

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE September 24, 2025

FROM: PLANNING AND DEVELOPMENT SERVICES

AGENDA TIME 9:00 AM / No.4.

PROJECT TYPE: Conditional Use Permit #25-0007
Don Whitacre SUPERVISOR DIST: #2
LOCATION: 915 Mesquite Rd APN: 033-405-012-000
Ocotillo, CA 92259 PARCEL SIZE: +/-1.72-AC
GENERAL PLAN (existing) Ocotillo/Nomirage Community Area Plan GENERAL PLAN (proposed) N/A
ZONE (existing) R-1 (Low Density Residential Zone) ZONE (proposed) N/A

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 09-24-2025

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 08-14-2025
INITIAL STUDY: #25-0017

☒ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

Imperial Irrigation District

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 NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED BY THE ENVIRONMENT EVALUATION COMMITTEE (EEC) ON AUGUST 14, 2025; AND,
2. APPROVE THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS, FOR CONDITIONAL USE PERMIT (CUP) #25-0007, SUBJECT TO ALL THE CONDITIONS AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CONDITIONAL USE PERMIT UPON RECEIPT FROM THE PERMITTEE.

STAFF REPORT
Planning Commission
September 24, 2025
Conditional Use Permit (CUP) #25-0007

Applicant/Owner: Don Whitacre
9696 Quail Canyon Rd
El Cajon, CA 92021

Project Location:

The proposed project is located at 915 Mesquite Road within the Ocotillo/Nomirage Community Plan area. The property is legally described as LOT 36 NOMIRAGE SUB T16/161/2S R10E of the San Bernardino Base and Meridian, located in the unincorporated town site of Ocotillo (Supervisory District #2) of the County of Imperial, State of California. The property is also known as Assessor's Parcel Number (APN) 033-405-012-000 and is 1.72 acres.

Project Summary:

The proposed project site is located on a vacant parcel zoned as R-1 (Low Density Residential Zone) within a residential zoned area and surrounded by other properties already impacted by ongoing residential uses. Parcels are zoned R-1 (Low Density Residential Zone) on the North, East and West; parcels are zoned GS (Government/Special Public) on the South. The applicant, Don Whitacre is proposing to construct and operate a new residential water well to supply a future 50ft x 50ft barndominium home with a projected maximum annual water extraction of one (1) acre-foot per year.

Land Use Analysis:

Per Imperial County's General Plan, the land use designation for this project is Ocotillo/Nomirage Community Area Plan and is zoned as R-1 (Low Density Residential Zone) per Zoning Map #59 of the Imperial County Title 9 Land Use Ordinance. Pursuant to the Ocotillo/Nomirage Community Area Plan, Section D-Water/Sewer, the entire planning area is dependent on groundwater. Per County's Land Use Ordinance (Title 9), Division 12-Water Well Regulations, water wells are allowed with an approved Conditional Use Permit (CUP) in an R-1 (Low Density Residential) zone. The proposed project is consistent with the County's General Plan, County's Land Use Ordinances (Title 9) and with the Ocotillo/Nomirage Community Area Plan.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Vacant	R-1	Ocotillo/Nomirage Community Area Plan
North	Residential	R-1	Ocotillo/Nomirage Community Area Plan
South	Vacant	GS	Ocotillo/Nomirage Community Area Plan
East	Residential	R-1	Ocotillo/Nomirage Community Area Plan
West	Residential	R-1	Ocotillo/Nomirage Community Area Plan

Environmental Determination:

On August 14, 2025, the Environmental Evaluation Committee (EEC) determined that Conditional Use Permit (CUP) #25-0007 for the construction and operation of a new residential water well to supply a future 50ft x 50ft foot metal barndominium home with a projected maximum annual water extraction of one (1) acre-foot per year would not have a significant effect on the environment and recommended a Negative Declaration (ND) to be prepared.

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 August 19, 2025, the public notice for the Negative Declaration was filed with the Imperial County Clerk-Recorder, posted and circulated for a 30-day comment period from 08/19/2025 to 09/17/2025. All Comments were received, reviewed and 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 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 August 14, 2025; and,

2. Approve the attached resolution and supporting findings for Conditional Use Permit (CUP) #25-0007, subject to all the conditions and authorize the Planning & Development Services Director to sign the Conditional Use Permit upon receipt from the permittee.

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



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



APPROVED BY: Jim Minnick, Director
Planning & Development Services

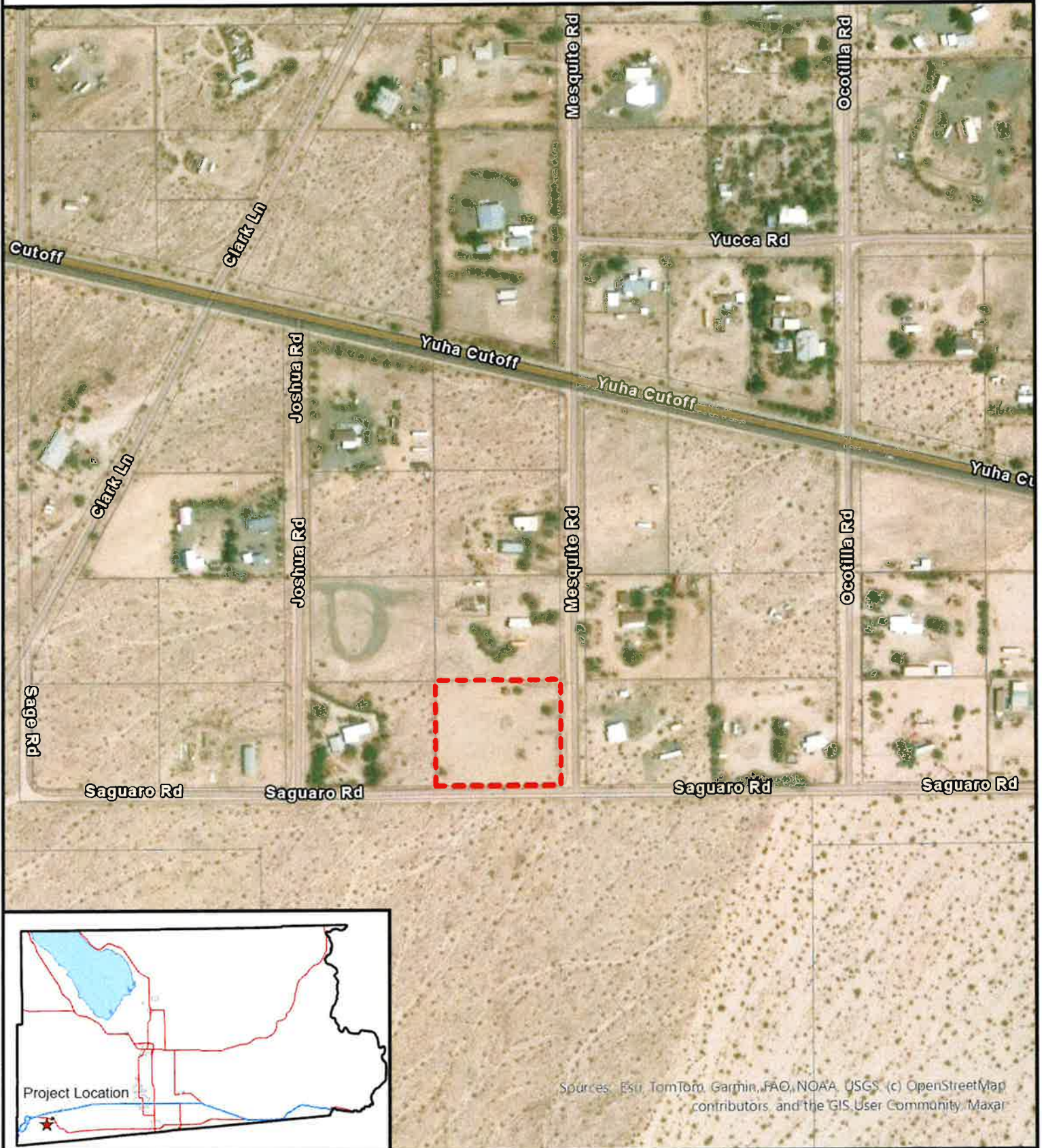


ATTACHMENTS: A. Vicinity Map
B. Site Plan
C. CEQA Resolutions
D. Planning Commission Resolutions
E. CUP #25-0007 - Conditions of Approval
F. EEC Package
G. NOI Comment Letters

S:\AllUsers\APN\033\250\074\CUP22-0019\PC\Staff Report\Staff Report CUP22-0019.docx

ATTACHMENT “A” VICINITY MAP

PROJECT LOCATION MAP



Don Whitacre
CUP #25-0007
IS #25-0017
APN# 033-405-012

-  Project Location
-  Parcels
-  Centerline



ATTACHMENT “B” SITEPLAN

12/1/2023	12
12/1/2023	12



DAYWOOD
DESIGNS

WHITACRE "BARNDOMINIUM"
815 MESQUITE RD., OCOTILLO, CA 92259

1	13
1	13

BMP LEGEND

1. MATERIALS & WASTE MANAGEMENT CONTROL BMPs

- 1201.1 EROSION CONTROL
- 1201.2 SLOPE PROTECTION
- 1201.3 CONSTRUCTION EROSION CONTROL
- 1201.4 CONSTRUCTION EROSION CONTROL
- 1201.5 CONSTRUCTION EROSION CONTROL
- 1201.6 CONSTRUCTION EROSION CONTROL
- 1201.7 CONSTRUCTION EROSION CONTROL
- 1201.8 CONSTRUCTION EROSION CONTROL
- 1201.9 CONSTRUCTION EROSION CONTROL
- 1201.10 CONSTRUCTION EROSION CONTROL

2. WATER QUALITY CONTROL BMPs

- 2201.1 FERTILIZER CONTROL
- 2201.2 PESTICIDE CONTROL
- 2201.3 FERTILIZER CONTROL
- 2201.4 PESTICIDE CONTROL
- 2201.5 FERTILIZER CONTROL
- 2201.6 PESTICIDE CONTROL
- 2201.7 FERTILIZER CONTROL
- 2201.8 PESTICIDE CONTROL
- 2201.9 FERTILIZER CONTROL
- 2201.10 PESTICIDE CONTROL

3. AIR QUALITY CONTROL BMPs

- 3201.1 DUST CONTROL
- 3201.2 DUST CONTROL
- 3201.3 DUST CONTROL
- 3201.4 DUST CONTROL
- 3201.5 DUST CONTROL
- 3201.6 DUST CONTROL
- 3201.7 DUST CONTROL
- 3201.8 DUST CONTROL
- 3201.9 DUST CONTROL
- 3201.10 DUST CONTROL

4. SOIL EROSION CONTROL BMPs

- 4201.1 SOIL EROSION CONTROL
- 4201.2 SOIL EROSION CONTROL
- 4201.3 SOIL EROSION CONTROL
- 4201.4 SOIL EROSION CONTROL
- 4201.5 SOIL EROSION CONTROL
- 4201.6 SOIL EROSION CONTROL
- 4201.7 SOIL EROSION CONTROL
- 4201.8 SOIL EROSION CONTROL
- 4201.9 SOIL EROSION CONTROL
- 4201.10 SOIL EROSION CONTROL

5. FLOOD CONTROL BMPs

- 5201.1 FLOOD CONTROL
- 5201.2 FLOOD CONTROL
- 5201.3 FLOOD CONTROL
- 5201.4 FLOOD CONTROL
- 5201.5 FLOOD CONTROL
- 5201.6 FLOOD CONTROL
- 5201.7 FLOOD CONTROL
- 5201.8 FLOOD CONTROL
- 5201.9 FLOOD CONTROL
- 5201.10 FLOOD CONTROL

6. LANDSCAPE BMPs

- 6201.1 LANDSCAPE BMP
- 6201.2 LANDSCAPE BMP
- 6201.3 LANDSCAPE BMP
- 6201.4 LANDSCAPE BMP
- 6201.5 LANDSCAPE BMP
- 6201.6 LANDSCAPE BMP
- 6201.7 LANDSCAPE BMP
- 6201.8 LANDSCAPE BMP
- 6201.9 LANDSCAPE BMP
- 6201.10 LANDSCAPE BMP

7. OTHER BMPs

- 7201.1 OTHER BMP
- 7201.2 OTHER BMP
- 7201.3 OTHER BMP
- 7201.4 OTHER BMP
- 7201.5 OTHER BMP
- 7201.6 OTHER BMP
- 7201.7 OTHER BMP
- 7201.8 OTHER BMP
- 7201.9 OTHER BMP
- 7201.10 OTHER BMP

LEGAL DESCRIPTION

OWNER: [Name]
LOT: [Number]
ACRES: [Value]
ZONE: [Code]
LOT SIZE: 172 ACRES, 75,000 SQ. FT.

SCOPE OF WORK

[List of work items]

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REQUIRED SPECIAL FEATURES

[List of special features]

KEY NOTES

[List of key notes]

DEFERRED SUBMITTAL

[List of deferred submittals]

REQUIRED SPECIAL FEATURES

[List of special features]

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[List of special features]

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[List of key notes]

DEFERRED SUBMITTAL

[List of deferred submittals]

ATTACHMENT “C” CEQA RESOLUTIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” (INITIAL STUDY #25-0017) FOR CONDITIONAL USE PERMIT #25-0007.

WHEREAS, on August 1, 2025, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for August 14, 2025; and,

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

WHEREAS, on August 14, 2025, the Environmental Evaluation Committee heard the project and recommended to the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit #25-0007; and

WHEREAS, the Negative Declaration was circulated for 30 days from August 19, 2025 to September 17, 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 Negative Declaration (ND) prior to approval of Conditional Use Permit #25-0007. The Planning Commission finds and determines that the Negative Declaration is adequate and was prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations.

1. That the recital set forth herein are true, correct, and valid; and
2. That the Planning Commission has reviewed the attached Negative Declaration (ND) for Conditional Use Permits #25-0007 and considered the information contained in the Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit; and
3. That the Negative Declaration reflects the Planning Commission’s independent judgment and analysis.

NOW, THEREFORE, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Negative Declaration for Conditional Use Permit #25-0007.

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

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on September 24, 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 #25-0007 (DON WHITACRE) FOR A RESIDENTIAL WATER WELL PROJECT

WHEREAS, Don Whitacre has submitted an application for Conditional Use Permit #25-0007 for the construction and operation of a new residential water well.

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

WHEREAS, the Planning Commission of the County of Imperial has been delegated with the responsibility of 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 September 24, 2025; and,

WHEREAS, on August 14, 2025, the Environmental Evaluation Committee heard the proposed project and recommended the Planning Commission Adopt the Negative Declaration; and,

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

SECTION 1. The Planning Commission has considered Conditional Use Permit #25-0007 and Conditions of Approval prior to approval; the Planning Commission finds and determines that the Conditional Use Permit and Conditions of Approval are adequate and prepared in accordance with the requirements of the Imperial County General Plan and Land Use Ordinance, and the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning Law and the County of Imperial, the following findings for the approval of Conditional Use Permit #25-0007 have been made:

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

The subject property is designated as "Low Density Residential" according to the Ocotillo/Nomirage Community Area Plan per Imperial County's General Plan Land Use Element, and it is currently zoned "R-1" (Low Density Residential Zone) per Zoning Map #59 of the Imperial County Title 9 Land Use Ordinance. The proposed project is therefore, consistent with the County

General Plan and Land Use Ordinance, Division 2, Section 90203.01 "Conditional Use Permit" which authorizes a domestic water well (less than 1.5 acre feet/year), upon and for the use by a single parcel, and for domestic use only through a Conditional Use Permit when approved by the County. The proposed project is for the construction and operation of a new residential water well and is a conditionally permitted use pursuant to County's Land Use Ordinance (Section 92102.00).

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

The Project is consistent with the purpose of the zone it is located within. The proposed water well will be used for residential use as identified in the project application. Division 21 of the Imperial County Land Use Ordinance regulates water wells. The proposed use is considered a compatible use with a Conditional Use Permit pursuant to the Water Well Regulation (Land Use Ordinance, Section 92102.00).

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

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

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

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

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

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

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

The project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to Condition of Approval under CUP#25-0007 and current Federal, State, and Local regulations.

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

The use of the proposed water well is a permitted use subject to the conditions of approval of CUP #25-0007 (Land Use Ordinance, Section 92102.00) and will not grant any special privileges.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #25-0007 subject to the Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on **September 24, 2025** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

**ATTACHMENT “E” CUP#25-0007 CONDITIONS
OF APPROVAL**

25 Recorded Requested by and
When Recorded Return To:

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

**AGREEMENT FOR CONDITIONAL USE PERMIT #25-0007
DON WHITACRE RESIDENTIAL WATER WELL
Planning Commission Approved Conditions (X/X/2025)
Effective Date (X/X/2025)**

Conditional Use Permit #25-0007 was approved by the Imperial County ☒ Planning Commission ☐ Board of Supervisors and has the Effective Date of (MONTH DAY YEAR). This Conditional Use Permit is by and between Don Whitacre (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 on 915 Mesquite Road, Ocotillo, CA and further described as Lot 36 Nomirage SUB T16/161/2S R10E, SBBM, Assessor's Parcel Number (APN) 033-405-012-000.

WHEREAS, Permittee has applied to the County to construct, drill and operate a water well for residential use to supply a future 50ft x 50ft barndominium home with a projected maximum annual water extraction of one (1) acre foot of water per year;

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.

1 **WHEREAS**, the County, after a noticed public hearing, agreed to issue Conditional
2 Use Permit #25-0007 to Permittee, and/or his or her successor in interest subject to the
3 following conditions:
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6 **GENERAL CONDITIONS:**

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

12 **G-1 GENERAL LAWS:**

13 The Permittee shall comply with any and all local, state, and/or federal laws, rules,
14 regulations, ordinances, and/or standards as they may pertain to this project whether
15 specified herein or not.

16 **G-2 EFFECTIVE DATE:**

17 The approved Conditional Use Permit shall not become effective until all of the occurs:
18 (a.) The passage of ten (10) calendar days after the decision of the Planning Director or
19 Commission; and (b.) the applicable Conditional Use Permit conditions have been met;
20 and (c.) the Conditional Use Permit is recorded by the Permittee or its agent with the
21 County Recorder, with the payment of recording fees by applicant or its agent; and (d.) In
22 the case of a decision by the Board of Supervisors there is no 10-day appeal.

23 **G-3 PERMIT/LICENSE:**

24 Permittee shall obtain any and all permits, licenses, and/or approvals, for the construction
25 and/or operation of this project. This shall include, but shall not be limited to, County
26 Division of Environmental Health Services (EHS), Planning & Development Services
27 Department, Fire/Office of Emergency Services (OES), Colorado River Board of
28 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(s) and/or licenses to the Planning &
Development Services Department within 60-days of receipt, including
amendments or alternatives thereto.

G-4 ABANDONMENT:

If a CUP has been unused, abandoned, discontinued, or ceased for one (1) year, the CUP shall be null and void, and be of no effect. Notice to applicant/permittee under this division will not be required or provided by the department.

G-5 RECORDATION:

This permit shall not be effective until it is recorded at the Imperial County Recorders 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-6 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-7 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 (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.

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2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. The applicant shall be fully responsible for all costs incurred. The applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

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G-8 RIGHT OF ENTRY:

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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.

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G-9 INSURANCE:

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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.

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G-10 SEVERABILITY:

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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.

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G-11 PROVISION TO RUN WITH LAND:

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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-12 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-13 TIME LIMIT:

Unless otherwise specified within the project's specific conditions **this CUP shall be limited to a maximum of five (5) years from the Effective Date of the CUP.** The CUP may be administratively extended for five (5) successive years 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 an applicable land use regulation(s) and extension fees of the County of Imperial Unless specified otherwise herein no CUP 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 of this CUP 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-14 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-15 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-16 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-17 SPECIFICITY:

The issuance of this CUP 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-18 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-19 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.

G-20 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, the 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-21 MINOR AMENDMENTS:

The Planning Director may approve minor changes or administrative extensions, as requested in writing by the Permittee, provided it does not result in additional environmental impacts and/or are generally procedural or technical and/or which may be necessary to comply with other government permit compliance requirements.

G-22 PERMITS OF OTHER AGENCIES INCORPORATED:

Permits granted by other governmental agencies in connection with the Project are incorporated herein by reference. The County reserves the right to apply conditions of those permits, as the County deems appropriate; provided, however, that enforcement of a permit granted by another governmental agency shall require concurrence by the respective agency. The Permittee shall provide to the County, upon request, copies and amendments of all such permits.

G-23 APPROVALS AND CONDITIONS SUBSEQUENT TO GRANTING PERMIT:

Permittee acceptance of this CUP shall be deemed to constitute agreement with the terms and conditions contained herein. Where a requirement is imposed in this CUP that Permittee conduct a monitoring program, and where the County has reserved the right to impose or modify conditions with which the Permittee must comply based on data obtained therefrom, or where the Permittee is required to prepare specific plans for County approval and disagreement arises, the Permittee, operator and/or agent, the Planning and Development Services Director or other affected party, to be determined by the Planning and Development Services Director, may request that a hearing be conducted before the Imperial County Planning Commission whereby they may state the requirements which will implement the applicable conditions as intended herein. Upon receipt of a request, the Planning Commission shall conduct a hearing and make a written determination. The Planning Commission may request support and advice from a technical advisory committee. Failure to take any action shall constitute endorsement of staff's determination with respect to implementation.

(TOTAL "G" CONDITIONS are 23)

This space intentionally left blank.

WATER WELL SPECIFIC CONDITIONS

S-1 WATER WELL AND USAGE:

This permit allows the Permittee to construct and operate a water well to extract a maximum of one (1) acre-foot of groundwater annually for residential use. Exceeding the amount of water specified herein will result in the Planning and Development Services Department taking action to rescind the Conditional Use Permit 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 and used for purposes other than 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.

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 follow :)

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 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 Ordinance. This Ordinance was enacted by the Board of Supervisors on for the purpose of preserving 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).

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(TOTAL "S" CONDITIONS are 9)

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1 **NOW THEREFORE**, County hereby issues Conditional Use Permit #25-0007 and
2 Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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

6
7 **PERMITTEE :**

8
9 By _____
10 Don Whitacre

Date

11 **COUNTY OF IMPERIAL**, a political subdivision of the STATE OF CALIFORNIA:
12

13
14 By: _____
15 James A. Minnick, Director
16 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

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 paragraph is true and correct.

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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 _____

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ATTACHMENT “F” EEC PACKAGE

PROJECT REPORT

**TO: ENVIRONMENTAL EVALUATION
COMMITTEE**

AGENDA DATE: August 14, 2025

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM/ No. 1

PROJECT TYPE: CUP #25-0007
Don Whitacre SUPERVISORY DISTRICT #2
LOCATION: 915 Mesquite Road APN: 033-405-012-000
Ocotillo, CA 92259 PARCEL SIZE: +/- 1.72 acres

GENERAL PLAN (existing) Ocotillo/Nomirage
Community Area Plan GENERAL PLAN (proposed) N/A

ZONE (existing) R-1(Low Density Residential Zone) 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

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 08/14/2025

INITIAL STUDY: #25-0017

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

☐ NONE
☐ NONE
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☒ ATTACHED
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Imperial Irrigation District

REQUESTED ACTION:

(See Attached)

Planning & Development Services **EEC ORIGINAL PKG**
801 MAIN ST., EL CENTRO, CA 92243 442-265-1736
(Jim Minnick, Director)

LV:S:\AllUsers\APN\033\405\012\CUP25-0007\EEC\CUP25-0007 IS 25-0017 PROREP.docx

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

*Initial Study & Environmental Analysis
For:*

**Conditional Use Permit #25-0007
Initial Study #25-0017
Don Whitacre**



Prepared By:

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

August 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 #25-0007, where the intent of the project is to construct and operate a domestic water well for a future 50 x 50 metal barndominium home with a projected maximum annual water extraction of one (1) acre foot. For purposes of this document, the abovementioned project will be called the "proposed application". (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.

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

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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. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

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

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

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II. Environmental Checklist

1. **Project Title:** Conditional Use Permit #25-0007 for Don Whitacre/Initial Study #25-0017
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Luis Valenzuela, Planner II, (442) 265-1736, ext. 1749
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** luisvalenzuela@co.imperial.ca.us
6. **Project location:** The location of the proposed project is at 915 Mesquite Road, Ocotillo, CA, property identified under Assessor's Parcel Number (APN) 033-405-012-000 and legally described as LOT 36 NOMIRAGE SUB T16/161/2S R10E, in an unincorporated area of the County of Imperial. See Exhibit "A" Vicinity Map.
7. **Project sponsor's name and address:** Don Whitacre
9696 Quail Canyon Rd, El Cajon, CA 92021
8. **General Plan designation:** Ocotillo/Nomirage Community Area Plan
9. **Zoning:** R-1 (Low Density Residential Zone)
10. **Description of project:** The applicant is proposing to construct and operate a new residential water well to supply a future 50 x 50-foot metal bamdominium home with a projected maximum annual water extraction of one (1) acre-foot per year.
11. **Surrounding land uses and setting:** The project site is surrounded by parcels zoned as R-1 (Low Density Residential Zone) on the North, West, East and GS (Government/Special Public) on the South.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): A) Planning Commission
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.?**

The Quechan Indian Tribe and the Campo Band of Mission Indians were contacted and invited to participate in the AB-52 Consultation and Request for Review and Comments as part of the Initial Study review process for a period of time between May 19, 2025, and June 17, 2025. Both the Quechan Indian Tribe and the Campo Band of Mission Indians had no comments on Conditional Use Permit #25-0007.

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.

EEC ORIGINAL PKG

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
☒
☒
☒
☒
☒
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NO
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ABSENT
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for 
Jim Minnick, Director of Planning/EEC Chairman

Date:

8-14-2025

EEC ORIGINAL PKG

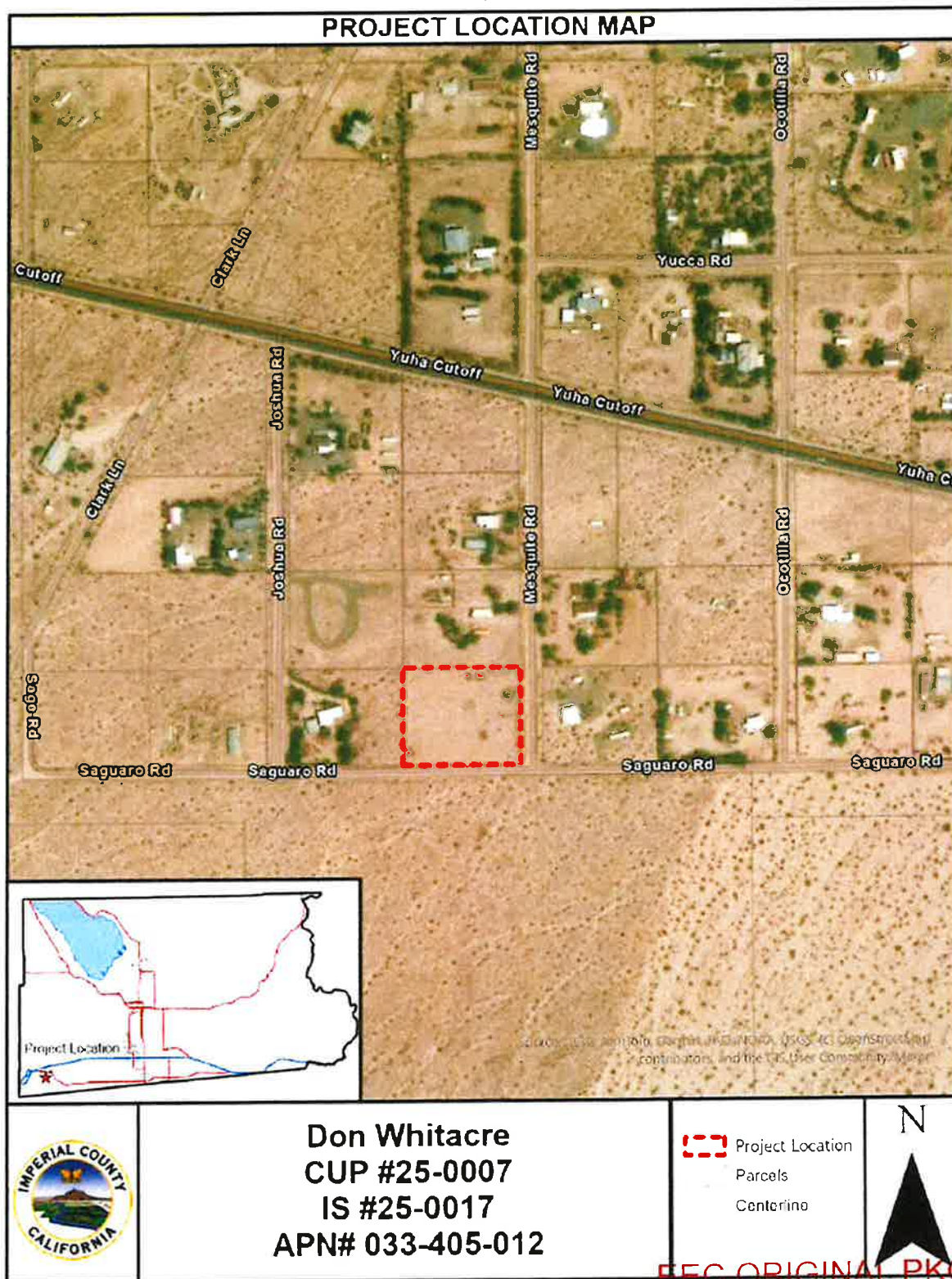
PROJECT SUMMARY

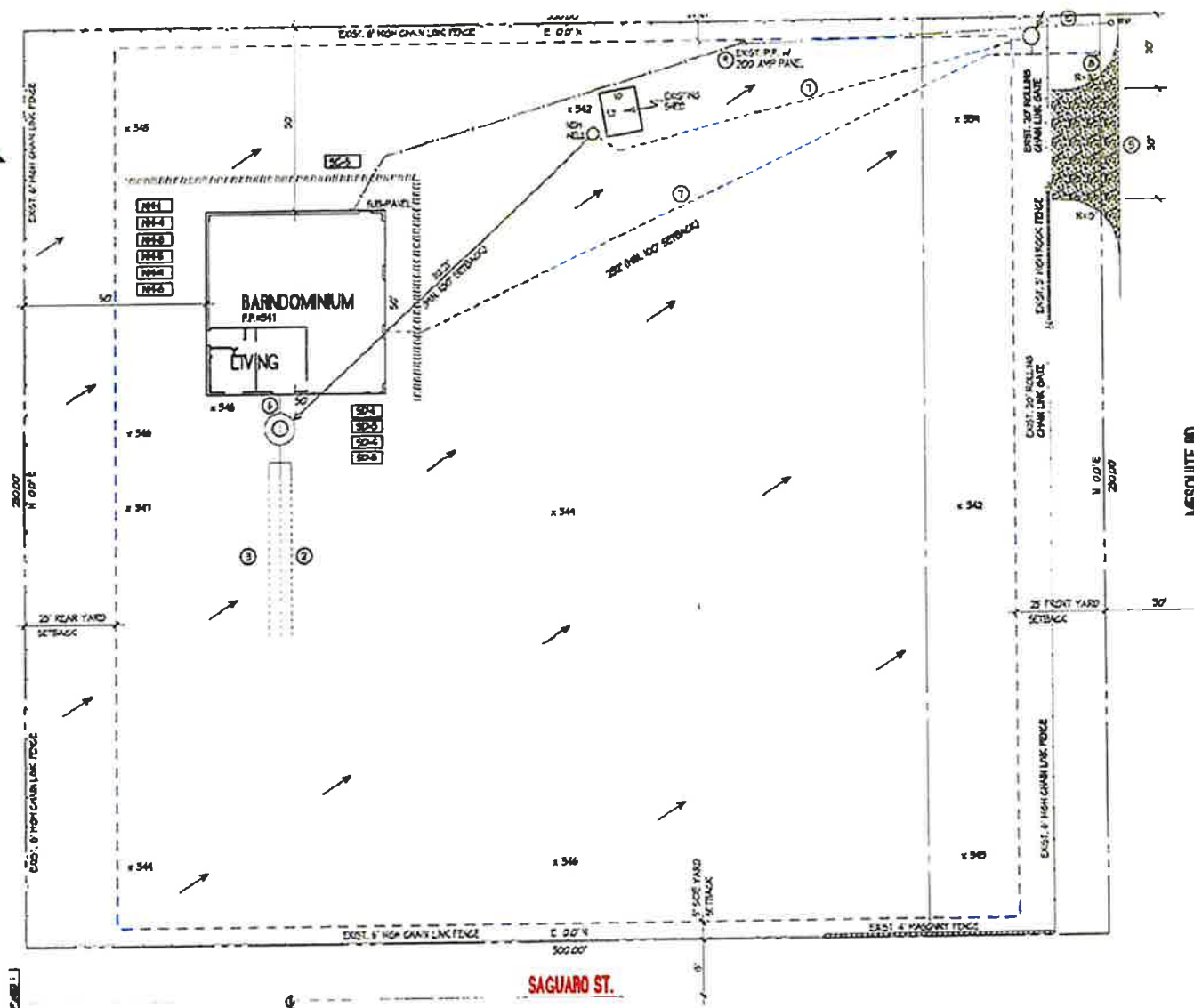
- A. **Project Location:** The location of the proposed project is at 915 Mesquite Road, Ocotillo, CA, property identified under Assessor's Parcel Number (APN) 033-405-012-000 and legally described as LOT 36 NOMIRAGE SUB T16/161/2S R10E, in an unincorporated area of the County of Imperial. See Exhibit "A" Vicinity Map.
- B. **Project Summary:** The applicant is proposing to construct and operate a new residential water well to supply a future 50 x 50-foot metal barndominium home with a projected maximum annual water extraction of one (1) acre-foot per year.
- C. **Environmental Setting:** The proposed project is located within an area surrounded by already developed parcels with existing residential uses. The proposed project site is relatively flat terrain with native desert landscape and sand located on Mesquite Road, bounded to the north by State Hwy 98. The City of San Diego is located approximately 65 miles west of the proposed project site and approximately 1.5 miles north of the Kumeyaay Highway (I-8).
- D. **Analysis:** Under the Land Use Element of the Imperial County General Plan, the project site is designated as "Residential" per the Ocotillo/Nomirage Community Area Plan. It is classified as R-1 (Low Density Residential Zone) per Zone Map #59 of the Imperial County Land Use Ordinance (Title 9). Initial Study #25-0017 will analyze any impacts related with the proposed project. Pursuant to the Ocotillo/Nomirage Community Area Plan, Section (II)(D), the entire planning area is dependent on groundwater.
- E. **General Plan Consistency:** The proposed project site is located within the County's General Plan designation of "Residential" per the Ocotillo/Nomirage Community Plan Area. The site is currently zoned as R-1 (Low Density Residential Zone). The proposed project is consistent with the General Plan and County Land Use Ordinance (Title 9) Division 5, Section §90203.01 (A)(2) since a Conditional Use Permit has been applied for the water well pursuant to Division 21, Section §92102.01 of the aforementioned title.

EEC ORIGINAL PKG

Exhibit "A" Vicinity Map

PROJECT LOCATION MAP





Imperial County Planning & Development Services Department
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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

EEC ORIGINAL PKG

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

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

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Have a substantial adverse effect on a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | a) The project site is not located near a scenic highway per the Imperial County Circulation and Scenic Highway Element¹. The roads surrounding the parcel do not meet the scenic highway criteria found on the California Scenic Highway Program²; therefore, no impacts are expected to occur. | | | | |
| 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) There are no scenic resources surrounding the project site; therefore, 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 proposed project would not modify the existing visual character of the site nor its surroundings since it consists of a domestic water well and no physical changes are being proposed; therefore, 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 application does not include any proposals for new sources of light or glare; 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) According to the California Department of Conservation Farmland Mapping and Monitoring Program (2018), the project site is designated as "Area Not Mapped"³. Therefore, the proposed project will not convert any type of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impacts are expected. | | | | |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | b) The County of Imperial has no current active Williamson Act contracts; therefore, the proposed project is not expected to conflict with existing zoning for agricultural use, or a Williamson Act Contract. No Impacts 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 by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

¹ Imperial County General Plan Circulation and Scenic Highways Element, page 30

² Imperial County General Plan Circulation and Scenic Highways Element, pages 80-108

³ California Department of Conservation Farmland Mapping <https://maps.conservation.ca.gov/DLRP/CIFF/>

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) Per Imperial County General Plan Land Use Map ⁴ , the proposed project site is located within the "Ocotillo/Nomirage Community Area Plan" ⁴ with no forest land on its vicinity and surroundings; therefore, it is not expected to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 5114(g)). No impacts are expected.				
d) Result in the loss of forestland or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) As previously stated, the project site is not within or close to any forest land; therefore, no impacts would occur.				
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 forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) As previously stated under item (II)(c), the proposed project site is located within the "Ocotillo/Nomirage Community Plan" ⁵ per Imperial County General Plan Land Use Map ⁴ , and zoned as R-1(Low Density Residential Zone). Additionally, there are no existing farmland or forestland on or in the immediate vicinity. Development of the proposed project would not result in the loss or conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, 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? ☐ ☐ ☒ ☐
a) The proposed project is for the construction and operations of a residential water well to supply a future home, and it is not expected to conflict with or obstruct implementation of the applicable air quality plan. Per Imperial County Air Pollution Control District's comment letter⁵ dated May 30, 2025, all construction activities must adhere to Regulation VIII, which is a collection of rules, designed to limit emissions of fugitive dust to 20% opacity. To be compliant with the Air District rules, prior to commencing drilling of the well the applicant will need to submit a construction notification to the Air District. Adherence and compliance with ACPD's rules and regulations 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? ☐ ☐ ☒ ☐
b) As previously stated under item (III)(a) above, the water well construction shall comply with the rules and regulations of the Imperial County Air Pollution Control District, therefore, it is not expected that the proposed project would substantially contribute to an existing or projected air quality violation. Therefore, any impacts are expected to be less than significant.
- c) Expose sensitive receptors to substantial pollutants concentrations? ☐ ☐ ☒ ☐
c) The proposed project is not expected to expose sensitive receptors to substantial pollutants concentrations during the construction of the residential water well. However, any exposure would be temporary and would be lessened by adhering to Air Pollution Control District's rules and regulations. Compliance with APCD's requirements would bring any impact to less than significant.
- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? ☐ ☐ ☒ ☐
d) The proposed project is for the construction and operation of a residential water well to supply a future home and does not anticipate creating objectionable odors that would adversely affect a substantial number of people. Although some pollutants may be emitted during construction activities and as previously stated on item (III)(a) above, compliance with ACPD's Regulation VIII and adherence to the California Building Code would bring any impacts to less than significant.

⁴ "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993;

⁵ Ocotillo/Nomirage Community Area Plan

<https://www.icpds.com/assets/planning/community-plans/ocotillo-nomirage-community-area-plan.pdf>

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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 proposed project location is within a residential zoning area with nearby properties already impacted by ongoing residential uses and wind energy operations. According to the Imperial County General Plan's Conservation and Open Space Element⁶, Figure 1 "Sensitive Habitat Map 6a," the project is not located within a sensitive habitat area. Additionally, in accordance to Figure 2 "Sensitive Species Map 6b," the project is located within the Flat-tailed Horned Lizard Species Distribution Model area. However, the proposed project does not expect to have any substantial physical changes to the environment as the proposed construction is to take place below ground level. Consequently, it does not appear to have a substantially adverse effect, either directly or through habitat modification, or to any species identified as a candidate, sensitive, or of special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service. Any future developments on site, the applicant shall contact ICPDS; therefore, any impacts are expected to be 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) According to the Imperial County General Plan's Conservation and Open Space Element⁶, the project site is not within a sensitive or riparian habitat, or on other sensitive natural community. Additionally, the designated residential use is proposed to remain; therefore, it does not appear to have a substantial effect in local regional plans, policies, and regulations with respect to sensitive natural communities or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Any impacts are expected to be 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) According to the National Wetlands Inventory: Surface Waters and Wetlands Map 7, the proposed project is not located within a riparian habitat, and which will not cause a substantial adverse effect on federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Any impacts are expected to be 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) The proposed project site is located on a vacant parcel zoned as R-1 (Low Density Residential Area Zone) with an area of approximately ±1.72 acres adjacent to other parcels with same zone with existing residential uses. As previously stated on item (IV)(b) above, the project site is not located within a Sensitive Habitat; therefore, it would not 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. Any impacts are expected to be less than significant.				
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The proposed project does not conflict with any local policy or ordinance protecting biological resources, such as tree preservation policies or ordinances. No impacts are expected.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The proposed project site is not located within a designated sensitive area according to the Imperial County General Plan's Conservation and Open Space Element 6;				

⁶ Imperial County General Plan: Conservation and Open Space Element <https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>

⁷ National Wetlands Inventory: Surface Waters and Wetlands Map <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

EEC ORIGINAL PKG

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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therefore, it would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Any impacts are expected 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) According to the Imperial County General Plan's Conservation and Open Space Element 8, Figure 5, the project site is not located within an "Area of Heightened Historic Period Sensitivity 6c." Although the proposed project site is located within a Native American Sacred Site in accordance to Figure 6, "Known Areas of Native American Cultural Sensitivity, 6d" on May 19, 2025, the County sent Assembly Bill 52 consultation letters to the Quechan and Campo Band of Mission Indian Tribes in reference to the proposed domestic water well project with no comments received from both Tribes to this date. Any impacts are 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 previously stated, it was found that the site location is in any "Known Areas of Native American Cultural Sensitivity", the proposed project is for the construction of a domestic water for a future barndominium; and does not anticipate causing a substantial adverse change to any archeological resource. Additionally, as previously mentioned on item (V)(a), on May 19th, 2025, the County sent Assembly Bill 52 consultation letters to the Quechan and Campo Band of Mission Indian Tribes in reference to the proposed project with no comments received from both tribes to this date. Any impacts are expected to be less than significant.
- c) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☐ ☒ ☐
c) There are no known cemeteries on or surrounding the project site, therefore, the proposed project would not disturb any human remains, including those interred outside of dedicated cemeteries. Additionally, as previously mentioned on item (V)(a), on May 19th, 2025, the County sent Assembly Bill 52 consultation letters to the Quechan and Campo Band of Mission Indian Tribes in reference to the proposed project with no comments received from both tribes to this date. Any impacts are expected to be 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 proposed project is for the construction and operation of a residential water well to supply a future home with no changes to the existing zoning, which is currently residential; therefore, it will not result in potentially significant environmental impact due to wasteful, insufficient, or unnecessary consumption of energy resources, during the project construction or operation. Any developments would require compliance with the latest edition of the California Building Code and a new building permit application with the Imperial County Planning and Development Services Department. Additionally, per comment letter received from the Imperial Irrigation District dated May 28, 2025, if any temporary and/or permanent electrical service for the project is required, the applicant should be advised to contact them. Any impacts are expected to be less than significant.
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ☐ ☐ ☒ ☐
b) As previously stated on item (VI)(a) above, the proposed project is for the construction and operation of a residential water well to supply a future home with no changes in the existing zoning. Any developments would require compliance with the latest energy efficiency and renewable energy standards and regulations. Therefore, the proposed project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Any impacts are expected to be less than significant.

8 Imperial County General Plan: Conservation and Open Space Element: c) Figure 5: Areas of Heighten Historic Period Sensitivity Map

<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>

9 Imperial Irrigation District Comment Letter Dated May 28, 2025.

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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 construction of the proposed residential water well does not appear to conflict with the geology and soils of adjacent parcels in the area. Additionally, a residential use as proposed is permitted on current zoning. Any development on the parcel will be subjected to compliance with the latest edition of the California Building Codes (CBC). Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects regarding impacts to geology and soils. 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) According to the most recent Alquist-Priolo Earthquake Fault Zoning Map 9, California Department of Conservation: Fault Activity Map 10, and the United States Geological Survey's Quaternary Faults Map 11, proposed project site is located approximately half (0.5) a mile away south of the Painted Gorge and Carrizo Mountain Quadrangle Maps. However, Imperial County is classified as Seismic Zone D per the Uniform Building Code, which requires that any development within this zone incorporates the most stringent earthquake resistant measures. Any developments will be subject to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Adherence and compliance to these standards and regulations would bring any impact to less than significant.**
- 2) Strong Seismic ground shaking? ☐ ☐ ☒ ☐
- 2) As previously stated on item (VII)(a)(1) above, the proposed project is located approximately half (0.5) a mile away south of the Painted Gorge and Carrizo Mountain Quadrangle Maps, indicating seismic ground shaking is expected. Adherence to the latest edition of the California Building Code and as well as to go through a ministerial building permit review would bring any impact to less than significant.**
- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami? ☐ ☐ ☒ ☐
- 3) The proposed project site is not located in a seiche/tsunami area per the California Tsunami Data Maps 12. Any impacts are expected to be less than significant.**
- 4) Landslides? ☐ ☐ ☒ ☐
- 4) According to Imperial County General Plan's Seismic and Public Safety Element 13, "Landslide Activity Map 13a," Figure 2, the proposed project is located within a moderate landslide activity area. The topography within the proposed project site is generally flat. However, any developments on the parcel will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Construction of the residential water well will need to comply with California Well standards and will be subjected to Division 21 (Water Well Regulations) and Division 22 (Groundwater Ordinance) of the Imperial County Land Use Ordinances (Title 9). A drill log will also be required from a California licensed well driller contractor during drilling operations. Therefore, less than significant impacts are expected.**
- b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☒ ☐
- b) According to Imperial County General Plan's Seismic and Public Safety Element 14, "Erosion Activity Map 13b," Figure 3, the proposed project is not located within an area of substantial soil erosion. Any impacts are expected to be less than significant.**

9 California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones.

10 California Department of Conservation: Fault Activity Map

11. United States Geological Survey's Quaternary Faults Map

12. California Tsunami Data Maps

13. Imperial County General Plan: Seismic and Public Safety Element

a) Figure 2: Land Slide Activity Map

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Figure 3: Erosion Activity Map				
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The proposed project site is not located on a geological unit that would become unstable or collapse as a result of the proposed water well construction. Any construction will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Adherence and compliance to these standards and regulations would bring any impact to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The proposed project is not located on an expansive soil area. However, as previously stated on section (VII)(c), any new developments will require adherence and compliance to the California Building Code, standards and regulations, as well as going through a ministerial building permit review which would bring any impacts to less than significant.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The proposed project is for the construction and operation of a new residential water well to supply a future home. The drilling and subsequent operation of the proposed water well shall comply with the requirements of Environmental Health Services and maintain the required 100ft distance from the proposed septic tank. Adherence and compliance to these standards and regulations would bring any impact to less than significant.				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The proposed project is for the construction of a new residential water well to supply a future home, which will disturb approximately 530 square feet of the 1.72-acre parcel. The proposed project does not appear to directly or indirectly destroy a unique paleontological resource or site of unique geologic feature on site as there are no known unique resources or features on site or records of. Additionally, in the event of any paleontological findings on site during construction, all work shall be stop and the Imperial Valley College Desert Museum shall be contacted to have a qualified specialist inspect the site. Any impacts are expected to be less than significant.				

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

- | | Potentially
Significant
Impact
(PSI) | Less Than
Significant with
Mitigation
Incorporated
(LTSMI) | Less Than
Significant
Impact
(LTSI) | No Impact
(NI) |
|--|---|--|--|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed residential water well is located on an area surrounded by already developed parcels with existing residential uses. The action is not expected to generate significant greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Additionally, as previously stated on item (III)(a) above, adherence and compliance to APCD's rules and regulations will bring any impact to less than significant. | | | | |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed project would not conflict with any regulations under AB 32 Global Warming Solutions Act of 2006, of reducing the emissions of greenhouse gases to 1990 levels by 2020 provided that the applicant adheres to APCD's regulations. Less than significant impacts are expected. | | | | |

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

- | | Potentially
Significant
Impact
(PSI) | Less Than
Significant with
Mitigation
Incorporated
(LTSMI) | Less Than
Significant
Impact
(LTSI) | No Impact
(NI) |
|--|---|--|--|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The proposed project does not include any handling of hazardous materials and would therefore cause no impact or hazards to the public or the environment. | | | | |

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? b) As previously mentioned, the project will not use or release any hazardous materials; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? c) The proposed project does not anticipate the emitting of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste as previously stated on items (IX)(a) and (IX)(b) above. Additionally, the project site is not located within a ¼ mile of any schools. The nearest school in the vicinity is the Seeley Elementary School, which is located approximately 19 miles northeast of the proposed project site; therefore, it would not represent a risk to educational facilities. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? d) The proposed project is not located on a site included on a list of hazardous materials sites according to California Department of Toxic Substances Control EnviroStor 14; therefore, no impacts are 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 proposed project is not located within an airport land use plan per Imperial County Airport Land Use Compatibility Maps 15. However, the nearest air facility in the area is the Neil Emory private landing airstrip located approximately 3.4 miles northwest of the project site; therefore, exposure to periodic noise emissions are expected during aircraft takeoff and landing operations. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? f) The proposed residential water well would not interfere with an adopted emergency response plan or emergency evacuation plan. The applicant will meet any requirements requested by the Fire/OES Department. 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) According to Cal Fire "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County 16" adopted November 7, 2007, the proposed project site is located in an unincorporated Local Responsibility Area (LRA) adjacent to a Moderate Fire Hazard Severity Zone (MFHSZ). Compliance to ICFD standards would bring any impact to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 proposed project is for the construction and operation of a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Any impacts are expected to be less than significant.

14. California Department of Toxic Substances Control: EnviroStor
15. Imperial County Airport Land Use Compatibility Maps
16. Cal Fire: Fire Hazard Severity Zones Maps

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the

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	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
basin?				
b) As previously stated on item (X)(a) above, the proposed residential water well anticipates an annual water extraction of one (1) acre-foot and does not expect to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Any impacts are expected to be less than significant.				
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"/>
c) The proposed project does not anticipate a physical alteration to the site that 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 proposed grading will require drainage review and approval from the Imperial County Public Works Department. Any impacts are expected to be less than significant.				
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) According to Imperial County General Plan's Seismic and Public Safety Element 17, "Erosion Activity Map 17b," Figure 3, the proposed project site is not located within an area of substantial soil erosion or siltation on- or off-site. Therefore, any impacts are expected to be less than significant.				
(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) The proposed water well project is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Any proposed grading will require drainage reviews and approval with the Imperial County Department of Public Works. Compliance with the Imperial County Department of Public Works rules and regulations would bring any impact to 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) The proposed project does not anticipate creating or contributing runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As previously stated on items (X)(c) and (X)(c)(ii) above, any proposed grading will require drainage review and approval from the Imperial County Public Works Department. Compliance with Imperial County Public Works Department standards would ensure that any runoff water impacts would be reduced to less than significant.				
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) The proposed project is for the construction and operation of a new residential water well to supply a future home and is not expected to impede or redirect flood flows. According to the Federal Emergency Management Agency (FEMA) Flood Map Service Center 18, Flood Insurance Rate Map, the proposed project site is located within "Zone X" of flood map 06025C1976C, effective September 26, 2008. Additionally, a reviewed and approved grading/drainage letter is to be required by the Imperial County Department of Public Works. Therefore, compliance with ICDPW's standards would bring any impact to be less than significant.				
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 proposed project will continue with the existing residential use in the area; therefore, impacts related to risk releasing pollutants due to project inundation are considered to be low. Additionally, as previously stated on item (X)(c)(iv) above, the proposed project site is located within "Zone X" of flood map 06025C1976C. Compliance with ICDPW's standards would contribute to lower any impacts to less than significant.				
17. Imperial County General Plan: Seismic and Public Safety Element b) Figure 3: Erosion Activity Map 18. Federal Emergency Management Agency (FEMA)				
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 checked="" type="checkbox"/>

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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e) The proposed project is for the annual extraction of one (1) acre-foot of water from a proposed residential water well, which is not expected to conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. As previously stated on item (X)(c) above, the proposed project would require a grading letter approved by the Imperial County Public Works Department. Any impacts are expected to be less than significant.

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

- a) Physically divide an established community? ☐ ☐ ☐ ☒
- a) The proposed project is for the construction and operation of a new residential water well to supply a future barndominium which would not physically divide an established community; therefore, it does not anticipate changing the existing land use designation and zoning established. No land use or planning 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 proposed project is consistent with the Imperial County General Plan, County's Land Use Ordinance and with the Ocotillo/Nomirage Community Area Plan; water wells are allowed with an approved Conditional Use Permit in an R-1 zone per Division 21 – Water Well Regulations, Section 92102.00. Additionally, per the Ocotillo/Nomirage Community Area Plan, Section D – Water/Sewer, an acre-foot of water supplies a family of five per year. Any impacts are expected to be 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 proposed project does not anticipate the removal of mineral resources, and it is not located within the boundaries of an active mine per Imperial County General Plan's Conservation and Open Space Element 19, "Existing Mineral Resources Map 19e" Figure 8. No impacts are expected.**
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ☐ ☐ ☐ ☒
- b) The proposed residential water well will not result in the loss of availability of locally-important mineral resources recovery site delineated on a local general plan, specific plan or other land use plan. No impacts are expected.**

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

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ☐ ☐ ☒ ☐
- a) The proposed project is for the construction and operation of a new residential water well. A temporary generation of noise would be expected during construction; however, such would not result in the generation of permanent noise beyond that which already occurs in the surrounding area. Such action would be subject to the Imperial County General Plan's Noise Element 20 which states that construction equipment operations shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and from 9 a.m. to 5 p.m. on Saturday. Additionally, construction noise from a single piece of equipment or combination, shall not exceed 75 dB Leq when averaged over an eight (8) hour period. Compliance with the Imperial County General Plan's Noise Element would bring any impact to less than significant.**

19. Imperial County General Plan: Conservation and Open Space Element a) Figure 8.

20. Imperial County General Plan: Noise Element

- b) Generation of excessive groundborne vibration or ☐ ☐ ☒ ☐

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
groundborne noise levels?				
b) The proposed project does not anticipate any changes to the existing and designated residential uses on the surrounding parcels and area. Additionally, as previously stated on item (XIII)(a) above, any construction would be subject to the Imperial County General Plan's Noise Element. Any impacts are expected to be 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) As previously stated on item (IX)(e) above, the proposed project site is located approximately 3.4 miles northwest of the existing Neil Emory private airstrip; therefore, exposure to periodic noise emission is expected during aircraft takeoff and landing operations. Any impacts are expected to be less than significant.				

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed residential water well construction and operation would not induce a substantial unplanned population growth in an area, either directly or indirectly, as no changes to the designated residential use on the parcel are proposed. Therefore, any impacts are expected to be less than significant. | | | | |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed project will not displace substantial numbers of people necessitating the construction or replacement housing elsewhere as the designated residential use on the parcel is proposed to remain. Any impacts are expected to be less than significant. | | | | |

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed residential water well construction and operation does not anticipate that such would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios. Any impact would be less than significant. | | | | |
| 1) Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) The proposed project is not expected to result in substantial impacts on fire protection. Any future developments may be subject to fire sprinklers and to have either a private or a public source of water for fire suppression purposes such as pressurized hydrants. Compliance with ICFD would bring any impact to less than significant. | | | | |
| 2) Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) The proposed project is not expected to result in substantial impacts on police protection. Both the California Highway Patrol and Sheriff's Office South County Patrol have active policing and patrol operations in the area. Any impacts are expected to be less than significant. | | | | |
| 3) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) The proposed water well construction and operation is not expected to have a substantial impact on schools. No impacts are expected. | | | | |
| 4) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
4) The proposed project does not include any activities related to parks and will not cause for the need for one or to alter one; therefore, no impacts are being expected.				
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) The proposed residential water well is not expected to have a substantial impact on other public facilities; therefore, any impacts are expected to be less than significant.				

XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- ☐ ☐ ☐ ☒
- a) The proposed project is for the construction and operation of a new residential water well to supply a future home. Subsequently, the proposed water well would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. No impacts are expected.
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
- ☐ ☐ ☐ ☒
- b) The proposed project does not include or require the construction or expansion of recreational facilities as it would only serve as a water supply for a future home; therefore, no impacts are expected.

XVII. TRANSPORTATION *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- ☐ ☐ ☐ ☒
- a) The proposed residential water well construction and operation is not expected to conflict with the Imperial County General Plan's Circulation and Scenic Highways Element and/or any applicable plan, ordinance or policy related to the transportation since no activities are proposed to cause the need for increase in traffic. No impacts are expected.
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
- ☐ ☐ ☒ ☐
- b) The proposed project (water well for barndominium) will not conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b) as it is not expected to have a significant transportation impact within transit priority areas with no proposed change on the existing land use. Therefore, any impacts are expected to be less than significant.
- 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 existing residential use on the proposed project's site is compatible with the Imperial County General Plan Land Use Designation and the site design is not expected to increase hazards. Therefore, no impacts are expected.
- d) Result in inadequate emergency access?
- ☐ ☐ ☐ ☒
- d) The current access to the site is not known to be inadequate and the project would not block any emergency access; therefore, no impacts are expected.

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
- ☐ ☐ ☒ ☐

EEC ORIGINAL PKG

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

a) According to the Imperial County General Plan's Conservation and Open Space Element 21, Figure 5, the project site is not located within an "Area of Heightened Historic Period Sensitivity 21c." Although the proposed project site is located within a Native American Sacred Site in accordance to Figure 6, "Known Areas of Native American Cultural Sensitivity, 21d" on May 19th, 2025, the County sent Assembly Bill 52 consultation letters to the Quechan and Campo Band of Mission Indian Tribes in reference to the proposed minor subdivision project with no comments received from both Tribes to this date. Any impacts are expected to be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

(i) According to the California Historic Resources 22 in Imperial County, the proposed project site is not listed or seem to be eligible under the Public Resources Code Section 21074 or 5020.1 (k); therefore, any impacts are expected to be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (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 is 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

(ii) No significant resources listed as defined in the Public Resources Code Section 5024.1 are expected to be impacted by the proposed residential water well construction. Any impacts are expected to be 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

a) The proposed residential water well construction and operation does not require or result in the relocation or construction of a new expanded water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunication facilities, the construction of which could cause significant environmental effects. Less than significant impacts are expected.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

b) The proposed project is for the construction and operation of a new residential water well construction with a projected annual water extraction of one (1) acre-foot, which does not anticipate a change to the existing residential designation on the parcel. Additionally, as per the Ocotillo/Nomirage Community Area Plan 23, Section (II)-Existing Conditions and Trends, Subsection (D)-Water/Sewer, an acre-foot of water supplies a family of five per year. Any impacts are expected to be less than significant.

21. Imperial County General Plan: Conservation and Open Space Element c) Figure 5, d) Figure 6
 22. California Historic Resources: Imperial County
 23. Ocotillo/Nomirage Community Area Plan

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) The project proposes an on-site septic system and does not appear to have an impact on any wastewater treatment provider. The applicant and the water well driller shall ensure that the selected well drilling location maintains the appropriate setbacks from the approved septic system, which according to Title 8, Section 8.80.100 of Imperial County Ordinance, shall be located a minimum of 100 feet from the disposal area (leach lines) and 50 feet from the septic tank. Adherence to Environmental Health Services regulations would bring any impact to less than significant.				
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) Excess solid waste generation is not expected by the proposed residential water well construction. Less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? e) All proposed projects within the County shall contract with a licensed waste hauler for waste generated by the facility. The proposed domestic water well shall comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Any impact is expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) As previously stated on item (IX)(g) – “Hazards and Hazardous Materials” above, per Cal Fire “Fire Hazard Severity Zones in State Responsibility Areas – Imperial County 24” adopted November 7, 2007, the proposed project site is located in an unincorporated Local Responsibility Area (LRA) adjacent to a Moderate Fire Hazard Severity Zone (MFHSZ) on the west. Compliance with the Imperial County Fire Department’s standards would bring any impact to less than significant.**
- 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) As previously stated on item (XX)(a) above, the proposed project is adjacent to a Moderate Fire Hazard Severity Zone (MFHZ); therefore, impacts 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 are expected to be less than significant with adherence and compliance of ICFD’s standards.**
- 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 proposed project is for the construction and operation of a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot. As previously stated on item (XX)(a) above, the proposed project site is adjacent to a Moderate Fire Hazard Severity Zone (MFHZ). Any future or potential development may be subject to the inclusion of fire sprinklers and have either a private water or public source as pressurized hydrants for fire suppression. Compliance with Imperial County Fire Department’s standards would bring any impact to less than significant.**
- 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) As previously stated on item (VII)(a)(4) above, per Imperial County General Plan’s Seismic and Public Safety Element 25, “Landslide Activity Map 25a,” Figure 2, the proposed project is located within a moderate landslide activity area. The topography within the proposed project site is generally flat. However, any future or potential development on the parcel will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Therefore, less than significant impacts are expected. Additionally, as previously stated on item (XX)(a) above, the proposed project neighbors a Moderate Fire Hazard Severity Zone per Cal Fire’s “Fire Hazard Severity Zones in State Responsibility Areas – Imperial County 24; therefore impacts related to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes are considered to be less than significant.**

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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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24. Cal Fire: Fire Hazard Severity Zone Maps – Imperial County.
 25. Imperial County General Plan's Seismic and Public Safety Element a) Figure 2: Landslide Activity Map.

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

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

EEC ORIGINAL PKG

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

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- 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.)

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

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EEC ORIGINAL PKG

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
- Luis Valenzuela, Planner II, Planning & Development Services
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Quechan Indian Tribe
- Imperial Irrigation District

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

EEC ORIGINAL PKG

V. REFERENCES

1. Imperial County General Plan: Circulation and Scenic Highway Element
<https://www.icpds.com/assets/planning/circulation-scenic-highway-element-2008.pdf>
2. California State Scenic Highway System Map
<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>
3. California Farmland Mapping & Monitoring Program: Imperial County Important Farmland Map 2018
<https://maps.conservation.ca.gov/DLRP/CIFF/>
4. Ocotillo/Nomirage Community Area Plan
<https://www.icpds.com/assets/planning/community-plans/ocotillo-nomirage-community-area-plan.pdf>
5. Imperial County Air Pollution Control District comment letter dated September 26, 2022
6. Imperial County General Plan: Conservation and Open Space Element
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
 - a) Figure 1: Sensitive Habitat Map
 - b) Figure 2: Sensitive Species Map
 - c) Figure 5: Areas of Heighten Historic Period Sensitivity Map
 - d) Figure 6: Known Areas of Native American Cultural Sensitivity Map
 - e) Figure 8: Existing Mineral Resources Map
7. National Wetlands Inventory: Surface Waters and Wetlands Map
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
8. Quechan Indian Tribe comment email dated September 13, 2022
9. Imperial Irrigation District comment letter dated September 27, 2022
10. 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>
11. California Department of Conservation: Fault Activity Map
<https://maps.conservation.ca.gov/cgs/fam/>
12. United States Geological Survey's Quaternary Faults Map
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>
13. California Tsunami Data Maps
<https://www.conservation.ca.gov/cgs/tsunami/maps>
14. Imperial County General Plan: Seismic and Public Safety Element
<https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>
 - a) Figure 2: Landslide Activity Map
 - b) Figure 3: Erosion Activity Map
15. Imperial County Division of Environmental Health comment email dated October 19, 2022
16. California Department of Toxic Substances Control: EnviroStor
<https://www.envirostor.dtsc.ca.gov/public/>
17. Imperial County Airport Land Use Compatibility Maps
<https://www.icpds.com/planning/maps/airport-land-use-compatibility-maps>
18. Cal Fire: Fire Hazard Severity Zones Maps – Imperial County
https://osfm.fire.ca.gov/media/6680/fhszs_map13.pdf
19. Federal Emergency Management Agency (FEMA) Flood Map Service Center: Flood Insurance Rate Map
<https://msc.fema.gov/portal/search?AddressQuery=851%20pitzer%20road%20heber%20ca#searchresultsanchor>
20. Imperial County General Plan: Noise Element
<https://www.icpds.com/assets/planning/noise-element-2015.pdf>
21. California Historic Resources: Imperial County
<https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>
22. Imperial Valley Desert Museum comment letter dated October 28, 2022
23. "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 (CUP) #25-0007 Initial Study #25-0017

Project Applicant: Don Whitacre

Project Location: The project site ("site") is located at 915 Mesquite Road, Ocotillo, CA. The parcel is identified as Assessor's Parcel Number (APN) 033-405-012-000 and is legally described as Lot 36 Nomirage Sub T16/161/2S R10E, SBBM, in an unincorporated area of the County of Imperial. See Exhibit "A" Vicinity Map.

Project Summary: The applicant is proposing to construct and operate a new domestic water well to supply a future 50 x 50-foot metal barndominium with a projected annual water extraction of one (1) acre-foot 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 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.

8-14-2025 
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

8-15-25
Date

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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)

S:\AllUsers\APN\033\405\012\CUP25-0007\EEC\CUP25-0007 IS25-0017 Initial Study.docx

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ATTACHMENT “A” COMMENT LETTERS

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AIR POLLUTION CONTROL DISTRICT



RECEIVED

By Imperial County Planning & Development Services at 1:32 pm, May 30, 2025

May 30, 2025

Mr. Jim Minnick
Planning & Development Services Director
801 Main St.
El Centro, CA 92243

SUBJECT: Conditional Use Permit 25-0007 Don Whitacre Well

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") thanks you for the opportunity to review the application for Conditional Use Permit 25-0007 that would allow a domestic water well on the property in order to obtain a building permit for a 50 x 50 metal barn dominium at 915 Mesquite Road in Ocotillo, also identified as Assessor Parcel Number (APN) 033-405-012-001.

Prior to commencing drilling of the well, the applicant will need to submit a **Construction Notification** to the Air District. This form and the Air District's Rules and Regulations can be accessed via the internet at <https://apcd.imperialcounty.org>.

Other than that, the Air District has no comments.

Should you have questions, please call our office at (442) 265-1800.

Sincerely,

Curtis Blondell
APC Environmental Coordinator

Reviewed by,
Monica N. Soucier
APC Division Manager



IID

A century of service.

RECEIVED

By Imperial County Planning & Development Services at 11:23 am, May 28, 2025

www.iid.com

Since 1911

May 28, 2025

Mr. Luis Valenzuela
Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Don Whitacre Well Project; CUP25-0007

Dear Mr. Valenzuela:

On May 19, 2025, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit No. 250007. The applicant proposes to construct a domestic water well to obtain a building permit for a 50 ft. x 50 ft. barndominium to be located at 915 Mesquite Road, Ocotillo CA (APN 033-405-012-001).

The IID has reviewed the application and has the following comments:

1. If the project requires electrical service, the applicant should be advised to contact Ignacio Romo, IID project development planner, at 760-482-3426 or e-mail Mr. Romo at IGRomo@IID.com, to initiate the customer service application process. In addition to submitting a formal application (available for download at <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an AutoCAD file of site plan, approved electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to a project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to a project.
2. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.
3. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and

EEC ORIGINAL PKG

easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

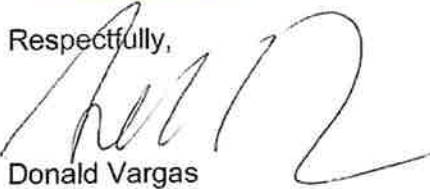
4. The project proponent will be required to provide and bear all costs associated with acquisition of land, rights of way and easements related to any infrastructure relocation or realignment deemed necessary to accommodate the project. Any street or road improvements imposed by the local governing authority shall also be at the project proponent cost.
5. The applicant will be required to provide rights of ways and easements for any power line extensions and/or any other infrastructure needed to serve the project. In addition, the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties where no public access exists.
6. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at the website <https://www.iid.com/about-iid/departments-directory/real-estate>. No foundations or buildings will be allowed within IID's right of way. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
7. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.
8. When the project goes through the CEQA compliance process, it is important to bear in mind that to address the project impacts to the electrical utility (i.e., the IID electrical grid), considered under the environmental factor "Utilities and Services" of the Environmental Checklist/Initial Study, to determine if the project would require or result in the relocation or construction of new or expanded electric power

Luis Valenzuela
May 28, 2025
Page 3

facilities, the construction or relocation of which could cause significant environmental effects; a circuit study/distribution impact study, facility study, and/or system impact study must be performed.

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

Respectfully,



Donald Vargas
Compliance Administrator II

Jamie Asbury – General Manager
Mike Pacheco – Manager, Water Dept.
Matthew H Smelser – Manager, Power Dept.
Paul Rodriguez – Deputy Mgr. Power Dept.
Geoffrey Holbrook – General Counsel
Joanna Smith-Hoff – Deputy General Counsel
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

EEC ORIGINAL PKG

Luis Valenzuela

From: Jaciel Lainez
Sent: Thursday, May 29, 2025 9:08 AM
To: Valerie Grijalva; ICPDSCCommentLetters; Luis Valenzuela
Cc: Margo Sanchez
Subject: CUP25-0007 Don Whitacre -Request for Comments

Good Morning,

The Ag Commissioner's Office has No Comment on this project. Thank you.

Best,



Imperial County Agricultural
Commissioner's Office

Jaciel Lainez

Agricultural Biologist/Standards Specialist IV
Weights & Measures/Special Projects

☎ (442) 265-1490

✉ jaciellainez@co.imperial.ca.us

🌐 <https://agcom.imperialcounty.org>

📍 852 Broadway Ave, El Centro, CA 92243

CONFIDENTIALITY NOTE: The preceding email message contains information that may be confidential, proprietary, or legally privileged, and may constitute non-public information. This message is intended to be conveyed only to the intended named recipient(s). If you are not an intended recipient of this message, do not read it; instead, please advise the sender by reply email, and delete this message and any attachments. Unauthorized individuals or entities are not permitted access to this information. Any disclosure, copying, distribution or taking any action in reliance on the contents of this information, except its delivery to the sender, is strictly prohibited and may be unlawful.

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

Sent: Monday, May 19, 2025 4:29 PM

To: Antonio Venegas <AntonioVenegas@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>; Martha Singh <marthasingh@co.imperial.ca.us>; Rebecca Terrazas-Baxter <RebeccaTerrazas-Baxter@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; David Lantzer <davidlantzer@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Carmen Zamora <carmenzamora@co.imperial.ca.us>; Veronica Atondo <VeronicaAtondo@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; Ryan Kelley <RKelley@icso.org>; Fred Miramontes <fmiramontes@icso.org>; Donald Vargas (<dvargas@iid.com>) <dvargas@iid.com>; marcuscuero@campo-nsn.gov; dtosie@campo-nsn.gov; tribalsecretary@quechantribe.com
Cc: Luis Valenzuela <luisvalenzuela@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Jim Minnick <JimMinnick@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>; Olivia Lopez <olivialopez@co.imperial.ca.us>; Valerie Grijalva

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Luis Valenzuela

From: Olivia Lopez
Sent: Thursday, May 29, 2025 4:41 PM
To: Luis Valenzuela
Cc: Michael Abraham; Diana Robinson; Adriana Ceballos; Aimee Trujillo; Allison Galindo; Kamika Mitchell; Kayla Henderson; Olivia Lopez; Valerie Grijalva
Subject: FW: CUP25-0007 Don Whitacre -Request for Comments

Hi Luis,

Email comment response from ICDPW regarding CUP25-0007 has been saved under the following pathway:

[S:\AllUsers\APN\033\405.012\CUP25-0007\COMMENT LETTERS\RE_ CUP25-0007 Don Whitacre - Request for Comments - ICDPW .msg](#)

Email response was printed & filed in project file.

Thank you,

Olivia Lopez

Office Assistant III
IC Planning & Development Services
801 Main Street
El Centro, CA 92243
(P) (442) 265-1736
(F) (442) 265-1735

From: Carlos Yee <CarlosYee@co.imperial.ca.us>
Sent: Thursday, May 29, 2025 4:29 PM
To: ICPDSCcommentLetters <ICPDSCcommentLetters@co.imperial.ca.us>
Cc: Luis Valenzuela <luisvalenzuela@co.imperial.ca.us>
Subject: RE: CUP25-0007 Don Whitacre -Request for Comments

Good afternoon,

Based on the information provided our Department has no comments on this CUP.

Regards.

Carlos Yee | Permit Specialist
ICDPW - Engineering Division | 155 S. 11th Street. El Centro, CA 92243
Phone: (442)265-1818 x1838 | Fax: (442)265-1858 | Email: CarlosYee@co.imperial.ca.us

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ATTACHMENT "B"
CUP#25-0007/IS#25-0017
APPLICATION PACKAGE

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 <u>DON WHITACRE</u>	EMAIL ADDRESS <u>dawhitacre1@outlook.com</u>	
2. MAILING ADDRESS (Street / P O Box, City, State) <u>9696 QUAIL CANYON RD ELCAJON CA</u>	ZIP CODE <u>92021</u>	PHONE NUMBER <u>619-247-2143</u>
3. APPLICANT'S NAME <u>DON WHITACRE</u>	EMAIL ADDRESS <u>dawhitacre1@outlook.com</u>	
4. MAILING ADDRESS (Street / P O Box, City, State) <u>9696 QUAIL CANYON RD. ELCAJON CA</u>	ZIP CODE <u>92021</u>	PHONE NUMBER <u>619-247-2143</u>
4. ENGINEER'S NAME <u>CHAO CHI LIU JENNY'S</u>	CA. LICENSE NO. <u>LB 3009/31137</u>	EMAIL ADDRESS <u>911-2000 C@outlook.com for design services</u>
5. MAILING ADDRESS (Street / P O Box, City, State) <u>1518 CROSFIELD CT. ELCAJON CA</u>	ZIP CODE <u>92019</u>	PHONE NUMBER <u>619-444-8663</u>
6. ASSESSOR'S PARCEL NO. <u>033-405-012-000</u>	SIZE OF PROPERTY (in acres or square foot) <u>1.72 ACRES</u>	ZONING (existing) <u>R-1</u>
7. PROPERTY (site) ADDRESS <u>915 MESQUITE RD OCOTILLO CA 92259</u>		
8. GENERAL LOCATION (i.e. city, town, cross street) <u>OCOTILLO MESQUITE & SAGUARO RD'S</u>		
9. LEGAL DESCRIPTION <u>Lot 36 HOMERAGE SUB #16/161/25 R101E</u>		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) <u>CUP FOR A DOMESTIC WATER WELL IN ORDER TO OBTAIN A BUILDING PERMIT FOR A 50X50 METAL BARNDOMINIUM (530 SFT) LIVING AREA, REMAINING AREA GARAGE</u>
11. DESCRIBE CURRENT USE OF PROPERTY <u>VACANT LOT</u>
12. DESCRIBE PROPOSED SEWER SYSTEM <u>SEPTIC SYSTEM</u>
13. DESCRIBE PROPOSED WATER SYSTEM <u>WELL</u>
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM <u>4500 GAL WATER TANK</u>
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

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

DON WHITACRE 5.6.2025
Print Name Date
[Signature]
Signature

Print Name

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 5/7/25

DATE _____

DATE _____

DATE _____

DATE _____

REVIEW / APPROVAL BY OTHER DEPT'S required

☐ P W

☐ E H S

☐ A P C D

☐ O E S

☐ _____

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CUP #

25-0007

EEC ORIGINAL PKG

IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at EL CAJON California on 5-6-2025, 2025

APPLICANT

Name: Daniel J. H. + A. K. E.
By: [Signature]
Title: OWNER

Mailing Address:

9696 Quail Canyon Rd.
EL CAJON CA 92021

REAL PARTY IN INTEREST (If different from Applicant)

Name: _____
By: _____
Title: _____

Mailing Address:

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

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MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1736 FAX: (442) 265-1735 E-MAIL: planning@co.imperial.ca.us

EEC ORIGINAL PKG



Jim Minnick
DIRECTOR

Imperial County Planning & Development Services **Planning / Building / Parks & Recreation**

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,



Jim Minnick, Director
Planning & Development Services

RECEIVED BY:  DATE: 5-6-2025

