cc: Mariela Moran <MarielaMoran@co.imperial.ca.us>

Subject: CUP21-0007 Request for Review and Comments Package

Good morning Ms. Torrance,

I am writing in regards to your earlier conversations with Ms. Mariela Moran, Planner II about Conditional Use Permit (CUP) #21-0007 for Abraham Gutierrez. Attached you will find the Request for Comments Package that was originally sent out, and the comment letter we received from IID regarding the project. Please let Mariela or I know about any additional comments you would like to submit for the CUP.

Thank you,

Jeanine Ramos
Planner I
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
(442) 265-1736
(442) 265-1735 (Fax)
jeanineramos@co.imperial.ca.us

AIR POLLUTION CONTROL DISTRICT



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AUG 20 2021

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

August 20, 2021

Jim Minnick
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

SUBJECT: Conditional Use Permit (CUP) 21-0007; Gutierrez Water Well (Revised Comment Letter)

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) is submitting a revised comment regarding the review of CUP #21-0007. Letter dated April 26, 2021, from the Air District, mistakenly included the construction of a septic system. It is our understanding that the construction of the septic system will undergo a separate review process. Please disregard the request for a Construction Dust Control Plan and we apologize for any inconvenience this may have caused.

As to the proposed project, the construction of a water well, the project proponent will need to utilize compliant drilling equipment meeting the California Portable Equipment Registration Program certifications. Otherwise, the Air District has no comment.

Air District rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have questions please feel free to contact the Air District for assistance at (442) 265-1800.

Respectfully,

Monica N. Soucier
APC Division Manager

Valerie Grijalva

From: Mario Salinas
Sent: Monday, July 19, 2021 10:00 AM
To: Valerie Grijalva
Cc: Michael Abraham; Mariela Moran; Jeanine Ramos; Carina Gomez; John Robb; Kimberly Noriega; Maria Scoville; Rosa Soto; Shannon Lizarraga; Jorge Perez
Subject: RE: Notice of Intent - CUP21-0007 Abraham Gutierrez Jr.

Good morning Ms. Grijalva,

Pertaining to Notice of Intent 21-0007, Division of Environmental Health does not have any comments at this time.

Thank you,

Mario Salinas, MBA

Environmental Health Compliance Specialist
Imperial County Public Health Department
Division of Environmental Health
797 Main Street Suite B, El Centro, CA 92243
mariosalinas@co.imperial.ca.us
Phone: (442) 265-1888
Fax: (442) 265-1903
www.icphd.org



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JUL 19 2021
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

From: Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>

Sent: July 16, 2021 3:27 PM

To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Tony Rouhotas <TonyRouhotas@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; Ray Loera - Sherriff <rloera@icso.org>; rbenavidez@icso.org; Vargas, Donald A <DVargas@IID.com>; Leal, Rudy Z <rzleal@IID.com>; RTORRANCE@CITYOFNEEDLES.COM; JBARRETT@CVWD.ORG; NDLSRDDA@CITLINK.NET; RDANIELS@CITYOFNEEDLES.COM; maurice.eaton@dot.ca.gov; Sanchez Rangel, Rogelio@DOT <roger.sanchez-rangel@dot.ca.gov>; Nadim.Shukry-Zeywar@waterboards.ca.gov;

MAGDALENA.RODRIGUEZ@WILDLIFE.CA.GOV; Quechan Historic Preservation Officer
<historicpreservation@quechantribe.com>; Quechan Indian Tribe <tribalsecretary@quechantribe.com>;
katy.sanchez@nahc.ca.gov; SHA-LCR-WEBCOMMENTS@USBR.GOV
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>;
Mariela Moran <MarielaMoran@co.imperial.ca.us>; Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Carina Gomez
<CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega
<KimberlyNoriega@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto
<RosaSoto@co.imperial.ca.us>; Shannon Lizarraga <ShannonLizarraga@co.imperial.ca.us>
Subject: Notice of Intent - CUP21-0007 Abraham Gutierrez Jr.

Good Afternoon Commenting Agencies,

In an effort to increase the efficiency at which information is distributed and reduce paper usage, please find attached Results Agenda, and Notice of Intent for Initial Study #21-0006 Abraham Gutierrez, Jr.

Please feel free to view the EEC Original Hearing Package by clicking on the following link:

<https://www.icpds.com/hearings/environmental-evaluation-committee>

Should you have any questions regarding this project, please feel free to contact Mariela Moran, Planner II at (442)265-1736 or by email at MarielaMoran@co.imperial.ca.us.

Thank you,

Imperial County
Office Assistant II
Planning and Development Services
801 Main Street
El Centro, CA 92243
Office: (442)265-1779
Fax: (442) 265-1735



Jeanine Ramos

From: Diana Robinson
Sent: Tuesday, August 24, 2021 1:43 PM
To: Gamboa-Arce, Justina; Vargas, Donald A
Cc: Michael Abraham; Mariela Moran; Jeanine Ramos; Ochoa, Sylvia R; Doyle, Vickie L
Subject: RE: CUP21-0007 IID Comment

Good afternoon Justina,

Received email.

Thank you both,
Diana

From: Gamboa-Arce, Justina <jgamboarce@IID.com>
Sent: August 24, 2021 1:28 PM
To: Vargas, Donald A <DVargas@IID.com>; Diana Robinson <DianaRobinson@co.imperial.ca.us>
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Mariela Moran <MarielaMoran@co.imperial.ca.us>; Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Ochoa, Sylvia R <SROchoa@IID.com>; Doyle, Vickie L <VLDoyle@IID.com>
Subject: RE: CUP21-0007 IID Comment

CAUTION: This email originated outside our organization; please use caution.

Donald,

Winterhaven is outside of our water service area and district boundaries.

This appears to have been a miscommunication. IID will provide comments on wells within our service area and/or district boundaries especially those that fall within the Colorado River surface accounting area.

Please disregard that comment.

Best Regards-

Justina

From: Vargas, Donald A <DVargas@IID.com>
Sent: Tuesday, 24 August, 2021 12:21 PM
To: Diana Robinson <DianaRobinson@co.imperial.ca.us>
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Mariela Moran <MarielaMoran@co.imperial.ca.us>; Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Ochoa, Sylvia R <SROchoa@IID.com>; Doyle, Vickie L <VLDoyle@IID.com>; Gamboa-Arce, Justina <jgamboarce@IID.com>
Subject: RE: CUP21-0007 IID Comment

Good afternoon Diana,

I am cc'ing the IID Water Dept. staff who provided the comments related to "non-agricultural" water use for their assistance on this matter.

Regards,

Imperial Irrigation District
333 E. Barioni Blvd.
Imperial CA 92251



Donald Vargas
Compliance Administrator II
Regulatory & Environmental
Compliance Section
General Services Department
Tel: (760) 482-3609
Cel: (760) 427-8099
E-mail: dvargas@iid.com

From: Diana Robinson <DianaRobinson@co.imperial.ca.us>
Sent: Tuesday, August 24, 2021 12:01 PM
To: Vargas, Donald A <DVargas@IID.com>
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Mariela Moran <MarielaMoran@co.imperial.ca.us>; Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Ochoa, Sylvia R <SROchoa@IID.com>
Subject: CUP21-0007 IID Comment

[CAUTION] This email originated from **outside** of the **IID**. Do not reply, click on any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon Mr. Vargas,

I am writing to ask for verification on a comment for Conditional Use Permit #21-0007 for a water well. Comment #3 is for a "non-agricultural" project and it talks about a water supply assessment. Could you please confirm that this does not apply to this project? This project consists of a water well, to use up to 1 acre feet of water per year, for residential purposes.

Sylvia, I have included you in the email since I could not reach Mr. Vargas through the phone and was unsure whether he was in the office. If not, is this something you could please help us out with? See attached letter for reference.

Thank you,
Diana Robinson, Planner III
Imperial County Planning & Development Services
801 Main Street, El Centro, CA 92243
Phone (442) 265-1736 x1751
Fax (442) 265-1735 / icpds.com



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JUL 19 2021

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

July 19, 2021

Ms. Mariela Moran
Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: NOI for the Preparation of an ND for Water Well for Residential Use Project; CUP Application No. 21-0007

Dear Ms. Moran:

On July 16, 2021, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, the Notice of Intent for the preparation of a Negative Declaration for Conditional Use Permit application no. 21-0007. The applicant, Abraham Gutierrez, is proposing to build a water well for residential purposes with a capacity of 1 acre-foot/year at 771 Sidewinder Road, Winterhaven, California (APN 056-470-029-000).

The IID has reviewed the project information and found that the comments provided in the April 28, 2021 district letter (see attached letter) continue to apply.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,

Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Jamie Asbury – Assoc. General Counsel
Vance Taylor – Asst. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.



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JUL 19 2021

IMPERIAL COUNTY
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April 28, 2021

Ms. Mariela Moran
Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Water Well for Residential Use Project; CUP Application No. 21-0007

Dear Ms. Moran:

On April 14, 2021, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit application no. 21-0007. The applicant, Abraham Gutierrez, is proposing to build a water well for residential purposes with a capacity of 1 acre-foot/year at 771 Sidewinder Road, Winterhaven, California (APN 056-470-029-000).

The Imperial Irrigation District has reviewed the information and has the following comments:

1. To request electrical service for the water well pump, the applicant should be advised to contact Joel Lopez, IID Customer Project Development Planner, at (760) 482-3300 or e-mail Mr. Lopez at JFLopez@IID.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the district website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required submit a complete set of approved plans (including CAD files), construction schedule, completion date, one-line electrical diagrams, electrical loads, panel size, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the pump. The applicants shall be responsible for all costs and mitigation measures related to providing electrical service to the pump.
2. Please note that energy capacity is limited in the project area and a circuit study may be required. If the study indicates circuit improvements are needed to allow for electrical service to the new well pump, the applicant shall be financially responsible for the improvements identified in the circuit study.
3. In order to obtain a water supply from IID for a non-agricultural project, the applicant has to comply with all applicable IID policies and regulations and will be required to enter into a water supply agreement. Such policies and regulations require, among other things, that all potential environmental and water supply impacts of the project be adequately assessed, appropriate mitigation developed if warranted, including any necessary approval conditions adopted by the relevant land use and permitting agencies. If IID implements a water allocation or apportionment program pursuant to the IID Equitable Distribution Plan, or any amending or superseding policy for the same or similar purposes,

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JUL 19 2021

IMPERIAL COUNTY
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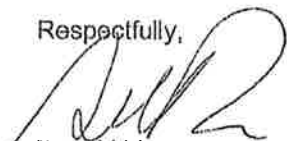
Mariela Moran
April 28, 2021
Page 2

during all or any part of the term of said water supply agreement, IID shall have the right to apportion the project's water as an industrial water user. For more information on how to obtain a water supply agreement, please visit the district's website at <https://www.iid.com/water/municipal-industrial-and-commercial-customers> or contact Justina Gamboa-Arce, IID Water Resources Planner, at (760) 339-9085 or jgamboaarce@IID.com.

4. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). The IID encroachment permit application and instructions are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
5. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, canals, drain, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martínez – General Manager
Mike Pacheco – Manager, Water Dept.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
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