

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE June 11, 2025

FROM: PLANNING AND DEVELOPMENT SERVICES

AGENDA TIME 9:00 AM/No. 4

PROJECT TYPE: Burrtec Waste Industries, Inc
Conditional Use Permit #24-0018 SUPERVISOR DIST: #4

LOCATION: 935 W Hwy 86 APN: 007-120-015-000
Salton City, CA 92274 PARCEL SIZE: +/-320 Acres

GENERAL PLAN (existing) Special Purpose Facility 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: 06/11/2025

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 03/13/2025
INITIAL STUDY: #24-0028

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input checked="" type="checkbox"/>	NONE	<input 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 checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
SHERIFF	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER		<u>CalRecycle</u>		

REQUESTED ACTION:

STAFF RECOMMENDS THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING, HEAR ALL THE PROPONENTS AND OPPONENTS OF THE PROPOSED PROJECT, AND THEN TAKE THE FOLLOWING ACTIONS:

1. ADOPT THE MITIGATED NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND
2. APPROVE THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS, FOR CONDITIONAL USE PERMIT (CUP) #24-0018 SUBJECT TO ALL THE CONDITIONS AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CONDITIONAL USE PERMIT UPON RECEIPT FROM THE PERMITTEE.

Planning & Development Services
801 MAIN STREET, EL CENTRO, CA. 92243 442-265-1736
JIM MINNICK, DIRECTOR

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STAFF REPORT
Planning Commission
June 11, 2025

Project Name: Burrtec Waste Industries, Inc.
Conditional Use Permit #24-0018

Applicant/Owner: Burrtec Waste Industries, Inc.
935 W Hwy 86
Salton City, CA, 92274

Project Location:

The project site is located at 935 W Hwy 86, Salton City, CA 92274. The project parcel is identified as 007-120-015-000 and is legally described as the North Half of Section 12 Township 11 south Range 9 east 320 Acres.

Project Summary:

The project proposes to supersede the existing water well Conditional Use Permit (CUP #23-0030) to authorize the simultaneous operation of three (3) wells under the new Conditional Use Permit (CUP #24-0018). This would allow the applicant to utilize the original well, an existing replacement, and construct a third well to better meet the daily water demands of the active, permitted landfill on the project site. No changes to the current water allotment allowed of 92,000 gallons per day, 365 days a year, under CUP #23-0030 are being proposed.

Background:

Conditional Use Permit (CUP) #24-0018 proposes to amend Conditional Use Permit #23-0030 to allow for 2 existing water wells and an additional 3rd water well to operate under the CUP with no change to the 92,000 gallons per day, 365 days a year (105-acre feet) in water allotment already allowed in CUP #23-0030 and no other development proposed. Of the 2 existing water wells onsite, the first was drilled under CUP #09-0010 which received a Negative Declaration by the Environmental Evaluation Committee on August 13, 2009, and was approved on September 23, 2009, by the Planning Commission for a commercial water well to draw 5-acre feet per year.

In 2010, Burrtec Waste Industries, Inc. submitted CUP #10-0002 for the expansion of the existing landfill onsite. As part of this project an Environmental Impact Report (EIR) (SCH #2010071072) was prepared in which the daily use of 92,000 gallons of water per day, 365 days a year, from increased pumping of the existing water well (CUP #09-0010) was environmentally assessed and mitigated to a less than significant finding.

On November 7, 2012, the Final Environmental Impact Report, Findings of Fact, Mitigation Monitoring and Reporting Program, CUP #10-0002 and Variance #10-0005 were approved by the Board of Supervisors. Within CUP #10-0002 under "Water Resources" within the "Conditions of Approval" section 3.0 "Operating Conditions" subsection 3.2 "Operational Requirements for Environmental Impact Mitigation", the usage of water on-site averaging 92,000 gallons per day, per 365 days per year being environmentally assessed by the EIR is acknowledged.

While CUP #10-0002 environmentally assessed the increased water extraction for the existing well permitted under CUP #09-0010 as a required need for the water needs for various mitigation measures within CUP #10-0002, CUP #09-0010 was never amended or superseded to modify the increase in water need.

On February 14, 2024, CUP #23-0030 was approved to amend and supersede CUP #09-0010 to modify the water allotment under the CUP to match the 92,000 gallons a day water need that was environmentally assessed in the CUP #10-0002 for operational mitigation measures for the landfill expansion.

On February 29, 2024, Burrtec Waste Industries, Inc submitted building permits seeking to drill a replacement well for the one that was originally drilled under CUP #09-0010 in an effort to meet the daily water needs as the older well's water flow had diminished. The drilling of the replacement is allowed under condition S-4 "Well Replacement" of CUP #23-0030. Upon drilling the replacement well, it was determined that the new well was not reaching the water flow needed to meet the daily 92,000 gallons per day. Under condition S-7: "Well Removal" of CUP #23-0030 the applicant must destroy the old well in order to operate the replacement well or destroy the replacement well in order to either drill another replacement well or use the original well as only one active well is allowed within the CUP. Both wells did not meet the 92,000 gallons a day need; a third well will need to be drilled in order to meet the required water need.

Therefore, the applicant, Burrtec Waste Industries, Inc., has submitted CUP #24-0018 to amend CUP #23-0030 to authorize the simultaneous operation of three (3) wells under the new Conditional Use Permit (CUP #24-0018). This would allow the applicant to utilize the original well, an existing replacement, and construct a third well to better meet the daily water demands of the active, permitted landfill on the project site. No changes to the current water allotment allowed under CUP #23-0030 are proposed and the water needs mitigation of CUP #10-0002 will be conditioned as part of proposed CUP #24-0018.

Land Use Analysis:

The proposed project is located on property designated as a "Special Purpose Facility" within the General Plan and zoned "S-2" (Open Space/Preservation) per Imperial County Land Use Ordinance (Title 9). The project is consistent with the General Plan as water wells are an allowed use with an approved Conditional Use Permit per Title 9 Land Use Ordinance Division 21 "Water Well Regulations" Section 92102.00 "Permits Required".

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Landfill	S-2 (State Owned)	Special Purpose Facility
North	Vacant Desert	S-2 (State Owned)	Recreation (Open Space)
South	Vacant Desert	S-2 (State Owned)	Recreation (Open Space)
East	Vacant Desert	S-2 (State Owned)	Recreation (Open Space)
West	Vacant Desert	S-2 (State Owned)	Recreation (Open Space)

Environmental Determination:

On March 13, 2025 the Environmental Evaluation Committee (EEC) determined that Conditional Use Permit (CUP) #24-0018 for the increase of the number of water wells with no augment on the water extraction granted by previously approved Conditional Use Permit (CUP) #23-0030, could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels, and made the determination for a Mitigated Negative Declaration (MND). The EEC Committee consists of a seven (7) member panel, integrated by the Director of Environmental Health Services, Imperial County Fire Chief, Agricultural Commissioner, Air Pollution Control Officer, Director of the Department of Public Works, Imperial County Sheriff, and the Director of Planning and Development Services.

On March 18, 2025, the Notice of Intent for the Mitigated Negative Declaration was filed with the Imperial County Clerk-Recorder, posted and circulated for a 35-day comment period from March 18, 2025, to April 22, 2025. Comments received were made part of this package.

Staff Recommendation:

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

1. Adopt the Mitigated 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 March 13, 2025; and,
2. Adopt the attached Resolution(s) and supporting finding, approving Conditional Use Permit (CUP) #24-0018 subject to all the conditions, and authorize the Planning & Development Services Director to sign the CUP upon receipt from the applicant.

PREPARED BY: Luis Bejarano, Planner II
Planning & Development Services



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



APPROVED BY: Jim Minnick, Director
Planning & Development Services

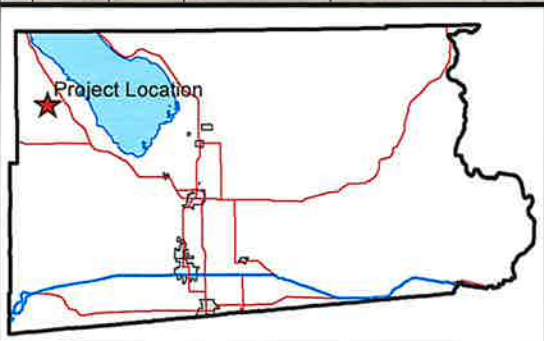
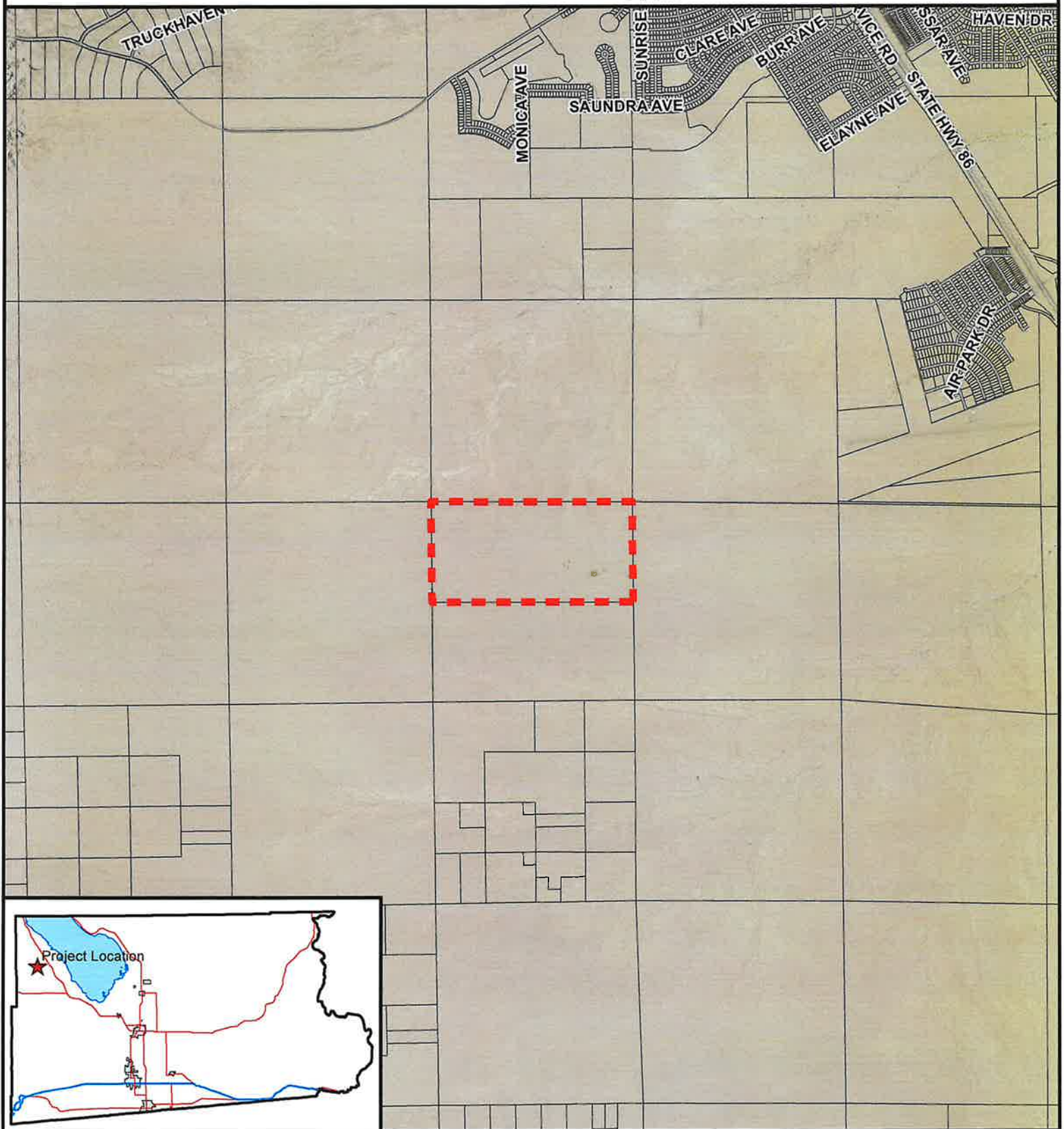


- ATTACHMENTS:**
- A. Vicinity Map
 - B. Site Plan
 - C. CEQA Resolutions
 - D. Planning Commission Resolutions
 - E. CUP #24-0018 Conditions of Approval
 - F. Previously Approved CUP #23-0030
 - G. EEC Original Package
 - H. Monthly Water Well Pumping Records 2013 to 2025
 - I. Comment Letters




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ATTACHMENT “A” - VICINITY MAP

PROJECT LOCATION MAP



BURRTEC WASTE INDUSTRIES INC.
(IC PUBLIC WORKS)
CUP #24-0018
APN 007-120-015-000

-  Project Location
-  Centerline
-  Parcels



ATTACHMENT “B” – SITE PLAN

ATTACHMENT “C” – CEQA RESOLUTIONS

RESOLUTION NO. _____ CEQA

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “MITIGATED NEGATIVE DECLARATION” (INITIAL STUDY #24-0028) FOR CONDITIONAL USE PERMIT #24-0018 (BURRTEC WASTE INDUSTRIES, INC.).

WHEREAS, on February 28, 2025, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for March 13, 2025; and,

WHEREAS, a Mitigated 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 March 13, 2025, the Environmental Evaluation Committee heard the project and recommended the Planning Commission of the County of Imperial to adopt the Mitigated Negative Declaration for Conditional Use Permit #24-0018; and

WHEREAS, the Mitigated Negative Declaration was circulated for 35 days from March 18, 2025, to April 22, 2025; and,

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 Mitigated Negative Declaration (MND) prior to approval of Conditional Use Permit #24-0018. The Planning Commission finds and determines that the Mitigated 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 Mitigated Negative Declaration (MND) for Conditional Use Permit #24-0018 and considered the information contained in the Mitigated Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit; and,
3. That the Mitigated Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Mitigated Negative Declaration for Conditional Use Permit #24-0018.

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

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on June 11, 2025, 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 RESOLUTIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING “CONDITIONAL USE PERMIT #24-0018” FOR BURRTEC WASTE INDUSTRIES.

WHEREAS, Burrtec Waste Industries has submitted an application for Conditional Use Permit #24-0018 to supersede Conditional Use Permit #23-0030 for an existing water well to increase the allowed number of water wells to three (3), while maintaining the allowed maximum water usage of 92,000 gallons per day, 365 days per year; and,

WHEREAS, the existing water well was previously approved under Conditional Use Permit #23-0030, which superseded Conditional Use Permit #09-0010; and,

WHEREAS, a Mitigated 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”; and,

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

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 June 11, 2025.

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

SECTION 1. The Planning Commission has considered the proposed Conditional Use Permit #24-0018 prior to approval. The Planning Commission finds and determines that the Conditional Use Permit is adequately prepared in accordance with the requirements of the Imperial County General Plan, 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 laws and the County of Imperial regulations, the following findings for approving Conditional Use Permit #24-0018 have been made as follows:

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

The General Plan designates the subject site as “Special Purpose Facility” and is zoned “S-2” per Imperial County Land Use Ordinance. The project is found consistent with the

goals and policies of the Imperial County General Plan Land Use Element and, therefore, consistent with the County's General Plan.

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

The purpose of the project is to allow for the operation of the 2 existing water wells and a third one, to meet the daily water needs for the operation of the permitted and active landfill located on the project parcel, while maintaining the current water allotment allowed of 92,000 gallons per day, 365 days a year. Water wells are an allowed use with an approved Conditional Use Permit and therefore is consistent with the purpose of the zone.

C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed or similar conditional use according to the procedures of Section 90203.00.

Water wells are an allowed use with an approved CUP per the Imperial County Land Use Ordinance, Section 92102.00.

D. The proposed use meets the minimum requirements of Title 9 applicable to the use and complies with all applicable laws, ordinances and regulation of the County of Imperial and the State of California.

The Project complies with the minimum requirements of Title 9 by obtaining a CUP pursuant to Title 9, Division 21, and Section 92102.00. The Conditions of Approval will continue to ensure that the project complies with all applicable regulations of the County of Imperial and the State of California.

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 project location designated a "Special Purpose Facility" per the Imperial County General Plan. The surrounding areas are zoned S-2 (Open Space Preservation) and are owned by BLM and the State of California and consist of vacant desert land. The continued use of the original water well, an existing replacement, and the construction of a third well will not create an increase on the allowed water allotment extraction of 92,000 gallons, which was environmentally assessed by the approved EIR for the preceding CUP #10-0002. Complying with the established mitigation measures would result in the proposed use not being 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 project will continue to be subject to the Conditional Use Permit and current Federal, State, and Local regulations. The proposed use does not violate any law or ordinance.

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

The project is a permitted use subject to approval of a Conditional Use Permit #24-0018 under Land Use Ordinance, Section 92102.00 *et. seq.* and will not grant a special privilege.

NOW, THEREFORE, based on the above findings, the County of Imperial Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #24-0018, subject to the attached Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on June 11, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

ATTACHMENT “E”

CONDITIONAL USE PERMIT #24-0018 AGREEMENT

Recorded Requested by and
When Recorded Return To:

Imperial County Planning & Development
Services Department
801 Main Street
El Centro, California 92243

**AGREEMENT FOR CONDITIONAL USE PERMIT #24-0018
SUPERSEDING CONDITIONAL USE PERMIT #23-0030
WATER WELL (BURRTEC WASTE INDUSTRIES)
APN: 007-120-015-000
Planning Commission Approved Conditions (/ /2025)
Effective Date (/ /2025)**

Conditional Use Permit #24-0018 was approved by the Imperial County ☒ Planning Commission ☐ Board of Supervisors and has the Effective Date of _____, 2025. This Conditional Use Permit is by and between Burrtec Waste Industries - (hereinafter referred to as "Permittee"), and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, Permittee is the owner, lessee or successor in interest in certain land in Imperial County located approximately 3 miles south of the Townsite of Salton City, 3 miles west of State Highway 86 with a site address 935 West Highway 86, Salton City, and Assessor's Parcel Number 007-120-015-000; and

WHEREAS, Permittee has applied to the County to construct and operate three commercial water wells as stated in the project application;

WHEREAS, Permittee and/or subsequent owner(s) shall fully comply with all of the terms and conditions of the project as specified in this Conditional Use Permit.

WHEREAS, the County, after a noticed public hearing, agreed to issue Conditional Use Permit #24-0018 to Permittee, and/or his or her successor-in-interest subject to the following conditions:

GENERAL CONDITIONS:

The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions that are either routinely and commonly included in all Conditional Use Permits as "standardized" conditions and/or are 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!

G-1: GENERAL LAWS:

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

G-2: PERMIT/LICENSE:

Permittee shall obtain any and all permits, licenses, and/or approvals, for the construction and/or operation of this project. This shall include, but shall not be limited to, County Division of Environmental Health Services (EHS), Planning & Development Services Department, Fire/Office of Emergency Services (OES), Colorado River Board of 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.

G-3: RECORDATION:

This permit shall not be effective until it is recorded at the Imperial County Records Office, and payment of the recordation fee shall be the responsibility of the Permittee. If 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 permit shall be deemed null and void, without notice having to be provided to Permittee. Permittee may request a written extension by filing such a request with the Planning 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.

G-4: CONDITION PRIORITY:

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

G-5: INDEMNIFICATION:

As a condition of this Permit, Permittee agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the Permit or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, 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.

G-6: RIGHT OF ENTRY:

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

G-7: SEVERABILITY:

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

G-8: PROVISION TO RUN WITH LAND:

The provisions of this project are to run with the land/project and shall bind the current and future owner(s) successor(s)-in-interest; assignee(s) and/or transferee(s) of said project. Permittee shall not without prior notification to the Planning and Development Services Department assign, sell, or transfer, or grant control of project or any right or privilege 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.

G-9: COMPLIANCE/REVOCATION:

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

G-10: TIME LIMIT:

Unless otherwise specified within the project specific conditions this project shall be limited to a maximum of (5) five years from the recordation date of the CUP. The CUP may be extended for successive five (5) year(s) by the Planning Director upon a finding by the Planning & Development Services Department that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) of the County of Imperial. Unless specified otherwise herein no conditional use permit shall be extended for more than two (2) consecutive periods. If an extension is necessary or requested beyond fifteen (15) years, Permittee shall file a written request with the Planning Director for a hearing before the Planning

Commission. Such request shall include the appropriate extension fee. An extension shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions.

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.

G-14: SPECIFICITY:

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

G-15: HEALTH HAZARD:

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

G-16: CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this Permit as if said successor was the original Permittee. Current Permittee shall inform the County Planning and Development Services Department in writing at least 60 days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event of a change, the new Owner/Operator shall file with the Department, via certified mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all. If this Permit or any subservient or associated permit requires financial surety, the transfer of this Permit shall not be effective until the 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:

If the project for which a CUP has been approved has not commenced, or permits for said project have not been issued, within one (1) year from the effective date, the CUP shall be null and void. If an applicant cannot initiate or obtain permits for the approved use during the one (1) year, applicant may request a one (1) year extension from the Department. The request for an extension shall be in writing and be submitted with explanation to the Planning & Development Services Department at least sixty days prior to the end of the extended one (1) year period. The Director shall have the authority to extend the initial start-up period, or commencement of work, of a CUP up to two (2) times for a maximum of two (2) years. Should the Permittee desire to continue with the project, a new application shall be submitted, and the entire process would have to begin anew

G-18 FIRE PROTECTION:

Permittee shall provide an adequate fire protection system and accessibility to the site in accordance with the National Fire Protection Act (NFPA), Uniform Fire Code and County Fire Department standards, as applicable.

G-19 INSURANCE:

The Permittee shall take out and maintain Workers Compensation Insurance as required by the State of California. The Permittee shall also secure liability insurance and such other insurance as required by state and/or federal law. A Certificate of Insurance is to be provided to the Planning and Development Services Department by the insurance carrier, and said insurance and certificate shall be kept current for the life of the project. Certificates of Insurance shall be sent directly to the Planning and Development Services Department by the insurance carrier and shall name the Department as a recipient of both renewal and cancellation notices.

(TOTAL "G" CONDITIONS are 19)

WATER WELL SPECIFIC CONDITIONS**S-1: WATER USAGE:**

This permit allows the Permittee to pump a maximum of 92,000 gallons per day, 365 days a year, through two (2) existing water wells and an additional third water well. Exceeding the amount of water specified herein will result in the Planning and Development Services Department taking action to rescind the CUP for non-compliance.

S-2: OFF-SITE WATER SALES:

Water from the well shall not be used, sold, nor given to any individuals or entities not engaged in working on the Salton City Solid Waste Facility as identified in the project description.

S-3: WATER WELL MONITORING:

A flow meter shall be installed and sealed by a California-Licensed Water Well Drilling Contractor. Permittee shall submit a drilling and logging report to the Department of Public Works and the Planning and Development Services Department indicating the monthly amount of water extracted from the well. A photograph (dated and signed) of the flow meter readings shall be included in the report. The report shall be received within thirty (30) days following the date of the issuance of the Conditional Use Permit and the well is spudded. In the event of a flow meter failure, the Permittee shall be required to cease the water well operation and notify the Planning and Development Services Department. The Permittee may be allowed to temporarily substitute the flow meter for an alternative measuring device with the approval of the Planning and Development Services Department. In this case, two (2) separate reports shall be submitted as stipulated herein.

- (a) A water quality analysis shall be performed at the start of the drilling process and water flow commences;
- (b) A drawdown test to be done at the time of drilling and also at the end of the project to determine the amount of drawdown that occurred, if any;
- (c) The depth to the water level shall be provided at the commencement of drilling and at the abandonment stage of the water well.

S-4: WELL REPLACEMENT:

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

Permittee shall submit copies of the "Report of Completion" (as required by California Water Code, Section 13751), by a California Licensed Water Well Driller on the construction of any water well replaced. Copies of this report shall be submitted to Environmental Health Services, Planning and Development Services Department,

and Public Works Department within thirty (30) days of the construction or destruction of the well. This report shall include:

1. A description of the exact location of the well;
2. A detailed log of the well;
3. A description of the type and depth of casings;
4. Details of perforation;
5. The methods used for sealing off surface or contaminated water;
6. Methods for preventing contaminated waters from one aquifer to mix with another aquifer.
7. Name of person who constructed the well.

S-5: NO SLANT DRILLING:

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

S-6: WELL ABANDONMENT:

Should the water well be "abandoned" at any time for more than twenty-four (24) consecutive months, Permittee shall seal/cap the well according to standards set by the State and in a manner acceptable to the County Building Official.

(Abandonment shall mean as follows:)

ABANDONMENT: A well is deemed "abandoned" when it has not been used for one (1) year. An owner may have the well deemed "inactive" by filling a written notice with the Imperial County Planning and Development Services Department stating his/her intentions to use the well under specific conditions and/or time frames. As evidence of his/her intentions, the conditions contained in Bulletin 74-81 (Sec. 21) shall be met. Any well that is open or whose services/operating equipment (e.g., pumps/motors/pipes, etc.) has been removed shall be deemed abandoned.

S-7: WELL REMOVAL:

Permittee shall properly destroy any well on the property if replaced or abandoned. The well shall be destroyed according to State standards and in a manner acceptable to the County Building Official. A copy of the well driller's report by a California State Licensed Water Well Drilling Contractor shall be sent to the Department of Public Works and the Planning and Development Services Department within thirty (30) days following the destruction of the water well.

S-8: WELL REGISTRATION:

The water well shall be registered with the Planning and Development Services Department to comply with the existing Groundwater Management Ordinance. This Ordinance was enacted by the Board of Supervisors for the purpose of preserving, protecting, and managing groundwater resources in Imperial County.

S-9: PERMITTING:

The Permittee shall obtain all required permits from the Department of Public Works, Department of Environmental Health Services (EHS), Air Pollution Control District (APCD), Imperial Irrigation District (IID) and other applicable federal and state agency(s).

S-10: PUBLIC WORKS

1. An encroachment permit shall be secured from the Department of Public Works for any and all new, altered or unauthorized existing driveway(s) to access the lot or lots.
2. A transportation permit shall be required from the road agency(s) having jurisdiction over the haul road for any hauls of heavy equipment and large vehicles which impose greater than legal loads on riding surfaces, including bridges.

S-11: COUNTY EXECUTIVE OFFICE

1. Sales Tax Guarantee. The permittee is required to have a Construction Site Permit reflecting the project site address, allowing all eligible sales tax payments are allocated to the County of Imperial, Jurisdictional Code 13998. The permittee will provide the County of Imperial a copy of the CDTFA account number and sub-permit for its contractor and subcontractors (if any) related to the jobsite. Permittee shall provide in written verification to the County Executive Office that the necessary sales and use tax permits have been obtained, prior to the issuance of any grading permits.
2. Construction/Material Budget: The permittee will provide the County Executive Office a construction materials budget: an official construction materials budget or detailed budget outlining the construction and materials cost for the processing facility on permittee letterhead.

S-12: TRIBAL CULTURAL RESOURCES

A representative of the Campo Band of Mission Indians shall be onsite to monitor and with the authority to stop and evaluate any debris during drilling operations for the third water well.

S-13: AIR DISTRICT PERMITTING

The Permittee shall contact the Engineering and Permitting division before the commencement of work to adequately determine the permitting requirements of the project and whether a permit modification will be needed.

S-14: SOLID WASTE REGULATORY OVERSIGHT:

The Permittee shall contact the Local Enforcement Agency responsible for providing oversight of solid waste handling activities, including inspections and permitting (Imperial County Public Health Department, Environmental Health Services) before the commencement of work to discuss the regulatory requirements for the proposed project.

(TOTAL "S" CONDITIONS are 14)

NOW THEREFORE, County hereby issues Conditional Use Permit #24-0018 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: _____
Tracy Sweeney, VP/COO
Burrtec Waste Industries

Date

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

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

Date

FOR PERMITTEE NOTARIZATION

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

STATE OF CALIFORNIA COUNTY OF _____ S.S.

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

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

WITNESS my hand and official seal

Signature _____

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

FOR COUNTY NOTARIZATION

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STATE OF CALIFORNIA COUNTY OF _____ S.S.

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

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

WITNESS my hand and official seal

Signature _____

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ATTACHMENT “F”
PREVIOUSLY APPROVED CUP #23-0030

RECORDED

Recorded Requested by and
When Recorded Return To:

FEB 23 2024

Imperial County Planning & Development
Services Department
801 Main Street
El Centro, California 92243

CHUCK STOREY
Imperial County Clerk-Recorder

Recorded in Official Records,
IMPERIAL COUNTY
Doc#: 2024003023
02/23/2024 10:38 AM

**AGREEMENT FOR CONDITIONAL USE PERMIT #23-0030 SUPERSEDING
CONITIONAL USE PERMIT #09-0010
WATER WELL (BURRTEC WASTE INDUSTRIES)
Planning Commission Approved Conditions (02/14/2024)
Effective Date (02/23/2024)**

Conditional Use Permit #23-0030 was approved by the Imperial County ☒ Planning Commission ☐ Board of Supervisors and has the Effective Date of February 23, 2024. This Conditional Use Permit is by and between Burrtec Waste Industries – (hereinafter referred to as "Permittee"), and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, Permittee is the owner, lessee or successor in interest in certain land in Imperial County located approximately 3 miles south of the Townsite of Salton City, 3 miles west of State Highway 86 with a site address 935 West Highway 86, Salton City, and Assessor's Parcel Number 007-120-015-000.; and

WHEREAS, Permittee has applied to the County to construct and operate a commercial water well as stated in the project application;

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

WHEREAS, the County, after a noticed public hearing, agreed to issue Conditional Use Permit #23-0030 to Permittee, and/or his or her successor-in-interest subject to the following conditions:

GENERAL CONDITIONS:

The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions that are either routinely and commonly included in all Conditional Use Permits as "standardized" conditions and/or are 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!

G-1: GENERAL LAWS:

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

G-2: PERMIT/LICENSE:

Permittee shall obtain any and all permits, licenses, and/or approvals, for the construction and/or operation of this project. This shall include, but shall not be limited to, County Division of Environmental Health Services (EHS), Planning & Development Services Department, Fire/Office of Emergency Services (OES), Colorado River Board of 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.

G-3: RECORDATION:

This permit shall not be effective until it is recorded at the Imperial County Records Office, and payment of the recordation fee shall be the responsibility of the Permittee. If 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 permit shall be deemed null and void, without notice having to be provided to Permittee. Permittee may request a written extension by filing such a request with the Planning 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.

G-4: CONDITION PRIORITY:

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

G-5: INDEMNIFICATION:

As a condition of this Permit, Permittee agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the Permit or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, 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,

1 passive or active negligence on the part of the County, its agents, officers,
2 attorneys, or employees.

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

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

8 **G-7: SEVERABILITY:**

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

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

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

21 **G-9: COMPLIANCE/REVOCATION:**

22 Upon the determination by the Planning and Development Services Department
23 that the project is or may not be in full compliance with any one or all of the
24 conditions of this Conditional Use Permit, or upon the finding that the project is
25 creating a nuisance as defined by law, the issue shall be brought immediately to the
26 appropriate enforcement agency or to the Planning Commission for hearing to
27 consider appropriate response including but not limited to the revocation of the CUP
28 or to consider possible amendments to the CUP. The hearing shall be held upon
due notice having been provided to the Permittee and to the public in accordance
with established ordinance/policy.

G-10: TIME LIMIT:

Unless otherwise specified within the project specific conditions this project shall be
limited to a maximum of (5) five years from the recordation date of the CUP. The
CUP may be extended for successive five (5) year(s) by the Planning Director upon
a finding by the Planning & Development Services Department that the project is in
full and complete compliance with all conditions of the CUP and any applicable land
use regulation(s) of the County of Imperial. Unless specified otherwise herein no
conditional use permit shall be extended for more than two (2) consecutive periods.
If an extension is necessary or requested beyond fifteen (15) years, Permittee shall
file a written request with the Planning Director for a hearing before the Planning

Commission. Such request shall include the appropriate extension fee. An extension shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions.

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.

G-14: SPECIFICITY:

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

G-15: HEALTH HAZARD:

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

G-16: CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this Permit as if said successor was the original Permittee. Current Permittee shall inform the County Planning and Development Services Department in writing at least 60 days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event of a change, the new Owner/Operator shall file with the Department, via certified mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all. If this Permit or any subservient or associated permit requires financial surety, the transfer of this Permit shall not be effective until the 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.

G-18 FIRE PROTECTION:

Permittee shall provide an adequate fire protection system and accessibility to the site in accordance with the National Fire Protection Act (NFPA), Uniform Fire Code and County Fire Department standards, as applicable.

G-19 INSURANCE:

The Permittee shall take out and maintain Workers Compensation Insurance as required by the State of California. The Permittee shall also secure liability insurance and such other insurance as required by state and/or federal law. A Certificate of Insurance is to be provided to the Planning and Development Services Department by the insurance carrier, and said insurance and certificate shall be kept current for the life of the project. Certificates of Insurance shall be sent directly to the Planning and Development Services Department by the insurance carrier and shall name the Department as a recipient of both renewal and cancellation notices.

(TOTAL "G" CONDITIONS are 19)

WATER WELL SPECIFIC CONDITIONS**S-1: WATER USAGE:**

This permit allows the Permittee to pump a maximum of 92,000 gallons per day, per 365 days a year. Exceeding the amount of water specified herein will result in the Planning and Development Services Department taking action to rescind the CUP for non-compliance.

S-2: OFF-SITE WATER SALES:

Water from the well shall not be used, sold, nor given to any individuals or entities not engaged in working on the Salton City Solid Waste Facility as identified in the project description.

S-3: WATER WELL MONITORING:

A flow meter shall be installed and sealed by a California-Licensed Water Well Drilling Contractor. Permittee shall submit a drilling and logging report to the Department of Public Works and the Planning and Development Services Department indicating the monthly amount of water extracted from the well. A photograph (dated and signed) of the flow meter readings shall be included in the report. The report shall be received within thirty (30) days following the date of the issuance of the Conditional Use Permit and the well is spudded. In the event of a flow meter failure, the Permittee shall be required to cease the water well operation and notify the Planning and Development Services Department. The Permittee may be allowed to temporarily substitute the flow meter for an alternative measuring device with the approval of the Planning and Development Services Department. In this case, two (2) separate reports shall be submitted as stipulated herein.

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

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

S-6: WELL ABANDONMENT:

Should the water well be "abandoned" at any time for more than twenty-four (24) consecutive months, Permittee shall seal/cap the well according to standards set by the State and in a manner acceptable to the County Building Official.

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1. Sales Tax Guarantee. The permittee is required to have a Construction Site Permit reflecting the project site address, allowing all eligible sales tax payments are allocated to the County of Imperial, Jurisdictional Code 13998. The permittee will provide the County of Imperial a copy of the CDTFA account number and sub-permit for its contractor and subcontractors (if any) related to the jobsite. Permittee shall provide in written verification to the County Executive Office that the necessary sales and use tax permits have been obtained, prior to the issuance of any grading permits.
2. Construction/Material Budget: The permittee will provide the County Executive Office a construction materials budget: an official construction materials budget or detailed budget outlining the construction and materials cost for the processing facility on permittee letterhead.

(TOTAL "S" CONDITIONS are 11)

1 **NOW THEREFORE**, County hereby issues Conditional Use Permit #23-0030 and
2 Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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

5 **PERMITTEE**

6
7 By: 

8 Tracy Sweeney, VP/COO
9 Burrtec Waste Industries

2/15/24
Date

10
11 **COUNTY OF IMPERIAL**, a political subdivision of the STATE OF CALIFORNIA:

12
13 By: 

14 James A. Minnick, Director
15 Planning & Development Services Department

2/23/24
Date

FOR PERMITTEE NOTARIZATION

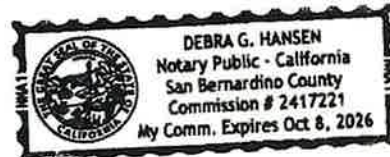
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA COUNTY OF San Bernardino S.S.

On 2/15/24 before me, Debra G. Hansen,
a Notary Public in and for said County and State, personally appeared
Tracy A. Sweeney, who proved to me on the
basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the
within instrument and acknowledged to me that he is she is they executed the same in
his her their authorized capacity(ies), and that by his her their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed
the instrument.

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

WITNESS my hand and official seal



Signature Debra G. Hansen

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

FOR COUNTY NOTARIZATION

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

STATE OF CALIFORNIA COUNTY OF Imperial S.S.

On Feb 23, 2024 before me, Melissa O. Pacheco,
a Notary Public in and for said County and State, personally appeared
James Alvin Minnick, who proved to me on the
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed
the instrument.

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

WITNESS my hand and official seal

Signature [Signature]



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

Title or Type of Document CUP # 23-0030

Number of Pages 11 Date of Document Feb 23, 2024

Signer(s) Other Than Named Above Debra G. Hansen

ATTACHMENT “G” – EEC ORIGINAL PACKAGE

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: March 13, 2025

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM / No.2

PROJECT TYPE: Burrtec Waste Industries
CUP #24-0018 / IS #24-0028 SUPERVISOR DIST #4

LOCATION: 935 W Hwy 86 APN: 007-120-015-000

Salton City, CA 92274 PARCEL SIZE: +/- 320 acres

GENERAL PLAN (existing) Special Purpose Facility 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: 03/13/2025

INITIAL STUDY: #24-0028

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS
AG
APCD
E.H.S.
FIRE / OES
SHERIFF
OTHER

☐ NONE
☒ NONE
☐ NONE
☒ NONE
☒ NONE
☒ NONE
☒ NONE

☒ ATTACHED
☐ ATTACHED
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☐ ATTACHED

REQUESTED ACTION:

(See Attached)

Planning & Development Services
801 MAIN STREET, EL CENTRO, CA, 92243 442-265-1736
(Jim Minnick, Director)

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☐ **NEGATIVE DECLARATION**
☒ **MITIGATED NEGATIVE DECLARATION**

*Initial Study & Environmental Analysis
For:*

**Initial Study #24-0028 for Conditional Use Permit #24-0018
Burrtec Waste Industries, Inc**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
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March 2025

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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 #24-0018 to amend water well CUP #23-0030 to allow for 3 water wells on site. (Refer to Exhibit "A" & "B").

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 potentially significant impact, potentially significant unless mitigation incorporated, less than 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.

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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. **Potentially Significant Unless 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.

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- 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.

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II. Environmental Checklist

1. **Project Title:** Burrtec Waste Industries, Inc – Conditional Use Permit #24-0018 / Initial Study #24-0028
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Derek Newland, Planner III, (442)265-1736, ext. 1756
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** dereknewland@co.imperial.ca.us
6. **Project location:** 935 W Hwy 86, Salton City, CA 92274
7. **Project sponsor's name and address:** Burrtec Waste Industries, Inc.
9890 Cherry Avenue, Fontana, CA 92335
8. **General Plan designation:** Special Purpose Facility
9. **Zoning:** S-2 (Open Space / Preservation)
10. **Description of project:** Conditional Use Permit (CUP) #24-0018 proposes to amend Conditional Use Permit #23-0030 to allow for 2 existing water wells and an additional 3rd water well to operate under the CUP with no change to the 92,000 gallons per day, 365 days a year (105-acre feet) in water allotment already allowed in CUP #23-0030 and no other development proposed.

Of the 2 existing water wells onsite, the first was drilled under CUP #09-0010 which received a Negative Declaration by the Environmental Evaluation Committee on August 13, 2009, and was approved on September 23, 2009, by the Planning Commission for a commercial water well to draw 5-acre feet per year.

In 2010, Burrtec Waste Industries, Inc. submitted CUP #10-0002 for the expansion of the existing landfill onsite. As part of this project an Environmental Impact Report (EIR) (SCH #2010071072) was prepared in which the daily use of 92,000 gallons of water per day, 365 days a year, from increased pumping of the existing water well (CUP #09-0010) was environmentally assessed and mitigated to a less than significant finding.

On November 7, 2012, the Final Environmental Impact Report, Findings of Fact, Mitigation Monitoring and Reporting Program, CUP #10-0002 and Variance #10-0005 were approved by the Board of Supervisors. Within CUP #10-0002 under "Water Resources" within the "Conditions of Approval" section 3.0 "Operating Conditions" subsection 3.2 "Operational Requirements for Environmental Impact Mitigation", the usage of water on-site averaging 92,000 gallons per day, per 365 days per year being environmentally assessed by the EIR is acknowledged.

While CUP #10-0002 environmentally assessed the increased water extraction for the existing well permitted under CUP #09-0010 as a required need for the water needs for various mitigation measures within CUP #10-0002, CUP #09-0010 was never amended or superseded to modify the increase in water need.

On February 14, 2024, CUP #23-0030 was approved to amend and supersede CUP #09-0010 to modify the water allotment under the CUP to match the 92,000 gallons a day water need that was environmentally assessed in the CUP #10-0002 for operational mitigation measures for the landfill expansion.

On February 29, 2024, Burrtec Waste Industries, Inc submitted building permits seeking to drill a replacement well for the one that was originally drilled under CUP #09-0010 in an effort to meet the daily water needs as the older well's water flow had diminished. The drilling of the replacement is allowed under condition S-4 "Well Replacement" of CUP #23-0030. Upon drilling the replacement well, it was determined that the new well was not reaching the water flow needed to meet the daily 92,000 gallons per day. Under condition S-7: "Well Removal" of CUP #23-0030 the applicant

must destroy the old well in order to operate the replacement well or destroy the replacement well in order to either drill another replacement well or use the original well as only one active well is allowed within the CUP. Additionally, both wells may not reach 92,000 gallons a day; a third well may need to be drilled in order to meet the required water need.

Therefore, the applicant, Burrtec Waste Industries, Inc., has submitted CUP #24-0018 to amend CUP #23-0030 to allow for the operation of the 2 existing wells and a third well under the CUP. This would allow the applicant to keep the original well as well as its replacement and add a third well in an effort to meet the daily water needs for the operation of the permitted and active landfill located on the project parcel. No changes to the current water allotment allowed under CUP #23-0030 are proposed and the water needs mitigation of CUP #10-0002 will be conditioned as part of proposed CUP #24-0018.

11. Surrounding land uses and setting: The project is immediately surrounded by vacant desert lands on all sides. The privately owned Salton Sea Airport is located approximately 1 mile northeast of the project site, and the nearest home is 1.7 miles northeast. The home is part of a sparsely built subdivision of Salton City with the rest of the community further north about 2 miles.

12. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): Planning Commission, Public Works

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? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? Letters providing an opportunity for consultation per Assembly Bill 52 were sent out to the Campo Band of Mission Indians and the Quechan Indian Tribe on November 01, 2024. On November 2, 2024, a no comment response was received from a representative of the Quechan Indian Tribe and on December 2, 2024, a Request for Consultation was received from the Campo Band of Mission Indians. On February 05, an email was received by a representative of the Campo Band of Mission Indians stating no more concerns after receiving the EIR (SCH# 2010071072) and clarifying via phone call. On February 13, 2025, after the project was changed to allow for a 3rd well option on the CUP an email was received requesting a monitor from the Campo Band of Mission Indians to be on site during the drilling of the 3rd well.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21080.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

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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.

EEC VOTES

PUBLIC WORKS
ENVIRONMENTAL HEALTH SVCS
OFFICE EMERGENCY SERVICES
APCD
AG
SHERIFF DEPARTMENT
ICPDS

YES

NO

ABSENT

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
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<input type="checkbox"/>
<input type="checkbox"/>

For [Signature]
Jim Minnick, Director of Planning/EEC Chairman

Date:

3-13-2025

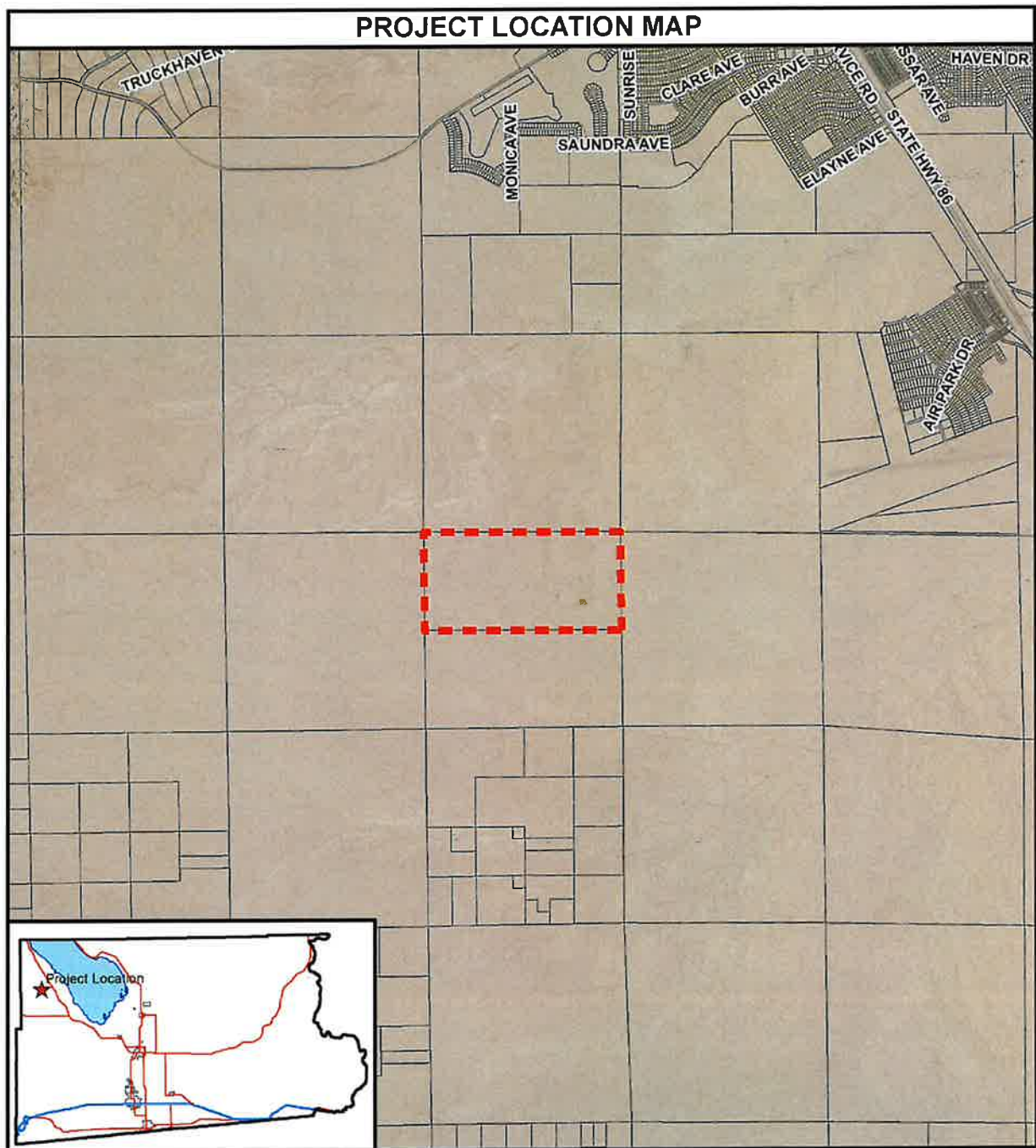
PROJECT SUMMARY

- A. **Project Location:** The project is located at 935 W Hwy 86, Salton City, CA 92274, on Assessor's Parcel Number 007-120-015-000.
- B. **Project Summary:** The project proposes to amend CUP #23-0030 to allow for 3 water wells under a single CUP with no proposed changes to the water allotment. There are currently 2 existing wells on the property with only one being permitted. The second well was intended as a replacement well but has been deemed required to meet the daily needs of the landfill. A 3rd water well proposed to be allowed if needed to meet the water requirements needed for mitigation of the landfill expansion under approved CUP #10-0002. CUP #23-0030 allows 92,000 gallons per day (105-acre feet per year).
- C. **Environmental Setting:** The project is located on a parcel with a permitted and active landfill. The surrounding lands are vacant desert.
- D. **Analysis:** The project site is designated as a "Special Purpose Facility" within the General Plan and zoned "S-2" (Open Space/Preservation) per Imperial County Land Use Ordinance (Title 9). Water wells are an allowed use within this zone and General Plan designation with an approved Conditional Use Permit.
- E. **General Plan Consistency:** The project is consistent with the General Plan as water wells are an allowed use with an approved Conditional Use Permit per Title 9 Land Use Ordinance Division 21 "Water Well Regulations" Section 92102.00 "Permits Required".




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Exhibit "A"

Vicinity Map



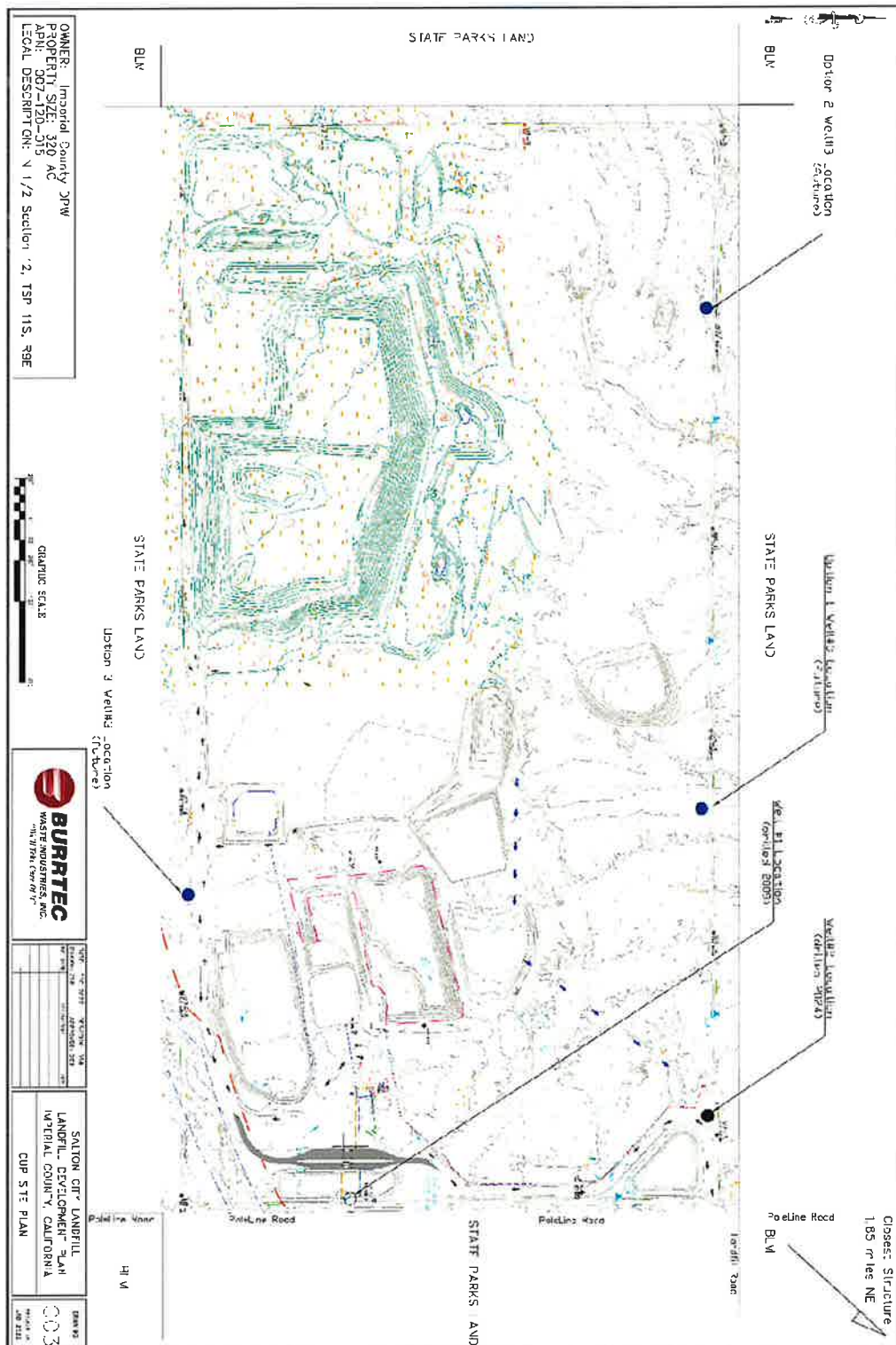
BURRTEC WASTE INDUSTRIES INC.
(IC PUBLIC WORKS)
CUP #24-0018
APN 007-120-015-000

-  Project Location
-  Centerline
-  Parcels



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Exhibit "B" Site Plan/Tract Map/etc.



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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

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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The project is located on a parcel with an existing and active landfill located approximately 2.86 miles west of State Route 86, which is not designated as scenic highway. No impacts are expected. | | | | |
| b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The project is located on a parcel with an existing and active landfill and will not damage scenic resources including trees, outcropping, and historic buildings and is not within a scenic highway. No impacts are 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) The project site is located on a parcel containing an existing and operational landfill surrounded by vacant desert land, and SR 86 is 2.86 miles east of the project and the nearest residence is 1.7 miles northeast. As the purpose of the project consists of allowing for the operation of water wells it is not anticipated that the project would substantially degrade the existing character or quality of public views of the site and its surrounding as the water wells are small, low to the ground and unable to be seen from the nearest residence, public road or highway and are located on land containing an active and permitted landfill. No impacts are expected. | | | | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) The project involves allowing for 3 water wells to operate on the property and constant lighting is not required for the well. The existing permitted landfill is already required to comply with the Imperial County's rules and regulations regarding onsite lighting and therefore no impacts are expected. | | | | |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The project is located in an unmapped area of the Farmland Mapping and Monitoring Program map and therefore would not convert Prime, Unique or Farmland of Statewide Importance. No impacts are expected. | | | | |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The project would not conflict with existing zoning for agricultural use or a Williamson Act Contract as the S-2 (Open Space / Preservation) zone allows farming and there are no active Williamson Act Contracts in Imperial County. No impacts are expected. | | | | |
| 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
by Government Code Section 51104(g))?				
c) The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production as the project is located on a property with an existing and active landfill surrounded by desert land. No impacts are expected.				
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"/>
d) The project is located on a parcel with an active landfill and surrounded by vacant desert land. Therefore, the project would not result in the loss of forest land or conversion of forest land to on-forest use. No impacts are expected.				
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 project is located on a parcel containing an active landfill and surrounded by vacant desert land. Therefore, the project is not expected to involve any 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. No impacts are expected.				

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:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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) Per the Imperial County Air Pollution Control District's (APCD) comment letter dated November 08, 2024¹, the project will be required to continue meeting CUP conditions G-2 and S-9 as well as continue to comply with Regulation VIII – Fugitive Dust Rules. It is expected that continued adherence to APCD's rules and regulations, as well continued compliance with CUP conditions will bring any impact to less than significant. | | | | |
| 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) The project is not expected to 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. Any impact would be considered less than significant. | | | | |
| c) Expose sensitive receptors to substantial pollutants concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) The project is to allow the operation of water wells on the site. The project would not expose sensitive receptors to substantial pollutant concentrations. Any impact would be considered less than significant. | | | | |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) The project is not expected to result in other emissions, such as those leading to odors adversely affecting a substantial number of people. Any impact would be considered less than significant. | | | | |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The project is an accessory use to the existing and operational landfill with its own mitigation laid out in an EIR prepared in 2011 (SCH #2010071072), the project is not expected to have a substantial adverse effect, either directly or through habitat | | | | |

¹ Imperial County Air Pollution Control District comment letter dated November 08, 2024

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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. Any impact would be considered less than significant.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) The project is located on a parcel with an active landfill and surrounded by desert land and would not 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. Any impact would be considered less than significant.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means, as the project is to allow water wells to operate as an accessory use to the existing active and permitted landfill. Any impact would be considered less than significant				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) As stated previously in this section the project is located on an existing landfill site and therefore, is not expected to substantially interfere 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. Any impact would be considered less than significant.				
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The project would not conflict with any local policies or ordinance protecting a biological resource, such as a tree preservation policy or ordinance. Impacts are anticipated to be less than significant.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The project is not expected to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Any impacts are anticipated to be less than significant.				

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

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ☐ ☐ ☒ ☐
- a) The project is located on a parcel with an active and permitted landfill. A Conditional Use Permit (CUP #10-0002) for the expansion of the landfill was approved by the Board of Supervisors on October 9, 2012, and an EIR (SCH# 2010071072) was prepared as part of the project. The operating landfill must adhere to the approved Mitigation Measures of the CUP of which existing and future water wells are an accessory use. The project does not propose any substantial land disturbance and is not anticipated to cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5. Any impact would be expected to be less than significant.**
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ☐ ☐ ☒ ☐
- b) As stated in V-a, the project is located on a site with an active landfill which is subject to Mitigation Measures as part of its CUP allowing it to operate. The project does not propose substantial land disturbance or improvement and therefore, the project is not expected to cause a substantial adverse change in the significance of an archaeological resource pursuant to**

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	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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§15064.5. Any impact would be considered less than significant.

- c) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☐ ☒ ☐
- c) As stated previously in this section the project does not propose substantial land disturbance and as the project is an accessory use of the land fill expansion CUP, the project would also have to adhere to any Mitigation Measures defined by the EIR (SCH #2010071072). It is not expected that the project would disturb any human remains, including those interred outside of dedicated cemeteries and therefore, any impacts would be considered less than significant.**

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 project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. No impacts are anticipated.**
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ☐ ☐ ☐ ☒
- b) The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No 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 project is not expected to directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death. 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 not located near an Alquist-Priolo Earthquake Fault Zone per the California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones online web application². Therefore, the project would not be expected to directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death due to rupture of a known earthquake fault. Any impact would be considered less than significant.**
- 2) Strong Seismic ground shaking? ☐ ☐ ☒ ☐
- 2) The project is located in a seismically active area and the site would experience some shaking. However, any potential damage to the water wells is not expected to cause directly or indirectly potential adverse effects, including risk of loss, injury, or death due to strong seismic ground shaking. Therefore, impacts would be expected to be less than significant.**
- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami? ☐ ☐ ☒ ☐
- 3) The project is not expected to directly or in indirectly cause potential substantial adverse effects, including risk of loss, injury, or death. Impacts would be considered less than significant.**
- 4) Landslides? ☐ ☐ ☒ ☐
- 4) The project is not in a landslide area and therefore, is not expected to directly or in indirectly cause potential substantial adverse effects, including risk of loss, injury, or death. Impacts would be considered less than significant.**
- b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☐ ☒
- b) The project would not result in substantial soil erosion or the loss of topsoil. No impacts are expected.**
- c) Be located on a geologic unit or soil that is unstable or that ☐ ☐ ☒ ☐

² California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? c) The project involves allowing an existing water well and its existing replacement well to remain along with a proposed 3rd well. As the existing wells are stable it appears that they are not located on a geologic unit or soil that is unstable or that would become unstable as a result of the project. Therefore, any impact would be expected to be less than significant.				
d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? d) The project does not appear to be located on expansive soil and is not expected to create substantial direct or indirect risk to life or property. Any impact would be considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? e) The project does not require nor propose a wastewater disposal system. Therefore, no impact is expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? f) The project is located on a parcel with an active and permitted landfill. Therefore, it is not expected that the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Therefore, any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
a) The project is not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Compliance with APCD's rules and regulations are expected to bring any potential impact to a less than significant level. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
b) The project would not conflict with an applicable plan or policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Any impact would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IX. **HAZARDS AND HAZARDOUS MATERIALS** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
a) The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials as the project is to allow for three water wells to be permitted on a parcel with an active and permitted landfill and the water wells do not involve the transport, use or disposal 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) The project is not expected to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Any impact would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school is West Shores High School, which is 5 miles northeast of the project location. No impacts are expected.				
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 project is not located on a site which is included on a list of hazardous materials sites as the parcel, nor landfill is not listed in the Department of Toxic Substances Control (DTSC) the DTSC EnviroStor Database³. Therefore, no impact is expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 project is located within the Salton Sea Airport Compatibility Zones; however, it is not expected that the existing water wells would result in a safety hazard or excessive noise for people residing or working in the project area. 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 project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. 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 project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 project is not anticipated to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Any impact would be 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) The project 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. The current 92,000 gallons a day (105-acre feet per year) water allotment under CUP #23-0030 was environmentally assessed with mitigation measures under the landfill expansion CUP #10-0002 EIR (SCH #2010071072) and it is expected that compliance with the mitigation measure adopted with CUP #10-0002 would bring any impacts to less than significant. | <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: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

³ California Department of Toxic Substances Control: EnviroStor

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) The project is located on a site with a permitted and active land fill. It is not anticipated that the project would 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. Any impact would be considered less than significant.				
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) The project would not result in substantial erosion or siltation on- or off-site. No impacts are expected.				
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) It is not anticipated that the project would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Any impact would be considered less than significant.				
(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;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) It is not anticipated that the project would 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. Any impact would be considered less than significant.				
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) The project would not impede or redirect flood flows. No impacts are expected.				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The project would not risk the release of pollutants due to project inundation as the project is not in a flood hazard, tsunami, or seiche zones. Any impact would be considered less than significant.				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) It is not anticipated that the project would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Any impact would be considered less than significant.				

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

- a) Physically divide an established community? ☐ ☐ ☐ ☒
a) The project would not physically divide an established community. No impacts are 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 project is not anticipated 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. Any impact would be considered less than significant.

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 project will not 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. No impacts are expected.

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) The project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or 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?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- a) The project is located on a permitted and active landfill site which uses heavy equipment in its daily operations. The well pumps are powered by diesel generators that along with the other operations on the site will be required to comply with the Imperial County Title 9 Land Use Ordinance Division 7: Noise Abatement and Control which limits the sound levels for industrial uses to 70 decibels over a one-hour average on or beyond the property boundaries at any time during the day. It is expected that compliance with the Imperial County's Noise Abatement and Control Ordinance would bring any potential impacts to less than significant.**
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- b) The purpose of the project is not expected to generate excessive ground-borne vibration or ground-borne noise levels. Any impact would be considered less than significant.**
- 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?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- c) The project is within the Salton City Airport Compatibility Zone; however, the airport is lightly used, and the project is not expected to expose people residing or working in the project area to excessive noise levels. No impacts are expected.**

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)?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- a) The project would not induce substantial unplanned population growth in an area either directly or indirectly. No impacts are expected.**
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- b) The project would not displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere. No impacts are expected.**

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:
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- a) The project is to allow for up to 3 wells to be located on a site with a permitted and active landfill. As the project does not propose any additional changes to the water allotment already allowed in the CUP to be superseded or substantial development of the site through the proposed Conditional Use Permit Amendment, it is not expected that the project would**

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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. No impacts are expected.				
1) Fire Protection? 1) The project would have no impact on fire protection.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Police Protection? 2) The project would have no impact on police protection.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Schools? 3) The project would have no impact on schools.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks? 4) The project would have no impact on parks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other Public Facilities? 5) It is not expected that the project would have any impact on other public facilities. No impacts expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 project would not 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. No impacts expected.
- b) Does the project include 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?
b) The project would not 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. No impacts 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 project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. No impacts expected.
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
b) The project would not conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b). 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 project would not substantially increase hazards due to a geometric design feature or incompatible uses. No impacts are expected.
- d) Result in inadequate emergency access?
d) The project would not result in inadequate emergency access. No impacts are expected.

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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 project is to allow for 3 water wells to operate on the existing landfill site, the project was initially to allow for the 2 existing water wells to remain operational with the project then changing to propose a 3rd well in order to meet daily water needs due to the well flow rates not being high enough to meet daily need. Letters providing an opportunity for consultation per Assembly Bill 52 were sent out to the Campo Band of Mission Indians and the Quechan Indian Tribe on November 01, 2024. On November 2, 2024, and no comment response was received from the Quechan Indian Tribe and on December 02, 2024, a Request for Consultation was received from the Campo Band of Mission Indians. After providing the EIR (SCH# 2010071072) prepared for the landfill expansion and a phone conversation regarding the project was had on February 05, 2025 with a representative of the Campo Band of Mission Indians Tribe, an email stating no more concerns was received the same day, however, after the change in the project to include a possible 3rd water well the Tribe requested that a member be on-site during well drilling. It is expected that compliance with the Campo Band of Missions Indians request would bring any potential impacts to Tribal Cultural Resources to less than significant impacts.

MM CUL – 1: A representative of the Campo Band of Mission Indians shall be onsite to monitor and with the authority to stop and evaluate any debris during drilling operations for the water well.

- (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 project is located on a permitted and active landfill site which was environmentally assessed through an EIR (SCH# 2010071072) which covered Tribal Cultural Resources in its analysis. It is not listed or anticipated to be eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1 (k). Therefore, it is anticipated that any impact would be less than significant.

- 0 (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) As stated previously, the project is located on an active and permitted landfill site whose expansion was environmentally assessed through an EIR. It is not expected that the project would cause a substantial adverse change in the significance of a tribal cultural 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. Any impact would be considered less than significant.

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 project would not 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. No impacts are expected.

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	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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 project consists of allowing the operation of 3 wells on an active landfill site and is not anticipated to have an impact on utility water supplies and systems. Any impact would be expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 project would not result in a determination by a 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. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 project would not 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. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? e) The project would be required to comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?
b) The project would not expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire. No impacts are expected/ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?
c) The project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?
d) The project would not 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. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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,

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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

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SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

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

- 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?
- 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.)
- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

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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
- Diana Robinson, Planning Division Manager
- Derek Newland, Project Planner
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

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

V. REFERENCES

1. Imperial County Air Pollution Control District comment letter dated November 08, 2024
2. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones
<https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C-110.920388%2C6.00>
3. California Department of Toxic Substances Control: EnviroStor
<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=imperial+county>
4. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.

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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: Conditional Use Permit #24-0018 / Initial Study 24-0028

Project Applicant: Burrtec Waste Industries, Inc.

Project Location: 935 W Hwy 86, Salton City, CA 92274

Description of Project: The project proposes to amend CUP #23-0030 to allow for 3 water wells under a single CUP with no proposed changes to the water allotment. There are currently 2 existing wells on the property with only one being permitted. The second well was intended as a replacement well but has been deemed required to meet the daily needs of the landfill. A 3rd water well proposed to be allowed if needed to meet the water requirements needed for mitigation of the landfill expansion under approved CUP #10-0002. CUP #23-0030 allows 92,000 gallons per day (105-acre feet per year).

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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 environment 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 MITIGATED 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.

3-13-2025 
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

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

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IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

COMMENTS

EEC ORIGINAL PKG

Derek Newland

From: Daniel Tsosie <dtosie@campo-nsn.gov>
Sent: Thursday, February 13, 2025 13:30
To: Derek Newland
Cc: Ben Dyche; Jonathan Jones; Lowmen.willard@icloud.com
Subject: Re: Phone call regarding Nightpeak BESS and Burrtec water well

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

Thank you for the update. Due to concerns about a "scope amendment" . We are requesting a monitor from Campo to be on site and with authority to stop and evaluate or continue to be on site due to "Cultural Resource" concerns.

Best regards,

DANIEL TSOSIE
Campo Band of Mission Indians
Cultural Resource Manager

*Vice-Chairman- Kumeyaay Heritage Preservation Council
Secretary- Kumeyaay Diegueño Land Conservancy
Campo Band OMI KCRC representative*

C: 619-760-6480
O: 619-478-9046 Ext. 278

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Derek Newland <DerekNewland@co.imperial.ca.us>
Sent: Thursday, February 13, 2025 10:39:55 AM
To: Daniel Tsosie <dtosie@campo-nsn.gov>
Subject: RE: Phone call regarding Nightpeak BESS and Burrtec water well

Good morning Daniel,
The project has changed and a third well is now proposed to meet the water needs for compliance with EIR mitigation. Do you have some time to speak today?

Thank you,

Derek Newland
Planner III
County of Imperial
Planning and Development Services
dereknewland@co.imperial.ca.us
(442) 265-1736

EEC ORIGINAL PKG

From: Daniel Tsosie <dtsosie@campo-nsn.gov>
Sent: Wednesday, February 5, 2025 13:19
To: Derek Newland <DerekNewland@co.imperial.ca.us>
Subject: RE: Phone call regarding Nightpeak BESS and Burrtec water well

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

No more concerns for Campo Band OMI. Thank you.

From: Derek Newland <DerekNewland@co.imperial.ca.us>
Sent: Wednesday, February 5, 2025 1:07 PM
To: Daniel Tsosie <dtsosie@campo-nsn.gov>
Subject: RE: Phone call regarding Nightpeak BESS and Burrtec water well

Good afternoon Daniel,
Per our phone conversation you had said there were no concerns I just want to clarify if this is a typo or if you only have concerns regarding expansion of the landfill?

Thank you,

Derek Newland
Planner III
County of Imperial
Planning and Development Services
dereknewland@co.imperial.ca.us
(442) 265-1736

From: Daniel Tsosie <dtsosie@campo-nsn.gov>
Sent: Wednesday, February 5, 2025 11:52
To: Derek Newland <DerekNewland@co.imperial.ca.us>
Subject: RE: Phone call regarding Nightpeak BESS and Burrtec water well

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

Hello, thank you for your patience, after review of "Final EIR", we Campo Band of Mission Indians have concerns.

Should the Project be amended and new expansions with ground disturbance, We request to be updated.

From: Derek Newland <DerekNewland@co.imperial.ca.us>
Sent: Wednesday, February 5, 2025 11:41 AM
To: Daniel Tsosie <dtsosie@campo-nsn.gov>
Subject: FW: Phone call regarding Nightpeak BESS and Burrtec water well

Good morning Daniel,
Per our conversation here is the EIR that was done for the Landfill expansion a few years ago.

Thank you,

Derek Newland
Planner III
County of Imperial

EEC ORIGINAL PKG

Planning and Development Services

dereknewland@co.imperial.ca.us

(442) 265-1736

From: Derek Newland

Sent: Thursday, December 12, 2024 08:34

To: Daniel Tsosie <dtsosie@campo-nsn.gov>

Subject: Phone call regarding Nightpeak BESS and Burrtec water well

Good morning Daniel,

I would like to schedule a phone call with you to go over your requests for consultation for the Nightpeak Matador BESS project and the Burrtec landfill water well project. I am including the cultural study that was performed for Nightpeak and the Final EIR that was prepared back in 2011 for the Burrtec landfill expansion project for your reference.

Thank you,

Derek Newland

Planner III

County of Imperial

Planning and Development Services

dereknewland@co.imperial.ca.us

(442) 265-1736

EEC ORIGINAL PKG

APPLICATION

EEC ORIGINAL PKG

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (442) 265-1736

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

1. PROPERTY OWNER'S NAME Imperial County Public Works Department	EMAIL ADDRESS JohnGay@co.imperial.ca.gov	
2. MAILING ADDRESS (Street / P O Box, City, State) 155 North 11th Street, El Centro, CA 92243	ZIP CODE 92243	PHONE NUMBER (442) 265-1818
3. APPLICANT'S NAME Burrtec Waste Industries, Inc.	EMAIL ADDRESS dbrischke@burrtec.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 9890 Cherry Avenue, Fontana, CA	ZIP CODE 92335	PHONE NUMBER (909) 429-4200
4. ENGINEER'S NAME David S. Brischke	CA. LICENSE NO. C46521	EMAIL ADDRESS dbrischke@burrtec.com
5. MAILING ADDRESS (Street / P O Box, City, State) 9400 Cherry Avenue, Building C, Fontana, CA	ZIP CODE 92335	PHONE NUMBER (909) 714-8146
6. ASSESSOR'S PARCEL NO. APN 007-120-015-001	SIZE OF PROPERTY (In acres or square foot) 320 acres	ZONING (existing) S1
7. PROPERTY (site) ADDRESS 935 W Hwy 86S, Salton City, CA 92275		
8. GENERAL LOCATION (i.e. city, town, cross street) Salton City Solids Waste Site - Salton City Landfill		
9. LEGAL DESCRIPTION The Northern 1/2 of Section 12, Township 11S, Range 9E of the SBBM. See attached drawing for a more detailed property description		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	A replacement well drilled under CUP 23-0030 is insufficient to fully support the landfill operations 130 gpm need. Therefore the original well drilled in 2009 must be kept active to supplement the new well. The total pumping rate of the combined wells will not exceed 105 ac-ft annually as previously approved.
11. DESCRIBE CURRENT USE OF PROPERTY	Non-Hazardous Solid Waste Landfill/Composting and Biosolids Drying
12. DESCRIBE PROPOSED SEWER SYSTEM	Existing Septic Tank and Leach Field
13. DESCRIBE PROPOSED WATER SYSTEM	Existing Onsite Water Wel
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Imperial County Fire
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Up to 50 permanent F/T employees

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

David S Brischke July 23, 2024
Print Name Date
Signature
Print Name Date
Signature

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY: LV

APPLICATION DEEMED COMPLETE BY:

APPLICATION REJECTED BY:

TENTATIVE HEARING BY:

FINAL ACTION: ☐ APPROVED ☐ DENIED

DATE 8/2/24

DATE

DATE

DATE

DATE

REVIEW / APPROVAL BY

OTHER DEPT'S required

☐ P.W

☐ E.H.S

☐ A.P.C.D

☐ O.E.S

☐

☐

CUP #

24-008

1524-0028

EEC ORIGINAL PKG



Mr. Derek Newland,
Imperial County
Department of Planning and Development Department
915 State Street
El Centro, California 92243

July 23, 2024

Re: Amendment Request CUP 23-0030,
Allowing for 2-water wells to make needed production,
Salton City Landfill

Dear Mr. Newland:

Burrtec Waste Industries, Inc., is please to submit the attached CUP Application requesting entitlement for two separate water wells located at the Salton City Landfill. Unfortunately as you know, the recently complete new well (Well#2) is not capable of providing all of the necessary supply on its own. Pump testing on Well #2 resulted in a recommended production limit of 100 gpm, short of our 130 gpm target. Because of this shortfall and consistent with our discussions for issuance of CUP 23-0030, we will need to keep the old well (Well #1) in operation to meet our water needs for operations.

An amended CUP will allow the operation of both Well #1 and Well #2 combining to meet our daily dust control water needs. We continue to seek additional back-up and emergency supply in the event either of the wells suffer reduced production. This may require allowance within the CUP for replacement wells, a third permanent water well on the landfill property, and/or the ability to bring water in from a well drilled on our neighboring airport property.

Please call if you have questions or require any questions.

Thank you.

Sincerely,

David S Brischke

David S. Brischke, P.E.,
Regional Landfill Manager
Burrtec Waste Industries, Inc.

Burrtec Landfill Division
Contractor's License #791805

9400 Cherry Avenue, Building C • Fontana, California 92335 • 909-743-6319 • Fax 909-714-1776

EEC ORIGINAL PKG



Mr. Derek Newland,
Imperial County
Department of Planning and Development Department
915 State Street
El Centro, California 92243

February 12, 2025

Re: Amendment Request CUP 23-0030,
Water Well Permitting Clarification,
Salton City Landfill

Dear Mr. Newland:

Burrtec Waste Industries, Inc., is pleased to provide additional clarification of our CUP 23-0030 transmittal letter dated December 10th, 2024.

Due to lower-than-anticipated water production from the well drilled in 2024, the combined flow from both wells totals approximately 70 gpm, and remains below our target of 130 gpm or 92,000 gallons per 12-hour operating day. For this reason, we request approval for the operation of two existing wells and a future third permanent well with a total combined annual production limit not to exceed 105 ac-ft. At this time, we anticipate the third future well site would be along the site perimeter near one of three optional locations shown on the attached drawing.

Please call if you have questions or require any additional information.

Thank you.

Sincerely,

David S Brischke

David S. Brischke, P.E.,
Regional Landfill Manager
Burrtec Waste Industries, Inc.

Burrtec Landfill Division
Contractor's License #791805

9400 Cherry Avenue, Building C • Fontana, California 92335 • 909-743-6611 • Fax 909-743-1743

EEC ORIGINAL PKG



Mr. Derek Newland,
Imperial County
Department of Planning and Development Department
915 State Street
El Centro, California 92243

December 10, 2024

Re: Amendment Request CUP 23-0030,
Water Well Permitting Clarification,
Salton City Landfill

Dear Mr. Newland:

Burrtec Waste Industries, Inc., is pleased to provide clarification of our CUP 23-0030 transmittal letter dated July 23, 2024.

At this time we are seeking approval for the operation of two-wells only. This includes the original well, Well#1 drilled and completed in 2009, and the new well, Well #2 drilled and completed in June 2024, with a total combined annual production limit not to exceed 105 ac-ft.

Please call if you have questions or require any additional information.

Thank you.

Sincerely,

David S Brischke

David S. Brischke, P.E.,
Regional Landfill Manager
Burrtec Waste Industries, Inc.

Burrtec Landfill Division
Contractor's License #791805

9400 Cherry Avenue, Building C • Fontana, California 92335 • 909-743-6149 • Fax 909-743-1741

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Closest Structure
1.85 miles NE

Well#2 Location
(drilled 2024)

Option 1 Well#3 Location
(future)

Option 2 Well#3 Location
(future)

Well #1 Location
(drilled 2009)

Option 3 Well#3 Location
(future)

OWNER: Imperial County DPW
PROPERTY SIZE: 320 AC
APN: 007-120-015
LEGAL DESCRIPTION: N 1/2 Section 12, TSP 11S, R9E

BURRTEC
WASTE INDUSTRIES, INC.
"We'll Take Care Of It"

DATE: DEC 2022
DRAWN: DSB
CITY: SALTON

DESIGNED: DSB
APPROVED: DSB
REV:

DRAWING
G03
PROJECT NO.
JTD 2023

SALTON CITY LANDFILL
LANDFILL DEVELOPMENT PLAN
IMPERIAL COUNTY, CALIFORNIA

CUP SITE PLAN

EEC ORIGINAL PKG

**ATTACHMENT “H” – MONTHLY WATER WELL
PUMPING RECORDS 2013 TO 2025**

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2013

	Meter Reading	
	Start	End
January	1,362,051	1,366,051
February	1,366,051	1,432,624
March	1,432,624	1,499,198
April	1,499,198	1,565,772
May	1,565,772	1,632,346
June	1,632,346	1,698,919
July	1,698,919	1,765,493
August	1,765,493	1,832,067
September	1,832,067	1,898,641
October	1,898,641	1,965,214
November	1,965,214	2,031,788
December	2,031,788	2,098,362
Total Gallons		736,311
Total Ac-ft		2.26

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2014

	Meter Reading	
	Start	End
January	1,362,051	1,468,569
February	1,468,569	1,575,087
March	1,575,087	1,681,605
April	1,681,605	1,788,123
May	1,788,123	1,894,641
June	1,894,641	2,001,159
July	2,001,159	2,107,677
August	2,107,677	2,214,195
September	2,214,195	2,320,713
October	2,320,713	2,427,231
November	2,427,231	2,533,749
December	2,533,749	2,640,267
Total Gallons		1,278,216
Total Ac-ft		3.92

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2015

	Meter Reading	
	Start	End
January	2,640,267	2,712,267
February	2,712,267	2,784,267
March	2,784,267	2,856,267
April	2,856,267	2,928,267
May	2,928,267	3,000,267
June	3,000,267	3,072,267
July	3,072,267	3,144,267
August	3,144,267	3,216,267
September	3,216,267	3,288,267
October	3,288,267	3,360,267
November	3,360,267	3,432,267
December	3,432,267	3,504,267
Total Gallons		864,000
Total Ac-ft		2.65

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2016

	Meter Reading	
	Start	End
January	3,504,267	3,900,267
February	3,900,267	4,296,267
March	4,296,267	4,692,267
April	4,692,267	5,088,267
May	5,088,267	5,484,267
June	5,484,267	5,880,267
July	5,880,267	6,276,267
August	6,276,267	6,672,267
September	6,672,267	7,068,267
October	7,068,267	7,464,267
November	7,464,267	7,860,267
December	7,860,267	8,256,267
Total Gallons		4,752,000
Total Ac-ft		14.58

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2017

	Meter Reading	
	Start	End
January	8,256,267	8,668,767
February	8,668,767	9,081,267
March	9,081,267	9,493,767
April	9,493,767	9,906,267
May	9,906,267	10,318,767
June	10,318,767	10,731,267
July	10,731,267	11,143,767
August	11,143,767	11,556,267
September	11,556,267	11,968,767
October	11,968,767	12,381,267
November	12,381,267	12,793,767
December	12,793,767	13,206,267
Total Gallons		4,950,000
Total Ac-ft		15.19

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2018

	Meter Reading	
	Start	End
January	13,206,267	14,376,267
February	14,376,267	14,826,267
March	14,826,267	15,276,267
April	15,276,267	15,726,267
May	15,726,267	16,176,267
June	16,176,267	16,626,267
July	16,626,267	17,076,267
August	17,076,267	18,246,267
September	18,246,267	19,416,267
October	19,416,267	20,586,267
November	20,586,267	21,756,267
December	21,756,267	22,926,267
Total Gallons		9,720,000
Total Ac-ft		29.83

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2019

	Meter Reading	
	Start	End
January	22,926,267	23,949,267
February	23,949,267	24,972,267
March	24,972,267	25,995,267
April	25,995,267	27,018,267
May	27,018,267	28,041,267
June	28,041,267	29,064,267
July	29,064,267	30,087,267
August	30,087,267	31,110,267
September	31,110,267	32,133,267
October	32,133,267	33,156,267
November	33,156,267	34,179,267
December	34,179,267	35,202,267
Total Gallons		12,276,000
Total Ac-ft		37.67

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2020

	Meter Reading	
	Start	End
January	35,202,267	35,961,147
February	35,961,147	36,720,027
March	36,720,027	37,478,907
April	37,478,907	38,237,787
May	38,237,787	38,996,667
June	38,996,667	39,755,547
July	39,755,547	40,514,427
August	40,514,427	41,273,307
September	41,273,307	42,032,187
October	42,032,187	42,791,067
November	42,791,067	43,549,947
December	43,549,947	44,308,827
Total Gallons		9,106,560
Total Ac-ft		27.95

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2021

	Meter Reading	
	Start	End
January	44,308,827	45,145,827
February	45,145,827	45,982,827
March	45,982,827	46,819,827
April	46,819,827	47,656,827
May	47,656,827	48,493,827
June	48,493,827	49,330,827
July	49,330,827	50,167,827
August	50,167,827	51,004,827
September	51,004,827	51,841,827
October	51,841,827	52,678,827
November	52,678,827	53,515,827
December	53,515,827	54,352,827
Total Gallons		10,044,000
Total Ac-ft		30.82

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2022

	Meter Reading	
	Start	End
January	54,352,827	55,245,627
February	55,245,627	56,138,427
March	56,138,427	57,031,227
April	57,031,227	57,924,027
May	57,924,027	58,816,827
June	58,816,827	59,709,627
July	59,709,627	60,602,427
August	60,602,427	61,495,227
September	61,495,227	62,388,027
October	62,388,027	63,280,827
November	63,280,827	64,173,627
December	64,173,627	65,066,427
Total Gallons		10,713,600
Total Ac-ft		32.88

Salton City Landfill
Water Well Meter Reading
CUP 10-0002
2023

	Meter Reading	
	Start	End
January	65,066,427	66,023,427
February	66,023,427	66,980,427
March	66,980,427	67,937,427
April	67,937,427	68,894,427
May	68,894,427	69,851,427
June	69,851,427	70,808,427
July	70,808,427	71,484,927
August	71,484,927	72,161,427
September	72,161,427	72,837,927
October	72,837,927	73,514,427
November	73,514,427	74,190,927
December	74,190,927	74,190,927
Total Gallons		9,124,500
Total Ac-ft		28.00

Salton City Landfill
Water Well Meter Reading
CUP 23-0030
2024 - Well #1

	Meter Reading		Monthly Gallons	Running Total (Ac-Ft)
	Start	End		
January	74,190,927	75,023,770	832,843	2.56
February	75,023,770	75,856,614	832,844	5.11
March	75,856,614	76,689,457	832,843	7.67
April	76,689,457	77,522,300	832,843	10.22
May	77,522,300	77,892,700	370,400	11.36
June	77,896,400	78,532,533	636,133	13.32
July	78,532,533	79,226,700	694,167	15.45
August	79,226,700	79,804,800	578,100	17.23
September	79,804,800	80,331,200	526,400	18.84
October	80,331,200	80,983,300	652,100	20.85
November	80,983,300	81,531,300	548,000	22.53
December	81,531,300	82,131,600	600,300	24.37
Subtotal Well#1			145.14	

2024 - Well #2

	Meter Reading		Monthly Gallons	Running Total (Ac-Ft)
	Start	End		
January			-	
February			-	
March			-	
April			-	
May			-	
June			-	
July	Testing	250,000	250,000	
August	Flow Test	588,833	588,833	
September	Pump Dead			
October	Pump Motor Burned out			
November	Installing Under Ground			
December	New Pump			

Salton City Landfill
Water Well Meter Reading
CUP 23-0030
2025 - Well #1

	Meter Reading		Monthly Gallons	Running Total (Ac-Ft)	Notes
	Start	End			
January	82,131,600	82,800,500	668,900	2.05	Alternating btwn #1 and #2 Down for new line and comfort station instll
February	82,800,500	83,273,700	473,200	3.50	
March	83,273,700				
April	-				
May	-				
June	-				
July	-				
August	-				
September	-				
October	-				
November	-				
December	-				

Subtotal Well#1 5.56

2025 - Well #2

	Meter Reading		Monthly Gallons	Running Total (Ac-Ft)	Notes
	Start	End			
January	588,833	1,666,076	1,077,243	3.31	Alt btwn #1 and #2 Down for water line repairs
February	1,666,076	2,366,376	700,300	5.46	
March	2,366,376				
April	-				
May	-				
June	-				
July	-				
August	-				
September	-				
October	-				
November	-				
December	-				

Subtotal Well#2 8.76

Total Well #1 plus Well #2 14.32

ATTACHMENT “I” – COMMENT LETTERS

AIR POLLUTION CONTROL DISTRICT



RECEIVED

April 14, 2025

APR 17 2025

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

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

SUBJECT: Notice of Intent for Negative for a Mitigated Negative Declaration for Conditional Use Permit 24-0018 – Burrtec Waste Industries, Inc.

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) thanks you for the opportunity to review and comment on the Notice of Intent (NOI) for a Mitigated Negative Declaration (MND) for Conditional Use Permit (CUP) 24-0018 (Project) that proposes to amend CUP 23-0030 to allow for two existing water wells and an additional third water well to operate under the CUP with no change to the already allowed 92,000 gallons per day, 365 days a year (105-acre ft) water allotment. The project is located at 935 W Hwy. 86, Salton City, also identified as Assessor's Parcel Number 007-120-015.

The Air District previously provided comments for the project in a letter dated November 8, 2024. At the time of writing that comment letter the project was described as a change of an approved CUP to allow the simultaneous operation of two water wells, instead of decommissioning the older water well, due to the newer well not producing sufficient water to meet operational demands. At the time, the additional third water well was not discussed fully and was only mentioned in a letter submitted with the document as one of various possibilities. The Air District's letter included a comment, which remains relevant, regarding permit #3077 being active for the facility and satisfying CUP conditions G-2 PERMIT/LICENSE and S-9 PERMITTING with respect to the Air District. However, given the changes to the project description and in order to ensure compliance with all Air District rules, regulations, and permit conditions, the Air District requests the applicant contact the Engineering and Permitting division to discuss the changes to project to adequately determine the permitting requirements of the project and whether a permit modification will be needed.

The Air District also reminds the applicant that drilling equipment must either be registered through the California Air Resources Board's (CARB) Portable Equipment Registration Program (PERP) or it may require an Air District permit and a separate application for review of the drilling equipment will need to be submitted if it is not PERP registered.


The Air District reminds the applicant that the project must continue to comply with all Air District rules, regulations, CUP and permit conditions. Finally, the Air District requests a copy of the draft CUP prior to recording for its review.

The Air District's rules and regulations can be found on our website for your convenience at <https://apcd.imperialcounty.org/rules-and-regulations/> and permitting documents can be found at <https://apcd.imperialcounty.org/engineering/#engpermitting>. Should you have any questions please feel free to contact the Air District for assistance at (442) 265-1800.

Respectfully,



Ismael Garcia
Environmental Coordinator



Reviewed by,
Monica N. Soucier
APC Division Manager



April 17, 2025

Derek Newland, Planner III
Imperial County Planning & Development Services Dept.
801 Main Street
El Centro, CA 92243

Subject: SCH No. 2025030789 – Conditional Use Permit #24-0018/Initial Study #24-0028 - Burrtec Waste Industries, Inc., SWIS No. 13-AA-0011 – Imperial County

Dear Mr. Newland:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

PROJECT DESCRIPTION

The Imperial County Planning & Development Services Department, acting as Lead Agency, has prepared and circulated a Notice of Completion (NOC) of a Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

Conditional Use Permit #24-0018/Initial Study #24-0028 - Burrtec Waste Industries, Inc. (proposed project) is located at the Salton City Solid Waste Site (SWIS No. 13-AA-0011), at 935 W. Hwy 86, Salton City, CA 92274, on Assessor's Parcel Number 007-120-015-000. The proposed project is located on a parcel with a permitted and active landfill. The project site is designated as a "Special Purpose Facility" within the General Plan and zoned "S-2" (Open Space/Preservation) per Imperial County Land Use Ordinance (Title 9).

The proposed project would include the amendment of Conditional Use Permit (CUP) #23-0030 to allow for 2 existing water wells and an additional 3rd water well to operate under the CUP, with no change to the 92,000 gallons per day, 365 days a year in water allotment already allowed in CUP #23-0030.

Salton City SWS (SWIS No. 13-AA-0011)
Draft IS/MND
April 17, 2025

COMMENTS

Solid Waste Regulatory Oversight

The Imperial County Public Health Department, Environmental Health Services is the Local Enforcement Agency (LEA) for Imperial County and responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting. Please contact the LEA, Alphonso Andrade, at (442) 265-1888 or alphonsoandrade@co.imperial.ca.us to discuss the regulatory requirements for the proposed project.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the Final MND and in carrying out their responsibilities in the CEQA process.

CalRecycle staff request copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff request 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.324.0393 or by e-mail at gina.weber@calrecycle.ca.gov.

Sincerely,



Gina Weber, Environmental Scientist
Permitting & Assistance Branch – South Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Benjamin Escotto, CalRecycle
Alphonso Andrade, LEA
Jorge Perez, LEA

Luis Bejarano

From: Jill McCormick <historicpreservation@quechantribe.com>
Sent: Tuesday, March 18, 2025 12:36 PM
To: Aimee Trujillo; ICPDSCommentLetters
Subject: Re: [EXTERNAL]:Notice of Intent - CUP24-0018/IS24-0028

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

Good afternoon,
This email is to inform you that the Historic Preservation Office does not wish to comment on this project.

Jill

H. Jill McCormick, M.A.
Historic Preservation Office
Ft. Yuma Quechan Indian Tribe
P.O. Box 1899
Yuma, AZ 85366-1899
Office: 760-919-3631
Cell: 928-920-6521



From: Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>
Sent: Tuesday, March 18, 2025 10:08 AM
To: Antonio Venegas <AntonioVenegas@co.imperial.ca.us>; Ashley Jauregui <AshleyJauregui@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Belen Leon-Lopez <BelenLeon-Lopez@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Jesus Ramirez <JesusRamirez@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Marco Topete <marcotopete@co.imperial.ca.us>; Sheila Vasquez-Bazua <sheilavasquezbazua@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; David Lantzer <davidlantzer@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; Veronica Atondo <VeronicaAtondo@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; dvargas@iid.com <dvargas@iid.com>; marcuscuerdo@campo-nsn.gov

<marcuscuero@campo-nsn.gov>; jmesa@campo-nsn.gov <jmesa@campo-nsn.gov>; Jill McCormick <historicpreservation@quechantribe.com>; Tribal Secretary <tribalsecretary@quechantribe.com>
Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Luis Bejarano <luisbejarano@co.imperial.ca.us>; Adriana Ceballos <adrianaceballos@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Allison Galindo <allisongalindo@co.imperial.ca.us>; Kamika Mitchell <kamikamitchell@co.imperial.ca.us>; Kayla Henderson <kaylahenderson@co.imperial.ca.us>; Marsha Torres <marshatorres@co.imperial.ca.us>; Olivia Lopez <olivialopez@co.imperial.ca.us>; Valerie Grijalva <valeriegrijalva@co.imperial.ca.us>
Subject: [EXTERNAL]:Notice of Intent - CUP24-0018/IS24-0028

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

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 **Conditional Use Permit #24-0018 Initial Study #24-0028 (Burrtec Waste Industries, Inc.)**

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

<https://www.icpds.com/assets/hearings/Burrtec-Waste-Industries-EEC-Original-Hearing-Pkg.pdf>

Should you have any questions regarding this project, please feel free to contact Luis Bejarano Planner I at (442)265-1736 or at luisbejarano@co.imperial.ca.us

Thank you,

Aimee Trujillo

Office Technician

Imperial County Planning & Development Services

801 Main Street

El Centro, CA 92243

(442) 265-1736

(442) 265-1735 (Fax)

aimeetrujillo@co.imperial.ca.us

