

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE May 24, 2023

FROM: PLANNING AND DEVELOPMENT SERVICES

AGENDA TIME 9:00 AM/No. 6

PROJECT TYPE: Desert Milling, Inc. (CUP #22-0023) SUPERVISOR DIST: #4

LOCATION: 5880 Hwy 86 APN: 019-170-033-000

Westmorland, CA 92281 PARCEL SIZE: +/- 400.4 Acres

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) N/A

A-213 (General\Heavy Agriculture)

ZONE (existing) C-2-PE (Median Commercial\Pre-Existing) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 05/24/2023

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: 02/23/2023

INITIAL STUDY: #22-0041

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

REQUESTED ACTION:

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

1. ADOPT THE 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 FEBRUARY 23, 2023; AND
2. MAKE THE DE MINIMUMS FINDING, AS RECOMMENDED AT THE FEBRUARY 23, 2023 EEC HEARING, THAT THE PROJECT WILL NOT INDIVIDUALLY OR CUMULATIVELY HAVE AN ADVERSE EFFECT ON FISH AND WILDLIFE RESOURCES, AS DEFINED IN SECTION 711.2 OF THE CALIFORNIA FISH AND GAME CODES; AND
3. APPROVE THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS, FOR CONDITIONAL USE PERMIT (CUP) #22-0023 SUBJECT TO ALL THE CONDITIONS AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CONDITIONAL USE PERMIT UPON RECEIPT FROM THE PERMITTEE.

Planning & Development Services

801 MAIN STREE, EL CENTRO, CA. 92243 442-265-1736

JIM MINNICK, DIRECTOR

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STAFF REPORT
Planning Commission Meeting
May 24, 2023

Project Name: **Conditional Use Permit (CUP) #22-0023**

Applicant: **John F. “Rick” Benson – Desert Milling, Inc.**

Project Location:

The project site is located at 5880 Hwy 86, Westmorland, CA 92281, and is identified as Assessor Parcel Number 019-170-033-000 and is further described as Parcel B of Lot Line Adjustment 264, also being a Portion of the East Half & a Portion of the Southwest Quarter of Section 32 & Southwest Quarter of Section 33, T12S, R12E, Northeasterly of Hwy 86 (400.4 AC), S.B.B.M, in an unincorporated area of the County of Imperial.

Project Summary:

The applicant proposes to install an olive oil mill inside an existing and permitted metal structure for the purpose of producing olive oil from locally sourced olives from olive groves located on the project parcel and potentially from other growers within the County. The olive oil mill is proposed to operate during olive harvesting season, which is August to January. The organic waste streams are proposed to be utilized on site, composted, or recycled in an effort to reach near zero offsite waste disposal. With olives being processed onsite, all current trucks used in the harvesting process will remain onsite with the exception of any offsite fruit being brought in for processing. The olive oil product will be taken off-site to retailers via passenger vehicles.

Land Use Analysis:

The proposed project is located within the County’s General Plan designation of “Agriculture”. The project parcel consists of three (3) zone designations of A-2 (General Ag), A-3 (Heavy Ag) and C-2-PE (Medium Commercial\Pre-Existing). The project is located on a portion of the property zoned A-2 under the County Land Use Ordinance, Section 90508.00. The proposed olive oil mill could be found consistent with the County Land Use Ordinance, as the processing of an agricultural product into a consumable form would be an allowed use with an approved Conditional Use Permit.

SURROUNDING LAND USES, ZONING AND GENERAL PLAN DESIGNATIONS:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Olive Groves	A-2, A-3, & C-2-PE	Agriculture
North	Citrus Orchard / Palm Orchard	A-2 & A-3	Agriculture
South	Hwy 86, Single Family Residence, Reservoir, & Open Space (former Ag)	A-2	Agriculture
East	Agriculture Fields, Vacant Land	A-3	Agriculture
West	Citrus Orchard	A-2	Agriculture

Environmental Review:

The proposed project was environmentally assessed and reviewed by the Environmental Evaluation Committee. The Committee consists of a seven (7)-member panel, which are 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 Director of Planning and Development Services. The EEC members have the principal responsibility for reviewing CEQA documents for the County of Imperial. The EEC reviewed the project on February 23, 2023, and recommended a Negative Declaration.

The Negative Declaration was publicly circulated from February 28, 2023 to March 27, 2023.

Staff Recommendation:

It is recommended that the Planning Commission conduct a public hearing, that you hear all the opponents and proponents of the proposed project. Staff would then recommend that the Planning Commission approve Conditional Use Permit #22-0023, by taking the following actions:

1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environment Evaluation Committee (EEC) on February 23, 2023; and

2. Make the De Minimums Finding, as recommended at the February 23, 2023 EEC hearing, that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the California Fish and Game Codes; and
3. Approve the attached Resolution and supporting findings, for Conditional Use Permit (CUP) #22-0023 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: Derek Newland, Planner II

Reviewed By: Michael Abraham, AICP, ICPDS Assistant Director

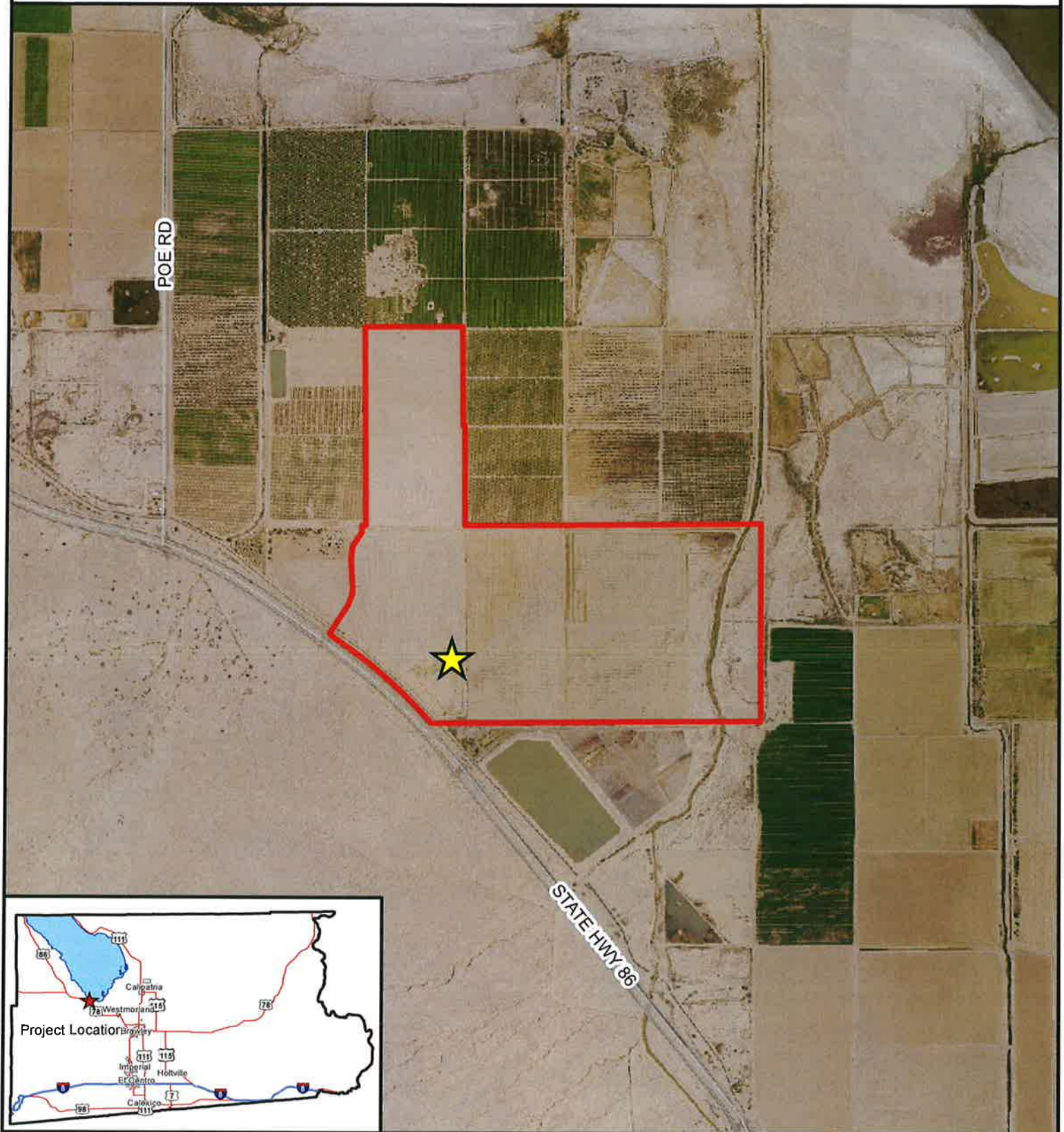
Approved By: Jim Minnick, Planning & Development Services Director

Attachments:




- A. Vicinity Map
- B. CEQA Resolution
- C. Planning Commission Resolution
- D. Conditional Use Permit #22-0023 Agreement
- E. Updated CUP Application
- F. Environmental Evaluation Committee package
- G. Comment Letters

ATTACHMENT "A"
Vicinity Map

PROJECT LOCATION MAP



CALEVOO, LLC.
CUP #22-0023 / IS #22-0041
APN #019-170-033-000

-  Project Parcel
-  Centerline
-  Proposed Olive Mill



ATTACHMENT "B"
CEQA Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” (INITIAL STUDY #22-0041) FOR CONDITIONAL USE PERMIT #22-0023 (DESERT MILLING, INC. - OLIVE OIL MILL).

WHEREAS, on February 9, 2023, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for February 23, 2023; 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 February 23, 2023, the Environmental Evaluation Committee heard the project and recommended the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit #22-0023; and

WHEREAS, the Negative Declaration was circulated for 25 days from February 28, 2023 to March 27, 2023; 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 #22-0023. 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 Permit #22-0023 and considered the information contained in the Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit; and,

3. That the Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Negative Declaration for Conditional Use Permit #22-0023.

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

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on May 24, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

ATTACHMENT "C"
Planning Commission Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, TO APPROVE CONDITIONAL USE PERMIT #22-0023 FOR DESERT MILLING, INC – OLIVE OIL MILL

WHEREAS, Desert Milling, Inc. has submitted an application for Conditional Use Permit #22-0023; and,

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 May 24, 2023; and,

WHEREAS, on February 23, 2023 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 #22-0023 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 #22-0023 have been made:

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

The project location located on a portion of the property that is designated as "Agriculture" per Imperial County's General Plan, Land Use Element, and it is currently zoned A-2 (General Agriculture) by the Imperial County 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 Conditional Use Permit when approved by the County. The proposed project is for an olive oil mill which will process and agricultural product into a consumable form and is a conditionally permitted use pursuant to County’s Land Use Ordinance (Section 90203.01).

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

The Project could be found consistent with the purpose of the zone it is located within. The olive oil mill will process an agricultural product into a consumable product. The proposed use could be considered a compatible use with a Conditional Use Permit pursuant to (Land Use Ordinance, Section 90508.02).

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 90203.09.

The proposed olive oil mill could be found consistent with the County Land Use Ordinance, as the processing of an agricultural product into a consumable form would be an allowed use 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 operation of an olive oil mill located within in an existing permitted building located property with actively farmed olive groves would not result in significant impacts to surrounding properties or residents due to the conditions of approval.

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

The proposed project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to Conditions of Conditional Use Permit #22-0023 and current Federal, State, and Local regulations.

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

The proposed olive oil mill is a permitted use subject to the conditions of approval of CUP #22-0023 (Land Use Ordinance, Section 90203.00) 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 #22-0023, 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 May 24, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

ATTACHMENT “D”
Conditional Use Permit
#22-0023 Agreement

Recorded Requested by and
When Recorded Return To:

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

**AGREEMENT FOR CONDITIONAL USE PERMIT #22-0023
FOR
DESERT MILLING INC.
OLIVE OIL MILL
Effective Date (DD/MM/YYYY)**

Conditional Use Permit #22-0023 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 Desert Milling Inc. – (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 at 5880 Hwy 86, Westmorland, CA 92281 Parcel B of Lot Line
Adjustment 264, also being a Portion of the East Half & a Portion of the Southwest
Quarter of Section 32 & Southwest Quarter of Section 33, T12S, R12E, Northeasterly of
Hwy 86 400.4 AC, S.B.B.M, in an unincorporated area of the County of Imperial. The
Assessor’s Parcel Number is 019-170-033-000; and,

WHEREAS, Permittee has applied to the County for permission to operate an Olive
Oil Mill to process raw olives into olive oil; and,

WHEREAS, the County, after a noticed public hearing, agreed to issue
Conditional Use Permit #22-0023 to Permittee, and/or his or her successor in interest
subject to the following conditions:

GENERAL CONDITIONS:

G-1 GENERAL LAWS:

The Permittee shall obtain, comply with and maintain all applicable County, State, and federal laws, rules, regulations, ordinances, and/or standards as they may pertain to this project whether specified herein or not.

G-2 EFFECTIVE DATE:

The approved Conditional Use Permit shall not become effective until ten (10) calendar days after the decision of the Planning Director or Commission. Further the Conditional Use Permit shall not be effective until applicable conditions have been met, and the Conditional Use Permit is recorded with the County Recorder, with payment of recording fees being paid by applicant. In the case of a decision by the Board of Supervisors there is no 10-day appeal.

G-3 RECORDATION:

CUP #22-0023 shall **not be effective** until it is recorded at the Imperial County Recorder's Office and if no appeal has been made after approval from the hearing body. Payment of the recordation fee shall be the responsibility of the Permittee. If this CUP is not recorded within one hundred eighty (180) days from the date of approval the CUP shall be deemed null and void, without notice having to be provided to Permittee. Permittee may submit a written request for a recordation extension for this CUP by filing such a request with the Planning Director at least sixty (60) days prior to the one hundred eighty 180-day expiration. The Director may approve one (1) extension for a period not to exceed one hundred eighty (180) days. An extension may not be granted if the request for an extension is filed after the expiration date. Failure to record this CUP within one (1) year including the granted extension period shall deem this CUP null and void.

G-4 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 effective date, the CUP shall be null and void. If an applicant cannot initiate or obtain permits for the approved use during the one (1) year, applicant may request a one (1) year extension from the Department. The request for an extension shall be in writing and be submitted with explanation to the Planning & Development Services Department at least sixty days prior to the end of the extended one (1) year period. The Director shall have the authority to extend the initial start-up period, or commencement of work, of a CUP up to two (2) times for a maximum of two (2) years. Should the

1 Permitee desire to continue with the project, a new application shall be submitted
2 and the entire process would have to begin anew.

3 **G-5 TIME LIMIT:**

4 Unless otherwise specified within the project's specific conditions **this CUP shall**
5 **be limited to a maximum of five (5) years from the Effective Date of the CUP.**
6 The CUP may be administratively extended for successive five (5) years by the
7 Planning Director upon a finding by the Planning & Development Services
8 Department that the project is in full and complete compliance with all conditions of
9 the CUP and any applicable land use regulation(s) and extension fees of the
10 County of Imperial. Unless specified otherwise herein no CUP shall be extended for
11 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.**

12 **G-6 ABANDONMENT:**

13 If a CUP has been unused, abandoned, discontinued, or ceased for one (1) year,
14 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 Department.

15 **G-7 PERMIT/LICENSE:**

16 Permittee shall obtain and comply with any and all required permits, licenses,
17 and/or approvals, for the construction and/or operation of this project. This shall
18 include, but shall NOT be limited to, permits from the County Division of
19 Environmental Health Services (EHS), Planning & Development Services
20 Department, Office of Emergency Services (OES), Imperial County Air Pollution
21 Control District (ICAPCD) and Public Works Department. Permittee shall likewise
22 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 license(s) to
the Planning & Development Services Department within 60-days of receipt,
including amendments or alternatives thereto.

23 **G-8 APPROVALS AND CONDITIONS SUBSEQUENT TO GRANTING PERMIT:**

24 Permittee acceptance of this CUP shall be deemed to constitute agreement with
25 the terms and conditions contained herein. Where a requirement is imposed in this
26 CUP that Permittee conduct a monitoring program, and where the County has
27 reserved the right to impose or modify conditions with which the Permittee must
28 comply based on data obtained therefrom, or where the Permittee is required to

1 prepare specific plans for County approval and disagreement arises, the Permittee,
2 operator and/or agent, the Planning and Development Services Director or other
3 affected party, to be determined by the Planning and Development Services
4 Director, may request that a hearing be conducted before the Imperial County
5 Planning Commission whereby they may state the requirements which will
6 implement the applicable conditions as intended herein. Upon receipt of a request,
7 the Planning Commission shall conduct a hearing and make a written
8 determination. The Planning Commission may request support and advice from a
9 technical advisory committee. Failure to take any action shall constitute
10 endorsement of staff's determination with respect to implementation.

11 **G-9 CONDITION PRIORITY:**

12 This project shall be constructed/operated as described in the CUP application, the
13 environmental documents, the project description, and as specified in these
14 conditions. Where a conflict occurs, the CUP conditions shall govern.

15 **G-10 INDEMNIFICATION:**

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

26 If any claim, action, or proceeding is brought against the County, its agents, officers,
27 attorneys, or employees (including consultants), to attack, set aside, void, or annul the
28 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.

1 **G-11 INSURANCE:**

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

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

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

16 **G-13 SEVERABILITY:**

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

20 **G-14 PROVISION TO RUN WITH LAND:**

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

G-15 COMPLIANCE/REVOICATION:

Upon the determination by the Planning & Development Services Department that
the project is or may not be in full compliance with any one or all of the conditions of
this CUP, 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

1 provided to the Permittee and to the public in accordance with established
2 ordinance/policy.

3 **G-16 NON-COMPLIANCE (ENFORCEMENT & TERMINATION):**

4 Should the Permittee violate any condition herein, the County shall give written
5 notice of such violation and actions required of Permittee to correct such violation.
6 If Permittee does not act to correct the identified violation within forty-five (45) days
7 after written notice, County may revoke the CUP. If Permittee pursues correction of
8 such violation with reasonable diligence, the County may extend the cure period.
9 Upon such revocation, County may, at its sole discretion, cease processing,
10 defending any lawsuit or paying for costs associated with the Project.

11 **G-17 COSTS:**

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

19 **G-18 REPORT(S)**

20 Permittee shall file an annual report with the Planning and Development Services
21 Department to show that Permittee is in full compliance with this CUP. The report
22 shall be filed at least fifteen (15) days prior to the anniversary (recordation date) of
23 this CUP. It shall be the responsibility of the Permittee to provide all reports and to
24 include the information about other users. The County may request information at
25 any time from the Permittee or other users if applicable; however, it shall be the
26 responsibility of the Permittee to assure that the County receives such information
27 in a timely manner.

28 **G-19 RESPONSIBLE AGENT**

Permittee shall maintain on file with the Planning and Development Services
Department the name and phone number of the responsible agent for the site. A
back-up name shall also be provided, and a phone number for twenty-four (24)
hour emergency contact shall also be on file. If there are other users, the same
information (as applicable) required from the Permittee shall also be made available
to the County from such other users.

G-20 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 & Development Services Department. Permittee shall hook up to a public water system or supplier if and when available.

G-21 DEFINITIONS:

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

G-22 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 in the application/project description/ CUP, nor shall this CUP allow any accessory or ancillary use not specified herein. This CUP does not provide any prescriptive right or use to the Permittee for future addition and/or modification to this project.

G-23 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 forty five (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 approval. Nothing shall prohibit Permittee from requesting a special Planning Commission meeting provided Permittee bears all costs.

G-24 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 CUP as if said successor was the original Permittee. Current Permittee shall inform the County Planning & Development Services Department in writing at least sixty (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

1 Owner/Operator shall file with the Department, via certified mail, a letter stating that
2 they are fully aware of all conditions and acknowledge that they will adhere to all.

3 **G-25 PERMITS OF OTHER AGENCIES INCORPORATED:**

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

8 **G-26 MINOR AMENDMENTS:**

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

13 (TOTAL "G" CONDITIONS are 26)

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PROJECT SPECIFIC CONDITIONS:

S-1 PROJECT DESCRIPTION:

The CUP authorizes the Permittee to operate an olive oil mill to convert up to 20 tons of olives into olive oil per day during harvesting season from August to January within an existing permitted metal building.

S-2 HOURS OF OPERATION:

Olive mill operation will be during the August to January harvesting season from 7 am to 7 pm, with 24 hours of operation allowed during harvesting season.

S-3 ORGANIC WASTE STREAM (OLIVE WASTE):

Olive paste produced from the processing of raw olives will be sold for cattle feed or taken to an off-site composter for composting and brought back on-site to be used as fertilizer. Olive pits produced from the processing of raw olives will be used as road material on-site or burned for on-site for a hot water burner. **Any organic waste material not to be used/recycled on-site shall be disposed of off-site in a legal manner.**

S-4 MILLING PROCESS WASTE WATER:

The operation is expected to use no more than 2,000 gallons of water daily for the washing of raw fruit before milling while the pressing process of the mill will produce olive water as waste. The dirty wash water and olive water waste shall be utilized on-site for irrigation or dust suppression.

S-5 LIQUID WASTE:1

Only domestic waste from on-site restrooms shall be plumbed into the on-site septic system.

S-6 LIGHT & GLARE:

Permittee is allowed to have security as well as operational lighting. Said lighting shall be shielded and directed to on-site areas only to minimize off-site impacts due to unacceptable levels of light or glare.

S-7 DUST CONTROL AND AIR DISTRICT PERMITS:2

1 EHS email dated December 06, 2022

1
2 Permittee shall comply with all Air Pollution Control District (APCD) rules and
3 regulations with emphasis on Regulation VIII – Fugitive Dust Rules. The permittee
4 shall obtain any Air District permit that may be required and shall contact the Air
5 Pollution Control District to determine required permits if any.

6
7
8 **S-8 ON-SITE RETAIL:** Error! Bookmark not defined.

9 The portion of the zoned C-2-PE (Medium Commercial Pre-existing) would allow for
10 a retail space to be opened on this portion of the property. A required retail food
11 facility permit shall be obtained for any retail space opened on the property and/or
12 associated with the sale of consumable products from the permitted facility.

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15 **S-9 IMPERIAL COUNTY FIRE DEPARTMENT:3**

16 **A** - An approved water supply connected to a Draft Hydrant(s) connection as
17 required by Imperial County Fire Department. Water supply and draft hydrant
18 connections shall be accessible and supply of water shall be maintained at all
19 times.

20 **B** - Fire department access roads shall be a width of a least 20 feet and all weather
21 surface capable of supporting fire apparatus. Fire department access roads will be
22 provided with approved turn around approved by Imperial County Fire Department.
23 Gates will be in accordance with the current adapted fire code and the facility will
24 maintain a Knox Box/lock for access on site.

25 **C** - Secondary access shall be required and shall be kept clear of vehicle
26 congestion and other factors that could limit access.

27 **D** - All storage and handling of flammable and combustible liquids shall be in
28 accordance with the California Fire Code and all federal, state, and local
regulations, codes, and ordinances.

E - Compliance with all required sections of the fire code.

S-10 IMPERIAL IRRIGATION DISTRICT:4

A - To receive water from IID's raw water system the applicant must have water
delivered by a state approved water provider as required by the State of California

2 APCD letter Dated March 27, 2023

3 Imperial County Fire Department letter dated October 26, 2022

4 Imperial Irrigation District letter dated November 2, 2022

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Safe Drinking Water Act. The project must be in compliance with state requirements in order to receive IID canal water.

B - IID Encroachment permits are required for road access from Highway 86, crossing over IID’s Trifolium Extension.

S-11 SALES TAX:5

The permittee is required to have a Construction Site Permit reflecting the project site address, allowing all eligible sales tax payments are allocated to the County of Imperial, Jurisdictional Code 13998. The permittee will provide the County of Imperial a copy of the CDTFA account number and sub-permit for its contractor and subcontractors (if any) related to the jobsite. Permittee shall provide in written verification to the County Executive Office that the necessary sales and use tax permits have been obtained, prior to the issuance of any grading permits.

S-12 CONSTRUCTION/MATERIAL BUDGET: 5

Prior to a grading permit, the permittee will provide the County Executive Office a construction materials budget: an official construction materials budget or detailed budget outlining the construction and materials cost for the processing facility on permittee letterhead.

(TOTAL “S” CONDITIONS are 12)

This space intentionally left blank.

5 County Executive Office letter dated October 26, 2022

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NOW THEREFORE, County hereby issues Conditional Use Permit #22-00023 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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

PERMITTEE:

Desert Milling Inc.

By: _____
John F. "Rick" Benson

Date

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

By: _____
JAMES MINNICK, Director
Planning & Development Services Department

Date

FOR PERMITTEE NOTARIZATION

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

STATE OF CALIFORNIA

COUNTY OF _____ } S.S.

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

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

WITNESS my hand and official seal

Signature _____

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

Dated _____

FOR COUNTY NOTARIZATION

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

STATE OF CALIFORNIA
COUNTY OF IMPERIAL } S.S.

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

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

WITNESS my hand and official seal

Signature _____

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 _____

ATTACHMENT "E"
Updated CUP Application

CONDITIONAL USE PERMIT

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

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

1. PROPERTY OWNER'S NAME <u>Cal EVCO, LLC</u>		EMAIL ADDRESS <u>rick@calenvco.com</u>	
2. MAILING ADDRESS (Street / P O Box, City, State) <u>2010 Jimmy Durante Blvd #205, Del Mar, CA 92014</u>		ZIP CODE <u>92014</u>	PHONE NUMBER <u>858-259-1953</u>
3. APPLICANT'S NAME <u>Desert Milling, Inc</u>		EMAIL ADDRESS <u>rick@desertmilling.com</u>	
4. MAILING ADDRESS (Street / P O Box, City, State) <u>PO Box 235, Brawley, CA</u>		ZIP CODE <u>92227</u>	PHONE NUMBER <u>415-385-5742</u>
4. ENGINEER'S NAME <u>Kesri Sekhon</u>	CA. LICENSE NO. <u>72573</u>	EMAIL ADDRESS <u>kesiskhon@yahoo.com</u>	
5. MAILING ADDRESS (Street / P O Box, City, State) <u>7072 Cordgrass Ct., Carlsbad, CA</u>		ZIP CODE <u>92011</u>	PHONE NUMBER <u>858-395-1143</u>
6. ASSESSOR'S PARCEL NO. <u>019-170-033-000</u>		SIZE OF PROPERTY (in acres or square foot) <u>400.40 AC</u>	ZONING (existing) <u>A2, A3, C2</u>
7. PROPERTY (site) ADDRESS <u>5880 HWY 86, Westmorland, CA 92281</u>			
8. GENERAL LOCATION (i.e. city, town, cross street) <u>Westmorland</u>			
9. LEGAL DESCRIPTION <u>Par B LLA 264 also being POR E2 & POR E2 and POR SW4 of AOX-C AGECON UNIT/ORCHARD/Concrete Ditch, 400.40 AC</u>			

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) <u>Milling, storage and bottling of olive oil, curing and food grade packaging for whole olives, see attached</u>	
11. DESCRIBE CURRENT USE OF PROPERTY <u>Olive grove & harvesting, farm building</u>	
12. DESCRIBE PROPOSED SEWER SYSTEM <u>Existing bathroom ADA m/w, septic</u>	
13. DESCRIBE PROPOSED WATER SYSTEM <u>Reservoir w/ cistern and filtering station</u>	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM <u>hydrant inside cistern per ICFA requirements</u>	
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? <u>2</u>

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

Desert Milling CEO John Benson 10/5/2022

Print Name _____ Date _____

Signature _____

Print Name _____ Date _____

Signature _____

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY: <u>DW</u>	DATE <u>2/23/23</u>	REVIEW / APPROVAL BY OTHER DEPT'S required
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O. E. S.
	DATE _____	<input type="checkbox"/> _____
	DATE _____	<input type="checkbox"/> _____

CUP #
22-0023

ATTACHMENT "F"
Environmental Evaluation
Committee Package

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE AGENDA DATE: February 23, 2023

FROM: PLANNING & DEVELOPMENT SERVICES AGENDA TIME 1:30 PM / No. 2

PROJECT TYPE: CaLEVOO, LLC - CUP #22-0023 SUPERVISOR DIST #4

LOCATION: 5880 Hwy 86 APN: 019-170-033-000

Westmorland, CA 92281 PARCEL SIZE: 400.4 acres

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) N/A

ZONE (existing) A-2\3 (General Heavy Agriculture) and C-2-PE (Median Commercial Pre Existing)

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: 02/23/2023

INITIAL STUDY: #22-0041

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

Quechan, Caltrans

REQUESTED ACTION:

(See Attached)

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

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**CUP #22-0023
IS #22-0041**

CaLEVOO, LLC



Prepared By:

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

(February 2023)

EEC ORIGINAL PKG

TABLE OF CONTENTS

	<u>PAGE</u>
<u>SECTION 1</u>	
I. INTRODUCTION	3
<u>SECTION 2</u>	
II. ENVIRONMENTAL CHECKLIST	8
PROJECT SUMMARY	10
ENVIRONMENTAL ANALYSIS	13
I. AESTHETICS	14
II. AGRICULTURE AND FOREST RESOURCES	14
III. AIR QUALITY	15
IV. BIOLOGICAL RESOURCES	16
V. CULTURAL RESOURCES	17
VI. ENERGY	17
VII. GEOLOGY AND SOILS	16
VIII. GREENHOUSE GAS EMISSION	18
IX. HAZARDS AND HAZARDOUS MATERIALS	19
X. HYDROLOGY AND WATER QUALITY	20
XI. LAND USE AND PLANNING	21
XII. MINERAL RESOURCES	21
XIII. NOISE	21
XIV. POPULATION AND HOUSING	22
XV. PUBLIC SERVICES	22
XVI. RECREATION	23
XVII. TRANSPORTATION	23
XVIII. TRIBAL CULTURAL RESOURCES	21
XIX. UTILITIES AND SERVICE SYSTEMS	24
XX. WILDFIRE	24
<u>SECTION 3</u>	
III. MANDATORY FINDINGS OF SIGNIFICANCE	23
IV. PERSONS AND ORGANIZATIONS CONSULTED	24
V. REFERENCES	25
VI. NEGATIVE DECLARATION - COUNTY OF IMPERIAL	26
27 FINDINGS	27
<u>SECTION 4</u>	
VIII. RESPONSE TO COMMENTS (IF ANY)	28
IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)	29

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 22-0023 / Initial Study #22-0041 where the intent of the project is to operate an olive oil mill. (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency,

in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in

preparation of this Initial Study and Negative Declaration.

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. **Tiered Documents**

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

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared

for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

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

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

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

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

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

2. Incorporation By Reference

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

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

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

describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150(c)). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150(d)). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150(f)). This has been previously discussed in this document.

II. *Environmental Checklist*

1. **Project Title:** Conditional Use Permit #22-0023 / Initial Study #22-0041 for the CaLEVOO, LLC
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Derek Newland, Planner II, (442)265-1736, ext. 1756
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** dereknewland@co.imperial.ca.us
6. **Project location:** 5880 Hwy 86, Westmorland, CA 92281
7. **Project sponsor's name and address:** CaLEVOO, LLC; John F. "Rick" Benson
5880 Hwy 86, Westmorland, CA 92281
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2 (General Agriculture), A-3 (Heavy Agriculture), and C-2-PE (Medium Commercial Pre Existing)
10. **Description of project:** The applicant proposes to install an olive oil mill inside an existing and permitted metal structure for the purpose of producing olive oil from locally sourced olives from olive groves located on the project parcel and potentially from other growers within the County. The mill is proposed to operate during olive harvesting season which is August to January. The organic waste streams are proposed to be utilized on site, composted, or recycled in an effort to reach near zero offsite waste disposal. With olives being processed onsite, all current trucks used in the harvesting process will remain onsite with the exception of any offsite fruit being brought in for processing. The olive oil product will be taken off-site to retailers via passenger vehicles.
11. **Surrounding land uses and setting:** The olive oil mill will be located within an existing and permitted 3,000 square foot metal structure located on a 400.4 acre parcel containing 200 acres of olive groves and a roughly +/- 9 acre reservoir adjacent to the metal building. The surrounding properties to the north, east and west are agricultural lands with SR-86, open desert space to the south. There is also a single family home on an adjacent parcel south of the project as well.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): 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 AB 52 Notice of Opportunity to consult was mailed via certified mail to the Quechan Indian Tribal Governments and the Campo Band of Mission Indians on October 21, 2022 for their review and comment. The Quechan Indian Tribe responded on October 24, 2022 and does not wish to comment on this project. No response was received from the Campo Band of Mission Indians.

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.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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

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

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

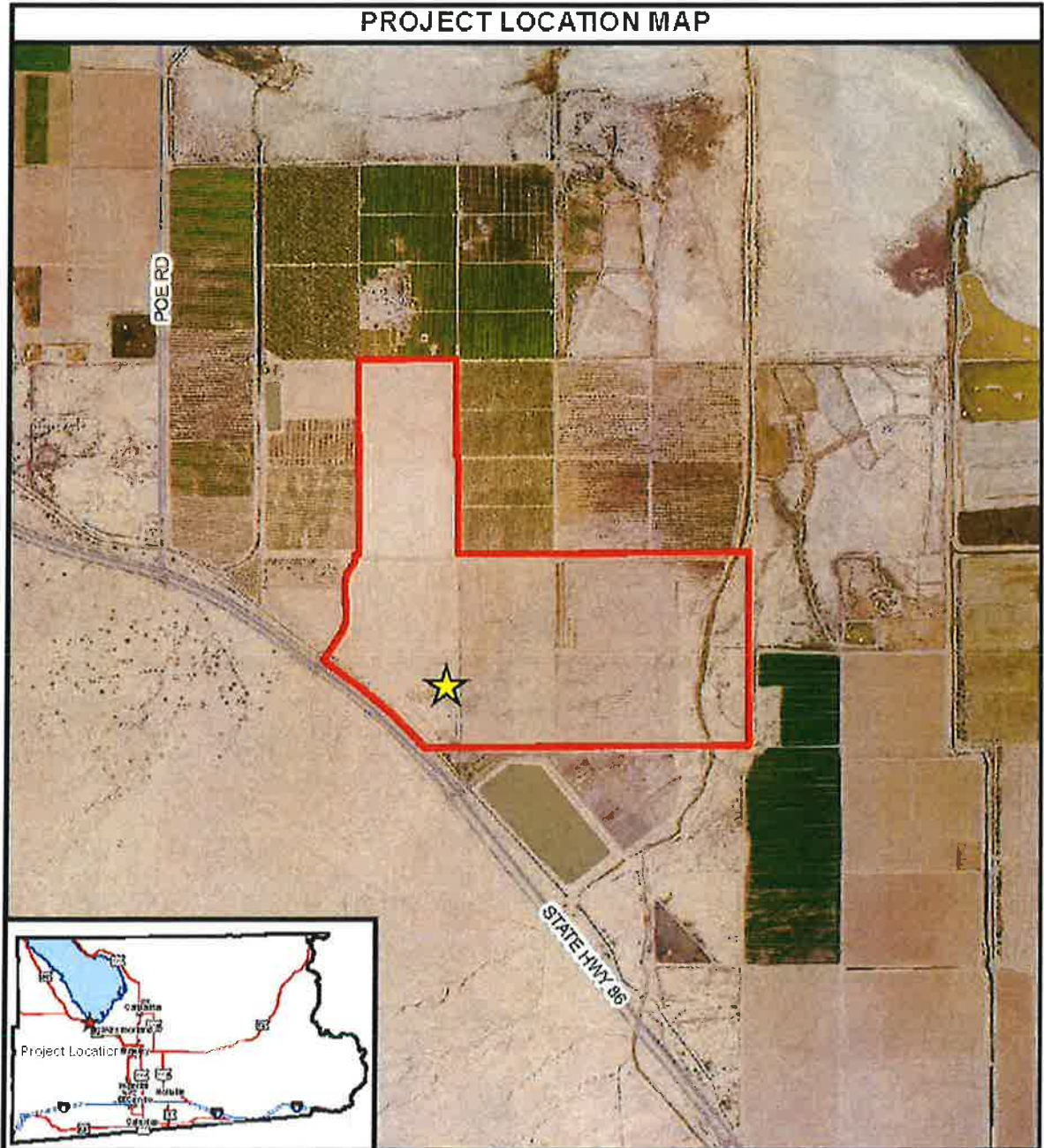
2-23-2023
 Date:

PROJECT SUMMARY

- A. Project Location:** The project site is located at 5880 Hwy 86, Westmorland, CA 92281. The parcel is identified as Assessor's Parcel Number (APN) 019-170-033-000 and is legally described as Parcel B of Lot Line Adjustment 264, also being a Portion of the East Half & a Portion of the Southwest Quarter of Section 32 & Southwest Quarter of Section 33, T12S, R12E, Northeasterly of Hwy 86 400.4 AC, S.B.B.M, in an unincorporated area of the County of Imperial.
- B. Project Summary:** The applicant proposes to install an olive oil mill inside an existing and permitted metal structure for the purpose of producing olive oil from locally sourced olives from olive groves located on the project parcel and potentially from other growers within the County. The mill is proposed to operate during olive harvesting season which is August to January. The organic waste streams are proposed to be utilized on site, composted, or recycled in an effort to reach near zero offsite waste disposal. With olives being processed onsite, all current trucks used in the harvesting process will remain onsite with the exception of any offsite fruit being brought in for processing. The olive oil product will be taken off-site to retailers via passenger vehicles.
- C. Environmental Setting:** The proposed project will be within an existing and permitted 3,000 square foot metal structure (building) on a 400.4 acre parcel with 200 acres of actively farmed and maintained olive groves. The parcel is zoned A-2, A-3 and C-2-PE with the project being located on the portion of the parcel zoned A-2. The land north, east and west of the property are agricultural lands. South of the project is SR-86, open space desert land, and a residential building on an adjacent parcel to the south.
- D. Analysis:** The proposed project is located within the County's General Plan designation of "Agriculture". The project is located on a portion of the property zoned A-2 under the County Land Use Ordinance, Section 90508.00. The proposed olive oil mill could be found consistent with the County Land Use Ordinance, as the processing of an agricultural product into a consumable form would be an allowed use with an approved Conditional Use Permit.
- E. General Plan Consistency:** The proposed project is located on land designated within the County's General Plan as "Agriculture". The processing of agricultural products is allowed within the Agricultural designation and its subsequent Agricultural Land Use Zones.

Exhibit "A"
Vicinity Map

PROJECT LOCATION MAP



CALEVOO, LLC.
CUP #22-0023 / IS #22-0041
APN #019-170-033-000




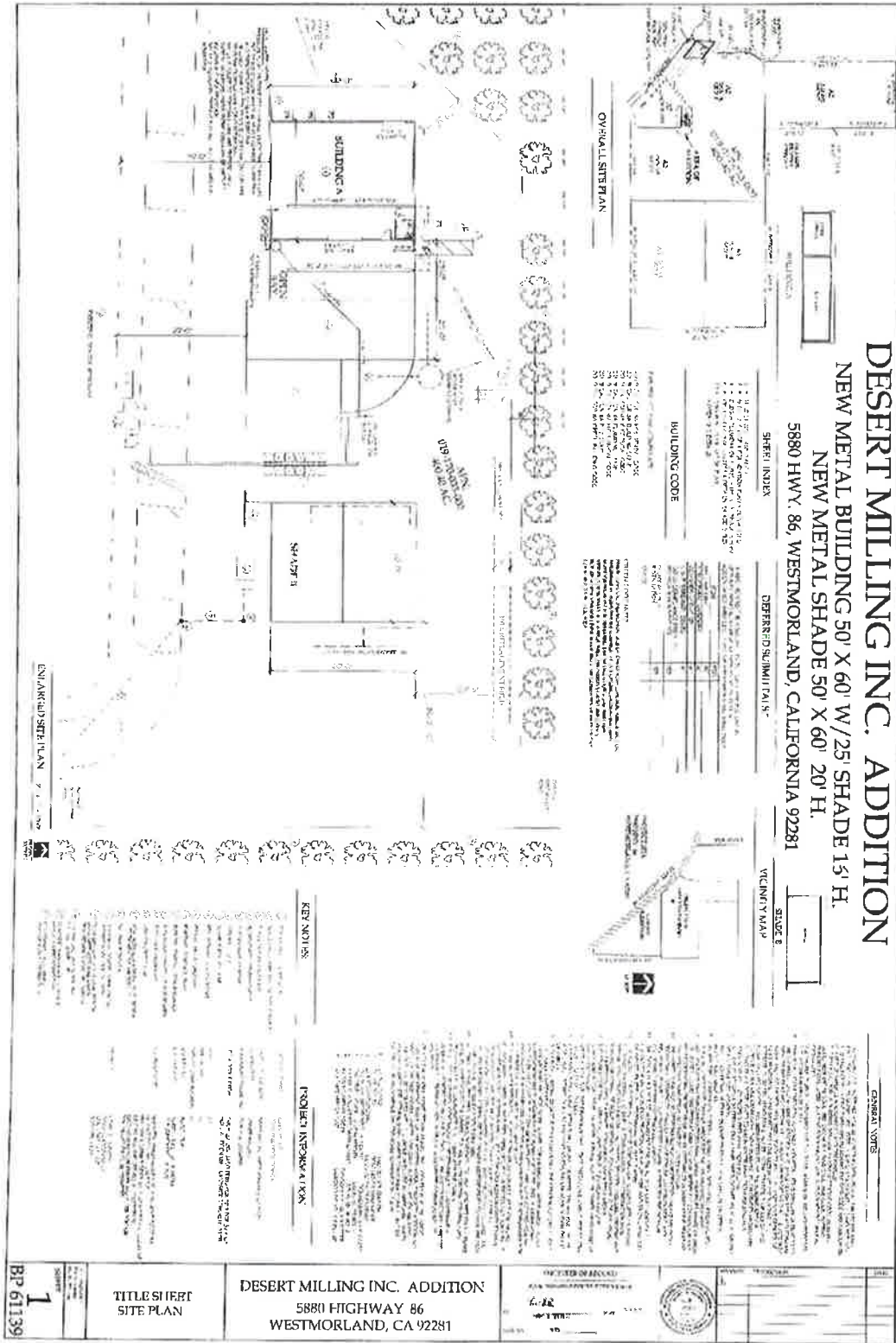
-  Project Parcel
-  Centerline
-  Proposed Olive Mill



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



EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

- a) Have a substantial adverse effect on a scenic vista or scenic highway?
a) The proposed olive oil mill will be inside an existing permitted metal warehouse structure is located roughly +/- 900 feet north of SR-86, which is not designated as a scenic vista or highway, pursuant to section IIB-5, under the Circulation/Scenic Highway Element of the General Plan¹. The majority of harvesting and transporting of fruit for processing will be done on site from the surrounding olive grove also on the property. A less than significant impact is expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
b) The proposed olive oil mill is not located near any scenic resources or scenic highway. No impact is expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
c) The proposed olive oil mill is not located in an urbanized area and would comply with applicable zoning and other regulations with an approved Conditional Use Permit, therefore, a less than significant impact is expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
d) Any nighttime lighting installed at the olive oil mill, which will be housed in an existing permitted and constructed metal structure as an allowed use by right would be installed in accordance to State Codes and County Ordinances. Therefore, any impacts are expected to be less than significant.

II. AGRICULTURE AND FOREST RESOURCES

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

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
a) The proposed olive oil mill will be located on a 400.4 acre parcel with existing olive groves and according to the California Department of Conservation Farmland Mapping and Monitoring Program Map the parcel consists of +/- 170 acres of Prime Farmland, +/- 61.5 acres of Farmland of State Importance, +/- 110 acres of Farmland of Local Importance, +/- 15.8 acres of Urban and Built-up Land and +/- 40.3 acres of other land. The location of the proposed project will be inside a currently permitted and constructed metal structure that is located on the +/- 15.8 acre area designated as Urban and Built-up Land that also consists of a reservoir. Therefore, the proposed project will not convert farmland to non-agricultural use and any impacts are expected to be less than significant.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
b) There are no current Williamson Act Contracts within Imperial County and the project is located within an A-2 (General Agriculture) zone, which allows for agriculture produce processing with a Conditional Use Permit. Therefore any impacts are considered to be less than significant.

¹ Imperial County General Plan

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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))? c) The proposed olive oil mill will be inside a permitted and constructed metal structure is located on land designated as "Agriculture" per the Imperial County General Plan and will not conflict with existing zoning or cause rezoning of forestland. Therefore, no impact is expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? d) As stated above, the proposed olive oil mill will be inside a permitted and built metal structure is located on land designated as "Agriculture" and will not result in loss of or conversion of forest land. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? e) The proposed olive oil mill will not involve changes that would result in conversion of farmland or forest land; therefore, any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 olive oil mill will not conflict with or obstruct implementation of any applicable air quality plan. The mill will be located in a permitted warehouse building. Additionally the applicant shall contact the Imperial County Air Pollution Control District for compliance and any required permits. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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) The operation of the proposed olive oil mill will not result in a net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Any impacts would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutants concentrations?
c) Air quality regulators typically define sensitive receptors as schools, hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would adversely be impacted by changes in air quality. The proposed olive oil mill housed inside a currently permitted and built structure is roughly +/- 6.8 miles from the nearest potential sensitive receptors in the City of Westmorland. The operation of the olive oil mill consists of washing and pressing of fruit within a structure. Onsite farming operations already produce some dust from vehicles on the dirt roads which are watered for dust suppression year round. In addition, the applicant will need to comply with ICAPCD's Regulation VIII to control fugitive dust emissions. Any impacts would be expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?
d) The proposed olive oil mill contained in a permitted and constructed metal structure is located on a 400.4 acre agriculture parcel that is bounded by other agricultural parcels, SR-86, and desert land and is roughly +/- 6.8 from the nearest built up area that is the City of Westmorland and therefore should not result in other emissions adversely affecting a substantial number of people. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IV. **BIOLOGICAL RESOURCES** *Would the project:*

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

a) According to Figure 2 and 3 of the Conservation/Open Space Element of the Imperial County General Plan, the property could potentially be a flat-tailed horned lizard habitat based on the FTHL Distribution Model, however, the property is not located in the FTHL Management Area. The proposed olive oil mill will be inside a permitted and constructed metal structure that is located on a 400.4 acre parcel on disturbed land that has been actively farmed for decades and currently has actively farmed and maintained olive groves. Therefore, the proposed project does not appear to have a substantial adverse effect, either directly or through habitat modification, on the species identified as a candidate, sensitive or special status species. Any impacts are considered 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?

b) The proposed olive oil mill will be located in a permitted and constructed metal structure is located on a 400.4 acre parcel that contains actively farmed and maintained olive groves and is not located near an identified riparian habitat or sensitive natural communities. Therefore, 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?

c) The proposed olive oil mill will be located in a permitted and constructed metal structure is not located near any areas defined as protected wetlands, State or Federal. 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?

d) The proposed olive oil mill located inside a permitted and constructed metal structure on a 400.4 acre parcel with actively farmed and maintained olive groves does not appear to 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. Therefore, 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?

e) No local, state, or regional preservation or conservation plans or policies have been identified as applicable to the proposed olive oil mill. Therefore, 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?

f) As stated in section IV (a) the project is located in an area within the Flat-Tailed Horned Lizard Species Distribution Model it is not located in their management area. Additionally, the proposed olive oil mill will be located in a permitted and constructed metal structure that is on disturbed and actively farmed and maintained olive groves. Any impacts would be expected to be less than significant.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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V. **CULTURAL RESOURCES** *Would the project:*

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

a) The proposed olive oil mill will be located inside a permitted and constructed metal structure located on a 400.4 acre agricultural field that has been farmed for decades and currently has actively farmed and maintained olive groves on the property. Therefore, no impacts are expected.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

b) The proposed olive oil mill will be located inside a permitted and constructed metal structure located on a 400.4 acre agricultural field that has been farmed for decades and currently has actively farmed and maintained olive groves on the property. Therefore, no impacts are expected.
- c) Disturb any human remains, including those interred outside of dedicated cemeteries?

c) The proposed olive oil mill will be located inside a permitted and constructed metal structure located on a 400.4 acre agricultural field that has been farmed for decades and currently has actively farmed and maintained olive groves on the property. Therefore, no impacts are expected.

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) Electrical service is currently provided by Imperial Irrigation District, the proposed olive oil mill is not expected to result in potentially significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resource. Any impact is expected to be less than significant.
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

b) The proposed olive oil mill is not expected to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impacts are expected.

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

- a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:

The proposed olive oil mill located within a permitted and constructed metal structure would not directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death. The site is located +/- 1.2 miles east of the Lone Tree fault but would be no more affected by seismic activity than any other surrounding property. Any impacts are expected to be less than significant.
- 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

1) The proposed olive oil mill located within a permitted and constructed metal structure is +/- 1.2 miles east of the nearest fault, the Lone Tree fault within the San Jacinto fault zone. No potential substantial adverse effects from fault rupture is expected, therefore, any impacts are expected to be less than significant.
- 2) Strong Seismic ground shaking?

2) The proposed olive oil mill located within a permitted and constructed metal structure is +/- 1.2 miles east of the nearest fault, the Lone Tree fault. In case of an earthquake, ground shaking would be expected to be in the same as surrounding areas. Therefore, any impacts are expected to be less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
3) Seismic-related ground failure, including liquefaction and seiche/tsunami? 3) The proposed olive oil mill located within a permitted and constructed metal structure. The project site is located next to a human made reservoir and could potentially be subject to a seiche event. However, any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides? 4) The proposed olive oil mill located in a permitted and constructed metal structure is not located within a Landslide Activity area according to the Imperial County Seismic and Public Safety Element, Figure 2 (Landslide Activity). The topography within the site is relatively flat with exception of the compacted berm around the onsite reservoir. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? b) The project site is not located within an area of substantial soil erosion according to Imperial County Seismic and Public Safety Element, Figure 3 (Erosion Activity). The project will not result in substantial soil erosion or loss of topsoil, therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? c) The proposed olive oil mill will be located in a permitted and constructed metal structure and no new structures are proposed. It is not expected that the proposed project would result in the land becoming unstable. Therefore, any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? d) The proposed olive oil mill will be located in an existing permitted metal structure and no other buildings are proposed. As no new structures are proposed the proposed project is not expected to create substantial direct or indirect risk of life or property. Any new structures will be required to meet the latest edition of the California Building Code. Therefore, impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? e) The proposed olive oil mill will be located in an existing permitted metal structure that contains a bathroom which will use an onsite septic system. There is no indication the soils will not adequately support the onsite septic system. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? f) The proposed project will be located within an existing permitted metal structure that is located on disturbed and actively farmed land. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? a) Based on the applicant's description of farm truck use in the project description as well as an addendum letter to the project description dated January 19, 2023², greenhouse gas emissions are currently highest during the olive harvest between August and January. The current truck traffic travels off of the property and out of the county during this time. The proposed olive oil mill would cause the current traffic to be reduced to onsite travel as the fruit would be harvested and processed onsite removing the out of County travel. Any offsite harvest trucks hauling purchased fruit for processing onsite would also reduce total mile traveled as those vehicles would also not be traveling out of county. Due to the potential for overall vehicle miles traveled to be reduced and the applicant complying with any and all APCD requirements and permits, it	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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² Project Description Addendum Letter from Applicant John F. "Rick" Benson Dated January 19, 2023

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

- b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

b) The proposed olive oil mill is not expected to conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emission of greenhouse gases; as mentioned above the applicant will comply with any and all APCD requirements and permits. Impacts are expected to be less than significant.

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

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

a) The proposed olive oil mill does not intend to use or dispose of hazardous materials. No impacts are expected.

- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

b) The proposed olive oil mill will be processing olives into olive oil through pressing of the fruit and no hazardous materials will be used. Any waste would be organic and therefore no impacts are expected.

- 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 olive oil mill will be processing organic material and the nearest school is +/- 7 miles away in the City of Westmorland. No impacts are expected.

- d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

d) The proposed olive oil mill will be located inside an existing permitted metal structure and is not located on a site included on a list of hazardous material sites. Therefore, any impacts are expected to be less than significant.

- 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 olive oil mill will be located inside an existing permitted metal structure located +/- 900 feet from SR-86 on a 400.4 acre parcel with actively farmed and maintained olive groves. The nearest airports are the Calipatria Airport and Brawley Airport which are both +/- 13 miles northeast and southeast of the project site. No impacts are expected.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

f) The proposed olive oil mill will not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impacts are expected.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

g) The proposed olive oil mill is not located within a wildland fire area. In addition, the mill will be located within an existing permitted metal structure with a man-made reservoir adjacent to the project site which can be used for fire suppression. Any impacts are expected to be less than significant.

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
a) The proposed olive oil mill will be filtering waste water from the washing of the fruit for use as irrigation water and dust suppression. The applicant will reach out and comply with any permits or requirements from the Colorado River Basin Regional Board. Any impacts are considered to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
b) The proposed project will be utilizing IID canal water and does not proposed to extract ground water for any purpose. Therefore, any impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
c) The proposed olive oil mill will be located in an existing and permitted metal structure and will not alter the existing drainage pattern of the site or area as no other structures or development is proposed. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) result in substantial erosion or siltation on- or off-site;
i) The proposed olive oil mill will be located in an existing and permitted metal structure. Water discharge from the olive oil making process will be utilized on site for the farming and maintenance of the onsite olive groves. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
ii) The proposed olive oil mill will be located in an existing and permitted metal structure and will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;
iii) The proposed olive oil mill will be utilizing storage tanks for any waste water to use for dust suppression and irrigation of the onsite olive groves and will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or proved substantial additional sources of polluted runoff. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iv) impede or redirect flood flows?
iv) The proposed olive oil mill located in an existing and permitted metal structure will not impede or redirect flood flows. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
d) The proposed olive oil mill located in an existing and permitted metal structure and is not in a tsunami or flood zone. However, the proximity to the adjacent human made reservoir could lead to a possibility of a small seiche event. It is expected that any impacts from a seiche event would be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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control plan or sustainable groundwater management plan?

e) The proposed olive oil mill would be required to comply with any requirements or permits by EHS or the Colorado River Basin Regional Board in regard to septic and waste water discharge. This compliance would lessen any conflicts related to the implementation of a water quality control. Therefore, any impacts would be considered less than significant.

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The proposed olive oil mill will be located in an existing and permitted metal structure on land that is currently Zone A-2 (General Agriculture) on a property that currently has farmed and maintained olive groves. The surrounding lands are agriculture, SR-86, and open space. The project does not include any construction or development that would physically divide an established community. No impacts are expected. | | | | |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The proposed olive oil mill is not expected to conflict with the County's General Plan or Land Use Ordinance as a Conditional Use Permit (CUP) was submitted for the proposed project. The portion of the parcel that the proposed olive oil mill is located on is zoned A-2 (General Agriculture) and the proposed use would be allowed with an approved CUP. Any impacts are considered 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The proposed olive oil mill will be located in an existing and permitted metal structure and is not located in an area classified to be a regionally important mineral resource per the California Department of conservation – Mineral Land Classification ³ . 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The proposed olive oil mill will be located in an existing and permitted metal structure is not located in an area known to be classified as a regionally important mineral resource. Therefore, it is not expected that the proposed project would 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 and so no impacts are expected. | | | | |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed olive oil mill will be within an existing and permitted metal structure is on a 400.4 acre parcel with actively farmed and maintained olive groves with the main source of noise from the mill being the press used to crush olives during harvesting season which is between August and January. The surrounding land is active agriculture and the project property lies along SR-86 which has daily and nightly traffic consisting of passenger and commercial vehicles of all types. Therefore, it is expected that the project will not generate 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 | | | | |

³ California Department of Conservation - <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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of other agencies. Additionally the project will be subject to compliance with the Imperial County General Plan Noise Element and with Imperial County Land Use Ordinance Division 7: Noise Abatement and Control. Therefore, any impacts are expected to be less than significant.

b) Generation of excessive ground-borne vibration or ground-borne noise levels?
b) The proposed olive oil mill will be located inside an existing and permitted metal structure and is not expected to generate excessive ground-borne vibration or ground-borne noise levels. Therefore, 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?
c) The nearest airports are northeast in the City of Calipatria and northwest in the City of Brawley, with both airports being +/- 13 miles from the project. The project is not located within either Compatibility Map according to the Imperial County Airport Land Use Compatibility Plan; therefore, it is not expected to expose workers within the project area to excessive noise levels. 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)?
a) The proposed olive oil mill will be located within an existing and permitted metal structure and no further land development or housing is proposed. Therefore, no impacts are expected.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
b) The proposed olive oil mill is not expected to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, as the project is located on and surrounded by actively farmed agricultural land as well as open desert and SR-86. Therefore, no impacts are expected.

XV. **PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
a) The proposed olive oil mill located within an existing and permitted metal structure is not expected to 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. Any impacts are expected to be less than significant.

1) Fire Protection?
1) The proposed olive oil mill located inside an existing and permitted metal structure which received Imperial County Fire approval. Additionally, the applicant shall comply with Imperial County Fire Department requirements per letter dated October 26, 2022. It is expected that compliance with the ICFD's requirements would lessen any public service impacts to less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) The proposed olive oil mill located inside an existing and permitted metal structure is not expected to create a substantial adverse impact to police protection. 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 olive oil mill located inside an existing and permitted metal structure is not expected to create a substantial adverse impact to schools or require the construction of any new educational facilities. No impacts are expected.				
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) The proposed olive oil mill located inside an existing and permitted metal structure would not result in substantial adverse physical impacts to existing parks. No impacts are expected.				
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) The proposed olive oil mill located inside an existing and permitted metal structure is not expected to have a substantial adverse physical impact any other public facility. 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?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- a) The proposed olive oil mill located inside an existing and permitted metal structure proposes no new housing or increase in population that would increase use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, 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?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- b) The proposed olive oil mill located inside an existing and permitted metal structure does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment. Any impacts would be expected to be less than significant.**

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?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- a) The proposed olive oil mill will be located within an existing and permitted metal structure is not expected to conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The current trucks being used to haul fruit off of the site and out of the County for processing during harvesting would no longer need to leave the site as processing would be done on site. Any impacts are expected to be less than significant.**
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- b) The proposed olive oil mill to be located in an existing and permitted metal structure would potentially reduce overall vehicle miles traveled by keeping the current truck traffic hauling fruit out of the County to onsite hauling as processing of the fruit would be on site. Therefore, it is expected that the proposed project would not conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b). 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)?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- c) The proposed olive oil mill will be located in an existing and permitted metal structure is in an area of agricultural fields**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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and open space desert along SR-86. The project is not expected to substantially increase hazards due to a geometric design feature or incompatible uses; therefore, any impacts are expected to be less than significant.

d) Result in inadequate emergency access?

d) The proposed olive oil mill will be located in an existing and permitted metal structure and the applicant will need to comply with the Imperial County Fire Department letter dated October 26, 2022. Is expect that the project will not result in inadequate emergency access; therefore, any impacts are expected to be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES

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

a) Consultation with appropriate tribes with the potential for interest in the region as stated in Assembly Bill 52 was performed by Imperial County, however, no comments were received. The proposed olive oil mill to be located in an existing and permitted metal structure does not anticipate substantial physical changes to the existing site and thus 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

(i) The proposed olive oil mill to be located in an existing and permitted metal structure is not in an area listed under the California Historical Resources in County of Imperial⁴ and does not appear to be eligible under Pubic Resources Code Section 5020.1 (k). 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.

(ii) No substantial evidence on the proposed site of the proposed olive oil mill to be located in an existing and permitted metal structure located within an actively farmed parcel has been found to be significant to a California Native American Tribe pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, impacts are expected to be less than significant.

⁴ Office of Historic Preservation <http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XIX. UTILITIES AND SERVICE SYSTEMS *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?
a) The proposed olive oil mill to be located within an existing and permitted structure would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm-water drainage, electric power, natural gas, or telecommunications facilities. Any impacts would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
b) The parcel containing the project has an onsite reservoir and it is expected to have sufficient water supplies available for the existing and reasonably foreseeable future. In addition, the project proposes to recycle water used to wash the olives as well as capture olive water from the olive pressing process for irrigation and dust control, reducing some water use from the reservoir. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
c) The proposed olive oil mill will be located in an existing and permitted metal structure with a connected septic system. EHS has made no comments as to the need to increase or modify the capacity of the septic system. Per EHS' emailed comments dated December 6, 2022, the septic system may only be used for domestic waste and no waste water from the olive mill shall be plumbed into the system. It is expected that compliance with these comments would make any impacts less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
d) The proposed project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. The main waste from the proposed olive oil mill is organic in nature and the project is proposing to utilize, recycle or compost as much of this waste as possible. Therefore, any impacts would be considered less than significant. | <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) The proposed project will comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Impacts would be considered 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) The proposed project site is not located in or near a moderate, high, or very high fire hazard zone and is designated as a Local Response Area according to the Fire Hazard Severity Zones in State Response Areas by the California Department of Forestry and Fire Protection. The applicant will need to comply with the Imperial County Fire Department's requirements per letter dated October 26, 2022. Any impacts would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
b) The proposed project will be located in an area that is generally flat terrain and is not located near state responsibility areas or lands classified as very high fire hazard severity zones. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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 will be located adjacent to a private onsite reservoir and a draft hydrant connection would be required by the Imperial County Fire Department. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? d) The proposed project is located in an area that is generally flat and the surrounding lands that could potentially be impacted are agricultural fields and no people or structures should be threatened as a result of runoff, post-fire slope instability, or drainage changes. Any impacts would be considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

IV. PERSONS AND ORGANIZATIONS CONSULTED

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

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planning Division Manager
- Derek Newland, Project Planner
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Imperial Irrigation District (IID)
- California Department of Transportation (Caltrans)

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

V. REFERENCES

1. "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.
2. Imperial County Important Farmland 2018 Map
3. Imperial County Williamson Act FY 2016/2017 Map
4. California Department of Conservation Earthquake Zone Map
<https://maps.conservation.ca.gov/cgs/EQZApp/>
5. Department of Conservation Tsunami Inundation Maps
<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>
6. EnviroStor Database
<http://www.envirostor.dtsc.ca.gov/public/>
7. 1996 Airport Land Use Compatibility Plan
<https://www.icpds.com/assets/hearings/airport-land-use-commission/aluc-compatibility-plan-1996-part-1.pdf>
8. FEMA Flood Map Service Center
<https://msc.fema.gov/portal/search?AddressQuery=4895%20hovley%20rd.%2C%20brawley#searchresultsanchor>
9. California Department of Conservation
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>
10. Office of Historic Preservation
<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

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: CaLEVOO, LLC.

Project Applicant: John F. "Rick" Benson

Project Location: 5880 Hwy 86, Westmorland, 92281

Description of Project: The applicant proposes to install an olive oil mill inside an existing and permitted metal structure for the purpose of producing olive oil from locally sourced olives from olive groves located on the project parcel and potentially from other growers within the County. The mill is proposed to operate during olive harvesting season which is August to January. The organic waste streams are proposed to be utilized on site, composted, or recycled in an effort to reach near zero offsite waste disposal. With olives being processed onsite, all current trucks used in the harvesting process will remain onsite with the exception of any offsite fruit being brought in for processing. The olive oil product will be taken off-site to retailers via passenger vehicles.

VII. FINDINGS

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

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

The Initial Study identifies potentially significant effects but:

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

A NEGATIVE DECLARATION will be prepared.

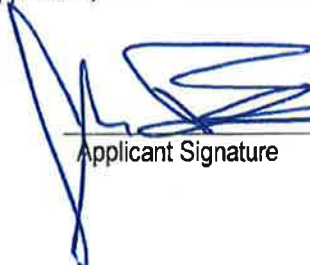
If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services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

NOTICE

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

2-23-2023 
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.

 2/23/23
Applicant Signature Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

S:\AllUsers\APN\019\170\033\CUP22-0023\EEC\CUP22-0023_IS22-0041 Initial Study.docx

COMMENTS

EEC ORIGINAL PKG

ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

Administration
Phone: (442) 265-6000
Fax: (760) 482-2427

Training
Phone: (442) 265-6011

**OPERATIONS/PREVENTION**

2514 La Brucherie Road
Imperial, CA 92251

Operations
Phone: (442) 265-3000
Fax: (760) 355-1482

Prevention
Phone: (442) 265-3020

October 26, 2022

RE: Condition Use Permit 22-0023
Calevoo, LLC
5800 Hwy 86, Brawley CA 92227

Imperial County Fire Department would like to thank you for the opportunity to review and comment on CUP 22-0023 for Calevoo LLC, located at 5800 Hwy 86, Brawley CA 92227. Calevoo will be an olive mill to process olives into olive oil.

Imperial County Fire Department has the following comments and/or requirements.

- An approved water supply connected to a Draft Hydrant(s) connection as required by Imperial County Fire Department. Water supply and draft hydrant connections shall be accessible and supply of water shall be maintained at all times.
- Fire department access roads shall be a width of a least 20 feet and all weather surface capable of supporting fire apparatus. Fire department access roads will be provided with approved turn around approved by Imperial County Fire Department. Gates will be in accordance with the current adapted fire code and the facility will maintain a Knox Box/lock for access on site.
- Secondary access shall be required and shall be kept clear of vehicle congestion and other factors that could limit access.
- All storage and handling of flammable and combustible liquids shall be in accordance with the California Fire Code and all federal, state, and local regulations, codes, and ordinances.
- Compliance with all required sections of the fire code.

The project shall be in compliance at all times with requirements in the California Fire Code and local ordinances and requirements. Imperial County Fire Department shall conduct annual fire and life safety inspections

Imperial County Fire Department reserves the right to comment and request additional requirements pertaining to this project regarding fire and life safety measures, California Building and Fire Code, and National Fire Protection Association standards at a later time as we see necessary.

If you have any questions, please contact the Imperial County Fire Prevention Bureau at 442-265-3020 or 442-265-3021.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

EEC ORIGINAL PKG

ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

Administration

Phone: (442) 265-6000
Fax: (760) 482-2427

Training

Phone: (442) 265-6011



OPERATIONS/PREVENTION

2514 La Brucherie Road
Imperial, CA 92251

Operations

Phone: (442) 265-3000
Fax: (760) 355-1482

Prevention

Phone: (442) 265-3020

Sincerely
Andrew Loper
Lieutenant/Fire Prevention Specialist
Imperial County Fire Department
Fire Prevention Bureau

Robert Malek
Deputy Chief
Imperial County Fire Department
Fire Prevention Bureau

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

EEC ORIGINAL PKG


COUNTY EXECUTIVE OFFICE

Miguel Figueroa
County Executive Officer
miguelfigueroa@co.imperial.ca.us
www.co.imperial.ca.us



County Administration Center
940 Main Street, Suite 208
El Centro, CA 92243
Tel: 442-265-1001
Fax: 442-265-1010

October 26, 2022

TO: Derek Newland, Planning and Development Services Department
FROM: Rosa Lopez, Executive Office 
SUBJECT: Request for Comments – Calevoo, LLC (CUP22-0023/IS22-0041 - APN 019-170-033-000)

The County of Imperial Executive Office is responding to a request for comments Calevoo, LLC (APN 019-170-033-000) project. The Executive Office would like to inform the developer of conditions and responsibilities should the applicant seek a Conditional Use Permit (CUP). The conditions commence prior to the approval of an initial grading permit and subsequently continue throughout the permitting process. This includes, but not limited to:

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

Should there be any concerns and/or questions, do not hesitate to contact me.



IID

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November 2, 2022

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

SUBJECT: Calevoo, LLC Olive Mill Project, CUP22-0023/IS22-0041

Dear Mr. Newland:

On October 21, 2022, the Imperial Irrigation District received a request for agency comments on Conditional Use Permit application No. 22-0023, Initial Study No. 22-0041, for an olive mill project. The applicant, Calevoo, LLC, proposes the construction and operation of an olive oil producing facility at 5800 Hwy. 86 in Brawley, CA (APN 019-170-033-000).

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

1. The site currently has electrical service feeding water pumps for irrigation. If the project requires an upgrade to the site's current electrical service, the applicant should be advised to contact Gabriel Ramirez, IID service planner, at (760) 339-9257 or e-mail Mr. Ramirez at gramirez@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit AutoCAD file of site plan, 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 the project. The applicant shall be responsible for all costs and mitigation measures related to providing new electrical service to the 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. IID water facilities that may be impacted include the Trifolium Extension and Trifolium Drain No. 17.

4. To insure there are no impacts to IID water facilities, the project's engineering plans, including Imperial County-approved grading/drainage and fencing plans, are to be submitted to IID Water Department Engineering Services Section for review prior to final project design. IID WDES Section can be contacted at (760) 339-9265 for additional information.
5. Under the General Planning Narrative's *Water Use* Section, it states "the mill will use less than 2,000 gallons of filtered IID ditch water daily during 60-100 days of processing. That wash water will be made potable through a locally-acquired, standard multi-step process". The applicant should be advised to install a point-of-use potable water system that is permitted by Imperial County for their processing.
6. Given that employees will be working for 60 to 100 days per year at the proposed mill, to receive water from IID's raw water system the applicant must have water delivered by a state approved water provider as required by the State of California Safe Drinking Water Act. The project must be in compliance with state requirements in order to receive IID canal water.
7. The applicant may not use IID's canal or drain banks to access the project site.
8. For the project's proposed road access from Highway 86, crossing over IID's Trifolium Extension, IID Encroachment permits will be required.
9. 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 <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
10. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.

Derek Newland
November 2, 2022
Page 3

11. 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.

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

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamie Asbury – Manager, Energy Dept.
Constance Bergmark – Deputy Mgr. Energy Dept.
Geoffrey Holbrook – General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

EEC ORIGINAL PKG

Derek Newland

From: Derek Newland
Sent: Tuesday, December 6, 2022 3:05 PM
To: ICPDSCCommentLetters; Jorge Perez
Subject: FW: CUP22-0023/IS22-0041 Request for Comments

Thank you Jorge.

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

From: Jorge Perez <JorgePerez@co.imperial.ca.us>
Sent: Tuesday, December 6, 2022 3:02 PM
To: Derek Newland <DerekNewland@co.imperial.ca.us>
Subject: RE: CUP22-0023/IS22-0041 Request for Comments

Hi Derek,

Based on the project description, DEH has the following comments:

1. Only domestic waste from on-site restrooms shall be plumbed into the on-site septic system.
2. Applicant shall verify the discharge of the olive wash water and olive water with the Colorado River Basin Regional Board. This water shall not be plumbed into the septic system.
3. Based on the project description, it appears the olive oil will be distributed to retailers. However, if a retail space is opened up on-site, the applicant shall contact our agency to obtain a retail food facility permit. Additional permitting requirements may be required.

If you or the applicant have any questions, please do not hesitate to contact me.

Regards,

Jorge A. Perez

Imperial County Division of Environmental Health
P: 442-265-1888 – C: 760-427-1190

From: Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>
Sent: Friday, October 21, 2022 2:05 PM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Ana L Gomez <analopez@co.imperial.ca.us>; Belen Leon <BelenLeon@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Jesus Ramirez <JesusRamirez@co.imperial.ca.us>; Eric Havens <EricHavens@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle

<RobertMenvielle@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; RKelley@icso.org; rbenavidez@icso.org; Scott Sheppard <scottsheppard@icso.org>; Ray Loera - Sheriff <rloera@icso.org>; Manuel Deleon <mdeleon@icso.org>; dvargas@iid.com; maurice.Eaton@dot.ca.gov; kimberly.dodson@dot.ca.gov; roger.sanchez-rangel@dot.ca.gov; Marcus Cuero <marcuscuero@campo-nsn.gov>; jmesa@campo-nsn.gov; historicpreservation@quechantribe.com; Jordan D. Joaquin <tribalsecretary@quechantribe.com>; thomas.tortez@torresmartinez-nsn.gov; joseph.mirelez@torresmartinez-nsn.gov

Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Derek Newland <DerekNewland@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Allison Galindo <allisongalindo@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Laryssa Alvarado <laryssaalvarado@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Melina Rizo <melinarizo@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>

Subject: CUP22-0023/IS22-0041 Request for Comments

Good Afternoon,

Please see attached Request for Comments packet for CUP22-0023/IS22-0041, APN 019-170-033 {5800 Hwy 86, Brawley, CA 92227}

Comments are due by **November 7th at 5:00PM.**

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

Should you have any questions, please feel free to contact Derek Newland at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Aimee Trujillo

Office Assistant III
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
(442) 265-1736
(442) 265-1735 (Fax)
aimeetrujillo@co.imperial.ca.us



Derek Newland

From: Lecourtois, Charlie@DOT <Charlie.Lecourtois@dot.ca.gov>
Sent: Tuesday, December 6, 2022 10:57 AM
To: Derek Newland
Cc: Eaton, Maurice A@DOT
Subject: RE: IMP- SR-86 SR-78--FW: CUP22-0023/IS22-0041 Request for Comments

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

Good Morning Derek,

Thank you for the opportunity to review the Request for Comments packet for CUP22-0023/IS22-0041 (Desert Milling Inc Addition), located near SR-86. At this time Caltrans does not have any comments.

Please let me know if you have any questions or concerns. Thank you!

Respectfully,

Charlie Lecourtois

Associate Transportation Planner
Caltrans District 11 LDR Branch
4050 Taylor Street., MS 240
San Diego, CA 92110

Charlie.Lecourtois@DOT.ca.gov

Cell: (619) 985-4766



From: Derek Newland <DerekNewland@co.imperial.ca.us>
Sent: Monday, December 5, 2022 2:13 PM
To: Lecourtois, Charlie@DOT <Charlie.Lecourtois@dot.ca.gov>
Subject: RE: IMP- SR-86 SR-78--FW: CUP22-0023/IS22-0041 Request for Comments

EXTERNAL EMAIL. Links/attachments may not be safe.

Good afternoon Charlie,
Just checking in on if you have comments for this project.

Thank you,

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

From: Derek Newland
Sent: Wednesday, November 2, 2022 4:20 PM
To: Lecourtois, Charlie@DOT <Charlie.Lecourtois@dot.ca.gov>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>
Cc: Eaton, Maurice A@DOT <maurice.eaton@dot.ca.gov>; Diana Robinson <DianaRobinson@co.imperial.ca.us>
Subject: RE: IMP- SR-86 SR-78--FW: CUP22-0023/IS22-0041 Request for Comments

Good afternoon Charlie,
This file seems to be much clearer. If it is still not adequate please let me know.

Thank you,

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

From: Lecourtois, Charlie@DOT <Charlie.Lecourtois@dot.ca.gov>
Sent: Tuesday, November 1, 2022 4:31 PM
To: Derek Newland <DerekNewland@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>
Cc: Eaton, Maurice A@DOT <maurice.eaton@dot.ca.gov>; Diana Robinson <DianaRobinson@co.imperial.ca.us>
Subject: FW: IMP- SR-86 SR-78--FW: CUP22-0023/IS22-0041 Request for Comments

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

Good Afternoon Derek and Aimee,

I hope this email finds all of you well. Caltrans District 11 – Local Development Review Branch appreciates the opportunity to review the Desert Milling Inc Addition Project located near SR-86. After further review and analysis of the submittal package would you please provide the original pdf version of the Site Plan (Sheet 1 – BP 61139) that came in the October 21, 2022, Request for Comment Package? The scanned copy in the Request for Comment Package is difficult to analyze and read because the project information is blurry.

Thank you in advance for your attention to this email.

Respectfully,

Charlie Lecourtois

Associate Transportation Planner
Caltrans District 11 LDR Branch
4050 Taylor Street., MS 240
San Diego, CA 92110
Charlie.Lecourtois@DOT.ca.gov
Cell: (619) 985-4766



From: Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>

Sent: Friday, October 21, 2022 2:05 PM

To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Ana L Gomez <analgomez@co.imperial.ca.us>; Belen Leon <BelenLeon@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Jesus Ramirez <JesusRamirez@co.imperial.ca.us>; Eric Havens <EricHavens@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; RKelley@icso.org; rbenavidez@icso.org; Scott Sheppard <scottsheppard@icso.org>; Ray Loera - Sheriff <rloera@icso.org>; Manuel Deleon <mdeleon@icso.org>; dvargas@iid.com; Eaton, Maurice A@DOT <maurice.eaton@dot.ca.gov>; Dodson, Kimberly@DOT <kimberly.dodson@dot.ca.gov>; Sanchez Rangel, Rogelio@DOT <roger.sanchez-rangel@dot.ca.gov>; Marcus Cuero <marcuscuero@campo-nsn.gov>; jmesa@campo-nsn.gov; historicpreservation@quechantribe.com; Jordan D. Joaquin <tribalsecretary@quechantribe.com>; thomas.tortez@torresmartinez-nsn.gov; joseph.mirelez@torresmartinez-nsn.gov

Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Derek Newland <DerekNewland@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Allison Galindo <allisongalindo@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Laryssa Alvarado <laryssaalvarado@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Melina Rizo <melinarizo@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>

Subject: CUP22-0023/IS22-0041 Request for Comments

EXTERNAL EMAIL. Links/attachments may not be safe.

Good Afternoon,

Please see attached Request for Comments packet for CUP22-0023/IS22-0041, APN 019-170-033 {5800 Hwy 86, Brawley, CA 92227}

Comments are due by **November 7th at 5:00PM.**

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

Should you have any questions, please feel free to contact Derek Newland at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Aimee Trujillo

Office Assistant III
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
(442) 265-1736
(442) 265-1735 (Fax)
aimeetrujillo@co.imperial.ca.us



Derek Newland

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Monday, October 24, 2022 8:32 AM
To: Aimee Trujillo
Cc: Derek Newland
Subject: RE: AB52 Letter for CUP22-0023

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

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

From: Aimee Trujillo [mailto:aimeetrujillo@co.imperial.ca.us]
Sent: Friday, October 21, 2022 3:10 PM
To: Jordan D. Joaquin; H. Jill McCormick
Cc: Michael Abraham; Jim Minnick; Diana Robinson; Derek Newland; Aimee Trujillo; Allison Galindo; John Robb; Laryssa Alvarado; Maria Scoville; Melina Rizo; Rosa Soto
Subject: AB52 Letter for CUP22-0023

Good afternoon,

Attached hereto please find the AB52 letter for CUP22-0023/ APN 019-170-033

Should you have any questions, please feel free to contact Derek Newland at (442) 265-1736, or by email at dereknewland@co.imperial.ca.us

Thank you,

Aimee Trujillo

Office Assistant III
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
(442) 265-1736
(442) 265-1735 (Fax)
aimeetrujillo@co.imperial.ca.us



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AIR POLLUTION CONTROL DISTRICT



November 7, 2022

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

SUBJECT: Conditional Use Permit 22 0023 – Calevoo, LLC

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on Conditional Use Permit ("CUP") 22-0023 ("Project"). The Project proposes the construction and operation of an olive mill for the production of olive oil, and is located at 5800 Highway 86, Brawley CA 92227 also identified as Assessor's Parcel Number 019-170-033.

The Air District informs the applicant that depending on the specific equipment and procedures used in the operation an Air District permit may be required. The Air District is requesting the applicant contact a Permitting Engineer directly to discuss any permitting requirements.

The Air District would also like to remind the applicant that the project must comply with all Air District rules, and would emphasize Regulation VIII. Regulation VIII is a collection of rules designed to maintain fugitive dust emissions below 20% opacity.

For your convenience, the Air District's rules and regulations are available via the web at <https://apcd.imperialcounty.org/rules-and-regulations/>. Please feel free to call our office at (442) 265-1800 should you have any questions.

Respectfully,


Ismael Garcia
Environmental Coordinator I


Reviewed by,
Monica N. Soucier
APC Division Manager

APPLICATION

EEC ORIGINAL PKG

CONDITIONAL USE PERMIT

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

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

1. PROPERTY OWNER'S NAME CaLEVOO, LLC		EMAIL ADDRESS rick@calevoo.com, cg4557600@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 2010 Jimmy Durante Blvd., Suite 205, Del Mar, CA		ZIP CODE 92014	PHONE NUMBER 415-385-5742
3. APPLICANT'S NAME John Benson		EMAIL ADDRESS rick@calevoo.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 2010 Jimmy Durante Blvd., Suite 205, Del Mar, CA		ZIP CODE 92014	PHONE NUMBER 415-385-5742
4. ENGINEER'S NAME Kesri Sekhon	CA. LICENSE NO. 72573	EMAIL ADDRESS kesiskhon@yahoo.com	
5. MAILING ADDRESS (Street / P O Box, City, State) 7072 Cordgrass Ct., Carlsbad, CA		ZIP CODE 92011	PHONE NUMBER 858-3951-1134
6. ASSESSOR'S PARCEL NO. 019-170-033-000	SIZE OF PROPERTY (In acres or square foot) 400.40 AC	ZONING (existing) A2, A3, C1	
7. PROPERTY (site) ADDRESS 5880 HWY 86, WESTMORLAND, CA 92281			
8. GENERAL LOCATION (i.e. city, town, cross street) WESTMORLAND			
9. LEGAL DESCRIPTION PAR B LLA 264 ALSO BEING POR E2 & POR E2 AND POR SW4 OF AOXC AG ECON UNIT / ORCHARD / CONCRETE DITCH, 400.40 AC			

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) MILLING, STORAGE AND BOTTLING OF OLIVE OIL CURING AND FOOD GRADE PACKAGING FOR WHOLE OLIVES . See Attached	
11. DESCRIBE CURRENT USE OF PROPERTY OLIVE GROVE & HARVESTING	
12. DESCRIBE PROPOSED SEWER SYSTEM PORTABLE TOILET, ADA, MENS & WOMENS	
13. DESCRIBE PROPOSED WATER SYSTEM RESERVIOR, CISTERN(S) WITH FILTERING STATION	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM HYDRANT CONNECTION PER ICFD REQUIREMENTS	
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

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

JOHN BENSON 9-21-22
Print Name Date

Signature [Signature]
Print Name 10.5.22
Signature Cecilia Vogel Date

REQUIRED SUPPORT DOCUMENTS

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

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

CUP #
22-0023

Desert Milling, Inc.
John F. "Rick" Benson, CEO
Mill: 5880 Hwy 86, Westmorland, CA 92281
Mill: 760-925-8500
Mail: PO Box 235, Brawley, CA 92227
Email: rick@desertmilling.com

General Planning Narrative for New Olive Mill:

Production of olives for olive oil is a reviving industry for the Imperial Valley that takes advantage of its weather and varied soils while using much less water than traditional valley crops. According to early county crop reports from the mid-1910s, there were almost 2,000 acres of olives over 100 years ago in the Imperial Valley but labor constraints during World War I led to their removal. Fast forward to modern machine harvested olives and a growing number of farmers are considering the crop as a high-income, low water use crop alternative. Today's 600 acres are expected to grow to many thousands of acres in the next few years. It is possible that olives could displace crops like Bermuda grass on weak soils, saving 60% of the current water use while also generating five to ten times the revenue per acre farmed and more than doubling real estate property taxes. This could potentially transform the valley economy, as this new crop is permanent and can grow on weaker soils, generating jobs and taxes, while also increasing the revenues and profits of local farmers. Just 100,000 acres of olives would use save over 300,000 acre-feet of water compared to current forage crops while producing 5-10 times the local economic impact. However, local farmers won't plant more acreage without a local buyer, and Desert Milling, Inc.'s new olive mill is planning on being that local buyer that helps relaunch an industry in Imperial Valley.

Desert Milling, Inc. is a Brawley-based farming company that was the owner of Imperial Valley's first modern olive mill in 2013. Its Alfa Laval micro mill ran inside a former barn off Hovley Road, and produced excellent award-winning olive oil. However, DMI sold that mill in 2015 as the mini mill was too small to be run economically, only processing a 1/4 ton per hour or 2 tons a day. DMI subsequently has focused on being an olive farm manager that consults on roughly 550 acres of the Imperial Valley's now mature olive orchards. After years of frustration using almost every other commercial olive mill within 500 miles (including mills in Stockton, Dinuba, Sanger, Temecula and Phoenix), DMI and its local farmers have decided to build an olive mill in Imperial County to process local fruit locally, saving on trucking costs while simultaneously creating better quality.

DMI harvests olives annually from August to January, as the different varieties mature. Its focus will be on the quality of its product, which means less than twelve hours pass from local harvest to milling completion in order to produce better tasting, fresher and authentic Extra Virgin Olive Oil (EVOO). In addition, Desert Milling will eventually cure table olives on site into food products once it receives its CDFA Food Processing Plant registration, which is in process. It is also a possibility that with the acquisition of a few additional pieces of equipment, the olive mill could be also used to process avocados into Extra Virgin Avocado Oil for local San Diego farmers from January through October, creating additional jobs from new revenue when olives are out of season.

DMI's planned 3,000 square foot building will house a Peralisi olive mill with a nominal capacity to process up to 4 tons an hour (16 times faster than its original micro mill), although best quality is achieved at 60% nominal capacity. Therefore, DMI expects to process at most 20 tons a day during peak harvest (or one full truckload per day). The majority of seasonal milling tonnage will be from

the 210-acre orchard on site, so most fruit will never leave the ranch. Total annual volume will max out in heavy crop years between 1,000 and 1,500 tons, generating up to 30,000 gallons of EVOO. The oil will be stored inside the climate-controlled mill building in food grade storage containers until bottled and shipped to customers. DMI expects the entire mill and bottling system to need no more than one employee to operate, although two or three employees will make the processing more efficient. There will be a unisex bathroom and break area inside the building, as well as a shaded outside air-conditioned office for employee comfort.

Water Use:

The mill will use less than 2,000 gallons of filtered IID ditch water daily during 60-100 days of processing, mostly for washing raw fruit before milling (using less than one acre-foot of water annually). That wash water will be made potable through a locally-acquired, standard multi-step process, including sand media filtration, UV light filtering, chlorination in a 3,000 gallon fresh water tank and carbon filtering into a pressure tank.

Waste Streams:

At peak milling, 20 tons of fresh olives a day will be converted into 2-4 tons of extra virgin olive oil (10-20% by weight) and between 16-18 tons of waste byproducts (80-90% by weight). However, the goal of the mill is to have zero waste leave the ranch because all of the waste streams have some value and can be used on site. Therefore, waste streams will either be retained on site for future sale, recycled on site or composted and returned to the soil for its fertilizer value. The waste streams of the mill include:

1. Dirty olive wash water
 - a. between 1,500 and 2,000 gallons a day
 - b. used to irrigate 210-acre on site orchard
2. Olive water
 - a. ~50-60% of weight of raw fruit, generating ~10-12 tons or ~2,500-3,000 gallons
 - b. 100% captured for on-farm use for dust control in 3,000-gallon tank
3. Olive pumice (includes both fruit paste and pits)
 - a. ~25-40% of fruit by weight, equaling 5-8 tons daily.
 - b. Post milling, olive pumice will be pitted, separating pumice into paste and pits.
- 3a. Olive paste
 - a. ~20-35% of fruit by weight, equaling 4-7 tons daily.
 - b. Paste without pits is edible with high nutritional value but is exceedingly bitter. Those bitterness compounds are anti-oxidants, giving paste feed value.
 - c. Paste will be either processed into food products, sold to cattle feeders or composted for its nutritional value and spread back on the olive orchards
- 3b. Olive pits
 - a. ~10-15% of raw fruit, equaling 2-3 tons a day of very hard woody pits
 - b. usable like gravel on-farm for road material or burned on site for hot water boiler
 - c. DMI is also considering packaging pits for sale as barbecue smoker chips

DESERT MILLING, INC.

January 19, 2023

Attn: Derek Newland
Imperial County Planning

RE: CUP 22-0023/IS 22-0041 Expected Truck Usage & Current Dust Control

To Whom It May Concern:

Desert Milling's mill building is surrounded by CalEVOO's 200+ acres of actively farmed olives. Regarding county traffic, the new mill will dramatically reduce outside county road traffic and have a net positive impact on reducing local and regional truck traffic. First, all local farm truck traffic that once left the ranch with 800+ tons of fruit each season will now stay on site, as freshly harvested fruit will be delivered to the onsite mill instead of a cooler in Brawley or all the way to Modesto. This should reduce total county road truck trips by 100+ trips a year. Second, all fruit from other local farmers will continue to travel the county's roads but only one 20 ton or less truckload is expected per harvest day and those trips will be shortened from 500+ miles to 20 miles or less. The mill expects to receive fruit from other county growers less than 60 days a year. Those trucks are already using county roads, so that represents zero change in volume for local county roads, but a massive reduction in total regional miles traveled for the fruit. In total, this new mill will reduce total annual county road truck trips by at least 100 trips.

Regarding dust control, all olives are wind pollinated, with limited pollination from normal fruit tree pollinators like bees. To prevent road dust from overwhelming the olive pollen during bloom, the farm began using daily road watering during bloom from January to May to suppress dust on the farm's roads two years ago. That has since been expanded to year-round dust suppression, benefiting tree and fruit health. Desert Milling expects 100% of its processing fruit water to be reused on the local farm's dirt roads to continue to suppress dust, as it is a dust control quality upgrade versus ditch water. The mill expects the regular use of olive fruit water for dust control to have a large cumulative dust reduction benefit over many years.

Sincerely,



John F. "Rick" Benson, CEO
Desert Milling, Inc.

MILL: 5880 HWY 86
MAIL: P.O. BOX 235

WESTMORLAND, CA 92281
BRAWLEY, CA 92227 TEL 415-385-5742

EEC ORIGINAL PKG

DESERT MILLING INC. ADDITION

NEW METAL BUILDING 50' X 60' W/25' SHADE 16' H.

NEW METAL SHADE 50' X 60' 20' H.

5880 HWY. 86, WESTMORLAND, CALIFORNIA 92281



SHEET INDEX

1. TITLE SHEET
2. GENERAL NOTES
3. KEY NOTES
4. PROJECT INFORMATION
5. OVERALL SITE PLAN
6. ENLARGED SITE PLAN

DEFERRED SUBMITTALS*

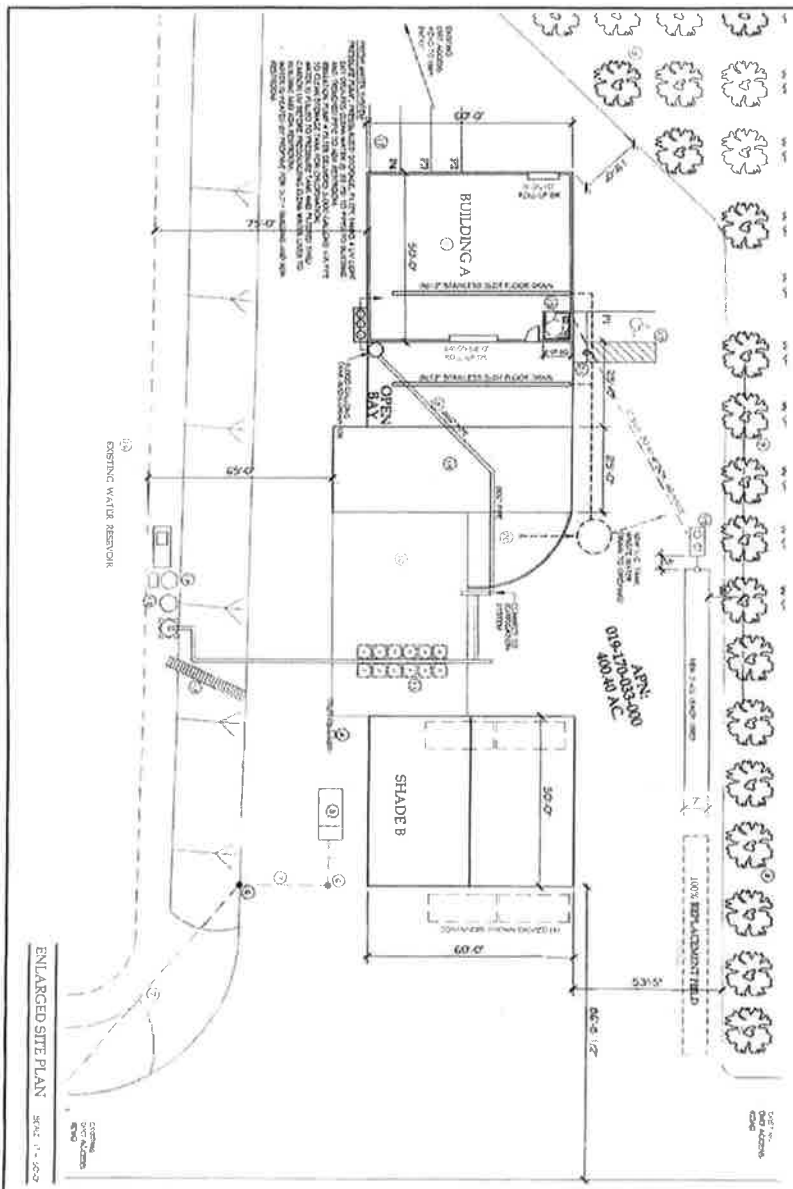
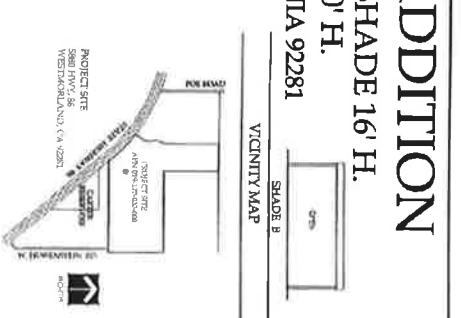
1. 16' X 16' TYPICAL SPAN PLANS
2. 16' X 16' TYPICAL JOIST CONNECTIONS
3. 16' X 16' TYPICAL TRUSS CONNECTIONS
4. 16' X 16' TYPICAL BRACKET CONNECTIONS
5. 16' X 16' TYPICAL GIRDERS
6. 16' X 16' TYPICAL WALLS
7. 16' X 16' TYPICAL ROOFING
8. 16' X 16' TYPICAL FLOORING
9. 16' X 16' TYPICAL CEILING
10. 16' X 16' TYPICAL PAINTS

BUILDING CODE

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ENERGY CODE

GREEN CODE MAKE

1. 16' X 16' TYPICAL SPAN PLANS
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10. 16' X 16' TYPICAL PAINTS



KEY NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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PROJECT INFORMATION

PROJECT NAME: DESERT MILLING INC. ADDITION
 PROJECT ADDRESS: 5880 HWY. 86, WESTMORLAND, CA 92281
 PROJECT NUMBER: 2019-001
 PROJECT DATE: 01/15/2019
 PROJECT STATUS: IN PROGRESS

GENERAL NOTES

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ENGINEER OF RECORD

DESERT MILLING INC. ADDITION
 5880 HIGHWAY 86
 WESTMORLAND, CA 92281

TITLE SHEET SITE PLAN

BP 61139

EEC ORIGINAL PKG

ATTACHMENT "G"
Comment Letters

AIR POLLUTION CONTROL DISTRICT



March 27, 2023

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

RECEIVED

MAR 27 2023

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Notice of Intent for a Negative Declaration for Conditional Use Permit 22-0023,
Initial Study 22-0041 – Desert Milling Inc./CALEVOO, John Benson

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on the Notice of Intent for a Negative Declaration ("NOI-ND") for Conditional Use Permit ("CUP") 22-0023 ("Project"). The project proposes the installation and operation of an olive oil mill and is located at 5880 Hwy. 86, Westmorland also identified as Assessor's Parcel Number ("APN") 019-170-033.

After review of the Environmental Evaluation Committee packet for the project, it was noted that the Air District's comment letter for the project dated November 7, 2022 was not included. The Air District is requesting the November 7th letter be included in the project packet presented to the Planning Commission. The Air District will repeat its comments that depending on the specific equipment and procedures used for the project an Air District permit may be required, and the applicant should contact a Permitting Engineer directly to discuss any requirements if they have not already done so.

The Air District also reminds the applicant that the project must comply with all Air District rules and regulations and emphasizes Regulation VIII, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity.

For your convenience, the Air District's rules and regulations are available via the web at <https://apcd.imperialcounty.org/rules-and-regulations/>. Please feel free to call should you have questions at (442) 265-1800.

Respectfully


Ismael Garcia
Environmental Coordinator I


Reviewed by
Monica N. Soucier
APC Division Manager



IID

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February 28, 2023

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

SUBJECT: NOI for the Preparation of a ND for the Desert Milling Inc. (aka CaLEVOO, LLC) Olive Mill Project, CUP22-0023/IS22-0041

Dear Mr. Newland:

On this date, the Imperial Irrigation District received a request for agency comments on the Notice of Intent for the preparation of a Negative Declaration for the Desert Milling Inc. (also known as CaLEVOO, LLC) olive mill project, Conditional Use Permit application No. 22-0023, Initial Study No. 22-0041. The applicant proposes the operation of an olive oil producing facility within an existing metal structure at 5800 Hwy. 86 in Westmorland, CA 92281 (APN 019-170-033-000).

IID has reviewed the project information and found that the comments provided in the November 2, 2022 district letter (see attached letter) continue to apply.

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

Respectfully,

Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamie Asbury – Manager, Energy Dept.
Matthew H Smelser – Deputy Mgr. Energy Dept.
Constance Bergmark – Deputy Mgr. Energy Dept.
Geoffrey Holbrook – General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jesslca Humes – Environmental Project Mgr. Sr., Water Dept.

RECEIVED

FEB 28 2023

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**



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Since 1911

November 2, 2022

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

SUBJECT: Calevoo, LLC Olive Mill Project, CUP22-0023/IS22-0041

Dear Mr. Newland:

On October 21, 2022, the Imperial Irrigation District received a request for agency comments on Conditional Use Permit application No. 22-0023, Initial Study No. 22-0041, for an olive mill project. The applicant, Calevoo, LLC, proposes the construction and operation of an olive oil producing facility at 5800 Hwy. 86 in Brawley, CA (APN 019-170-033-000).

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

1. The site currently has electrical service feeding water pumps for irrigation. If the project requires an upgrade to the site's current electrical service, the applicant should be advised to contact Gabriel Ramirez, IID service planner, at (760) 339-9257 or e-mail Mr. Ramirez at gramirez@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit AutoCAD file of site plan, 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 the project. The applicant shall be responsible for all costs and mitigation measures related to providing new electrical service to the 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. IID water facilities that may be impacted include the Trifolium Extension and Trifolium Drain No. 17.

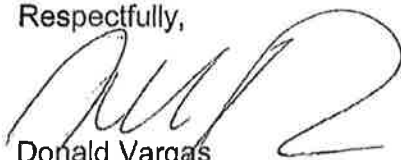
4. To insure there are no impacts to IID water facilities, the project's engineering plans, including Imperial County-approved grading/drainage and fencing plans, are to be submitted to IID Water Department Engineering Services Section for review prior to final project design. IID WDES Section can be contacted at (760) 339-9265 for additional information.
5. Under the General Planning Narrative's *Water Use* Section, it states "the mill will use less than 2,000 gallons of filtered IID ditch water daily during 60-100 days of processing. That wash water will be made potable through a locally-acquired, standard multi-step process". The applicant should be advised to install a point-of-use potable water system that is permitted by Imperial County for their processing.
6. Given that employees will be working for 60 to 100 days per year at the proposed mill, to receive water from IID's raw water system the applicant must have water delivered by a state approved water provider as required by the State of California Safe Drinking Water Act. The project must be in compliance with state requirements in order to receive IID canal water.
7. The applicant may not use IID's canal or drain banks to access the project site.
8. For the project's proposed road access from Highway 86, crossing over IID's Trifolium Extension, IID Encroachment permits will be required.
9. 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 <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
10. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.

Derek Newland
November 2, 2022
Page 3

11. 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.

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

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamil Asbury – Manager, Energy Dept.
Constance Bergmark – Deputy Mgr. Energy Dept.
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