

PROJECT REPORT

TO: **PLANNING COMMISSION**

AGENDA DATE: January 25, 2023

FROM: **PLANNING & DEVELOPMENT SERVICES**

AGENDA TIME 9:00 AM/ No. 6

PROJECT TYPE: Conditional Use Permit #22-0019
Karen Brunell SUPERVISORY DISTRICT #2

LOCATION: 1374 Shell Canyon Road APN: 033-250-074-000

Ocotillo, CA 92259 PARCEL SIZE: +/- 17 acres

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

ZONE (existing) R-1-L-5 (Low Density Residential, Lot 5 acre minimum) 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: 11/17/2022

INITIAL STUDY: #22-0033

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input 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 Indian Tribe, IID, Imperial Valley Desert Museum</u>		

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING AND HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU TAKE THE FOLLOWING ACTION:

1. ADOPT THE NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED AT THE ENVIRONMENTAL EVALUATION COMMITTEE (EEC) HEARING ON NOVEMBER 17, 2022; AND,
2. MAKE THE DE MINIMUS FINDINGS AS RECOMMENDED AT THE NOVEMBER 17, 2022 EEC HEARING THAT THE PROJECT WILL NOT INDIVIDUALLY OR CUMULATIVELY HAVE AN ADVERSE EFFECT ON FISH AND WILDLIFE RESOURCES, AS DEFINED IN SECTION 711.2 OF THE FISH AND GAME CODES; AND
3. ADOPT THE ATTACHED RESOLUTION(S) AND SUPPORTING FINDINGS, APPROVING CONDITIONAL USE PERMIT (CUP) #22-0019 SUBJECT TO ALL THE CONDITIONS, AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CUP UPON RECEIPT FROM THE APPLICANT.

Planning & Development Services

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

(Jim Minnick, Director)

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STAFF REPORT
Planning Commission
January 25, 2023
Conditional Use Permit (CUP) #22-0019

Applicant/Owner: Karen Brunell
4135 Avenida De La Plata
Oceanside, CA 92056

Project Location:

The proposed project is located at 1374 Shell Canyon Road within the Ocotillo/Nomirage Community Plan area. The property is legally described as Parcel 2 of Parcel Map #2343 in Section 25, Township 16 South, Range 9 East of the San Bernardino Base and Meridian, located in the unincorporated town site of Ocotillo (Supervisory District #2) of the County of Imperial, State of California. The property is also known as Assessor's Parcel Number (APN) 033-250-074-000, and is 17 acres, of which approximately 182 square feet will be disturbed for the construction of the residential water well.

Project Summary:

The proposed project site is located on a vacant parcel zoned as R-1-L-5 (Low Density Residential, Lot 5-acre minimum) within a residential zoned area and surrounded by other properties already impacted by ongoing residential uses. Parcels zoned R-1-L-5 (Low Density Residential, Lot 5 Acre Minimum) on the South and West; parcels zoned GS (Government/Special Public) on the East; and parcels on BLM (Bureau of Land Management)-administered lands on the North. The applicant is proposing to construct and operate a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot. Entitlements for the construction of the residential water well were submitted under Building Permit application #60981.

Land Use Analysis:

Per Imperial County's General Plan, the land use designation for this project is Ocotillo/Nomirage Community Area Plan and is zoned as R-1-L-5 (Low Density Residential, Lot 5-acre minimum) per Zoning Map #59 of the Imperial County Title 9 Land Use Ordinance. Pursuant to the Ocotillo/Nomirage Community Area Plan, Section D-Water/Sewer, the entire planning area is dependent on groundwater. Additionally, an acre-foot of water supplies a family of five per year. Per County's Land Use Ordinance (Title 9), Division 12-Water Well Regulations, water wells are allowed with an approved Conditional Use Permit (CUP) in an R-1 (Low Density Residential) zone. The proposed project is consistent with the County's General Plan, County's Land Use Ordinances (Title 9) and with the Ocotillo/Nomirage Community Area Plan.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Vacant	R-1-L-5	Ocotillo/Nomirage Community Area Plan
North	Open Desert Space/Wind Energy Turbines	BLM (Bureau of Land Management)	Ocotillo/Nomirage Community Area Plan
South	Residential	R-1-L-5	Ocotillo/Nomirage Community Area Plan
East	Vacant	GS	Ocotillo/Nomirage Community Area Plan
West	Vacant/Residential	R-1-L-40/R-1-L-5	Ocotillo/Nomirage Community Area Plan

Environmental Determination:

On November 17, 2022, the Environmental Evaluation Committee (EEC) determined that Conditional Use Permit (CUP) #22-0019 for the construction and operation of a new residential water well would not have a significant effect on the environment and recommended a Negative Declaration (ND) to be prepared. The EEC Committee consists of a seven (7) member panel, integrated by the Director of Environmental Health Services, Imperial County Fire Chief, Agricultural Commissioner, Air Pollution Control Officer, Director of the Department of Public Works, Imperial County Sheriff, and the Director of Planning and Development Services. The EEC also made the De Minimus Finding that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the Fish and Game Codes.

On November 22, 2022, the public notice for the Negative Declaration was filed with the Imperial County Clerk-Recorder, posted and circulated for a 30-day comment period from 11/22/2022 to 12/19/2022. Comments received were made part of this package.

Staff Recommendation:

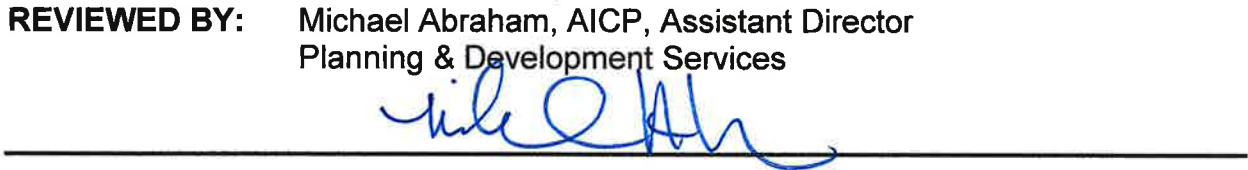
It is recommended that you conduct a public hearing and hear all the opponents and proponents of the proposed project. Staff would then recommend that you take the following action:

1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended at the Environmental Evaluation Committee (EEC) hearing on November 17, 2022; and,
2. Make the De Minimus findings as recommended at the November 17, 2022 EEC hearing that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the Fish and Game Codes; and
3. Adopt the attached Resolution(s) and Supporting Findings, approving Conditional Use Permit (CUP) #22-0019 subjected to all the conditions, and authorize the Planning & Development Services Director to sign the CUP upon receipt from the applicant.

PREPARED BY: Gerardo A. Quero, Planner I
Planning & Development Services



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



APPROVED BY: Jim Minnick, Director
Planning & Development Services

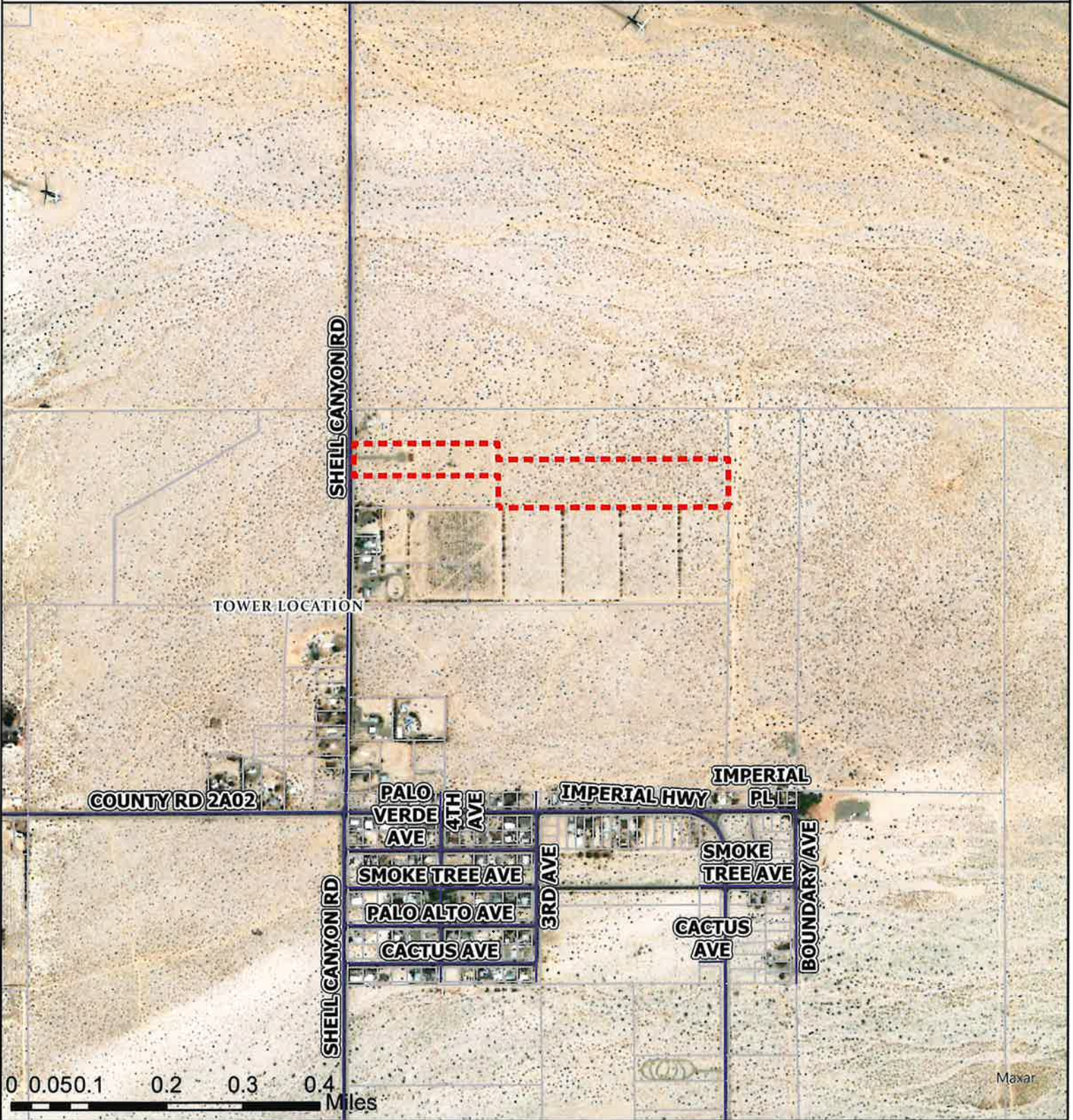


- ATTACHMENTS:**
- A. Vicinity Map
 - B. Site Plan/Plot Plan
 - C. CEQA Resolutions
 - D. Planning Commission Resolutions
 - E. CUP #22-0019 - Conditions of Approval
 - F. EEC Package
 - G. NOI Comment Letters

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ATTACHMENT "A"- VICINITY MAP

PROJECT LOCATION MAP



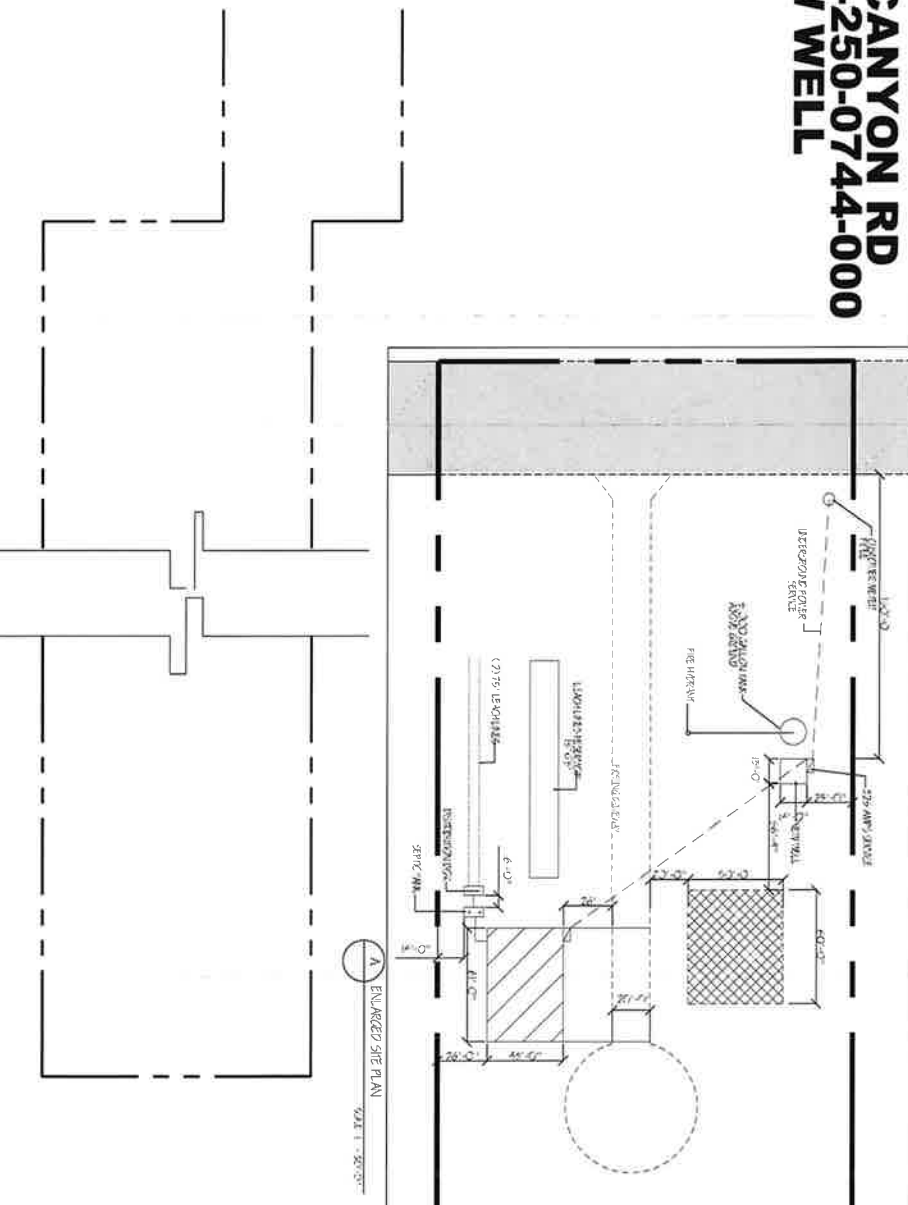
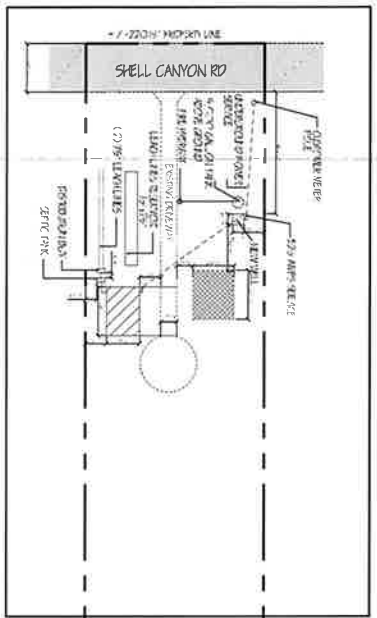
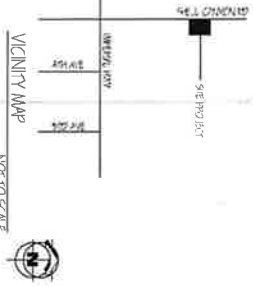
KAREN BRUNELL
CUP #22-0019 IS#22-0033
APN 033-250-074

 PROJECT LOCATION



ATTACHMENT "B" - SITE PLAN/PLOT PLAN

SHELL CANYON RD APN: 033-250-0744-000 NEW WELL



SCOPE OF WORK
 REVIEW SUBJECT WITH SEQUENCE AND FINISH
 BUILDING CODES AND REGULATIONS
 OCCUPANCY CLASSIFICATION, USE
 TYPE OF CONSTRUCTION, TYPE OF
 FINISHING, YES
 HEIGHT: 18'0\"/>

- CRITICAL NOTES:**
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO STARTING WORK. THE DESCRIBED SHALL BE NUMBERED OF ANY.
 - ALL WORKMANSHIP AND MATERIALS SHALL EQUAL OR EXCEED THE MINIMUM STANDARDS OF THE CODES APPLIED TO THIS PROJECT OR CODE.
 - ELECTRICAL WORK TO CONFORM WITH THE APPLICABLE ELECTRICAL CODE.
 - ALL CONSTRUCTION SHALL CONFORM TO LOCAL CODES AND REQUIREMENTS AS REQUIRED BY THE COUNTY OF SAN DIEGO PLANNING DEPARTMENT. BRACING AND TEMPORARY SUPPORTS SHALL BE PROVIDED AS REQUIRED TO MAINTAIN CONSTRUCTION ACCESS AND TO SUPPORT ALL LOADS THAT MAY BE APPLIED TO THE CONSTRUCTION. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE COUNTY OF SAN DIEGO ORDINANCES.

- FOUNDATION SHALL BE REINFORCED FOR ANTS, INSECTS AND TERMITES AND 5 YEAR CERTIFICATE PROVIDED.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CODES:
 - 2019 CALIFORNIA BUILDING CODE (CBC) BASED UPON THE 2018 IBC.
 - 2019 CALIFORNIA ELECTRICAL CODE (CEC) BASED UPON THE 2017 NEC.
 - 2019 CALIFORNIA MECHANICAL CODE (CMC) BASED UPON THE 2015 IMC.
 - 2019 CALIFORNIA PLUMBING CODE (CPLC) BASED UPON THE 2014 UPC.
 - 2019 CALIFORNIA FIRE PREVENTION STANDARDS (FPSC) BASED UPON THE 2015 IFC.
 - 2019 CALIFORNIA ENERGY EFFICIENCY STANDARDS (ENERGY CODE) BASED UPON THE 2019 ENERGY CODE.
 - APPLICABLE COUNTY ORDINANCES.
- THE STRUCTURE CALCULATION AND DESIGN BY OTHER REGISTERED PROFESSIONAL ENGINEER SHALL BE REQUIRED AND SUBMITTED TO THE COUNTY OF SAN DIEGO PLANNING DEPARTMENT WITH THIS PERMIT.

- ALL CONSTRUCTION SHALL CONFORM WITH THE 2019 CALIFORNIA BUILDING CODES AND REGULATIONS. THE LOCAL BUILDING CODE, ELECTRICAL CODE, MECHANICAL CODE, PLUMBING CODE, FIRE PREVENTION STANDARDS AND ENERGY CODES SHALL BE APPLIED TO THIS PROJECT OR CODE.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CODES:
 - 2019 CALIFORNIA BUILDING CODE (CBC) BASED UPON THE 2018 IBC.
 - 2019 CALIFORNIA ELECTRICAL CODE (CEC) BASED UPON THE 2017 NEC.
 - 2019 CALIFORNIA MECHANICAL CODE (CMC) BASED UPON THE 2015 IMC.
 - 2019 CALIFORNIA PLUMBING CODE (CPLC) BASED UPON THE 2014 UPC.
 - 2019 CALIFORNIA FIRE PREVENTION STANDARDS (FPSC) BASED UPON THE 2015 IFC.
 - 2019 CALIFORNIA ENERGY EFFICIENCY STANDARDS (ENERGY CODE) BASED UPON THE 2019 ENERGY CODE.
 - APPLICABLE COUNTY ORDINANCES.
- THE STRUCTURE CALCULATION AND DESIGN BY OTHER REGISTERED PROFESSIONAL ENGINEER SHALL BE REQUIRED AND SUBMITTED TO THE COUNTY OF SAN DIEGO PLANNING DEPARTMENT WITH THIS PERMIT.

ENGINEER:	
1324 SHELL CANYON RD	DATE: 11-28-24
OCESILLO, CA 92252	SCALE: 1/8" = 1'-0"
PROJECT NO: 24-0000000000	SHEET NO: 1 OF 1
DRAWING NUMBER: 1-1	

ATTACHMENT "C" - CEQA RESOLUTIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” (INITIAL STUDY #22-0033) FOR CONDITIONAL USE PERMIT #22-0019.

WHEREAS, on November 3, 2022, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for November 17, 2022; 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 November 17, 2022, the Environmental Evaluation Committee heard the project and recommended to the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit #22-0019; and

WHEREAS, the Negative Declaration was circulated for 30 days from November 22, 2022 to December 19, 2022; 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 #22-0019. The Planning Commission finds and determines that the Negative Declaration is adequate and was prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations.

1. That the recital set forth herein are true, correct, and valid; and
2. That the Planning Commission has reviewed the attached Negative Declaration (ND) for Conditional Use Permits #22-0019 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 #22-0019.

**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 January 25, 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 "D"- PLANNING COMMISISON RESOLUTIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT #22-0019 (KAREN BRUNELL) FOR A RESIDENTIAL WATER WELL PROJECT

WHEREAS, Karen Brunell has submitted an application for Conditional Use Permit #22-0019 for the construction and operation of a new residential water well.

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

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

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on January 25, 2023; and,

WHEREAS, on November 17, 2022, 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 #22-0019 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 #22-0019 have been made:

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

The subject property is designated as "Low Density Residential" according to the Ocotillo/Nomirage Community Area Plan per Imperial County's General Plan Land Use Element, and it is currently zoned "R-1-L-5" (Low Density Residential, Lot 5 Acre Minimum) per Zoning Map #59 of the Imperial County Title 9 Land Use Ordinance. The proposed project is therefore, consistent with

the County General Plan and Land Use Ordinance, Division 2, Section 90203.01 "Conditional Use Permit" which authorizes Conditional Use Permit when approved by the County. The proposed project is for the construction and operation of a new residential water well and is a conditionally permitted use pursuant to County's Land Use Ordinance (Section 92102.00).

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

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

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

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

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

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

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

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

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

The proposed project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to a Condition of Conditional Use Permit #22-0019 and current Federal, State, and Local regulations.

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

The proposed use of the proposed water well is a permitted use subject to the conditions of approval of CUP #22-0019 (Land Use Ordinance, Section 92102.00) and will not grant any special privileges.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #22-0019 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 January 25, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTACHMENT "E"- CUP#22-0019: CONDITIONS OF APPROVAL

1 Recorded Requested by and
When Recorded Return To:

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

6 **AGREEMENT FOR CONDITIONAL USE PERMIT #22-0019**
7 **RESIDENTIAL WATER WELL**
8 **(KAREN BRUNELL)**
9 **(Approved at the Planning Commission on January 11, 2023)**

10 This Agreement is made and entered into on this _____ day of _____, 2023
11 by and between **Karen Brunell** hereinafter referred to as Permittee, and the COUNTY OF
12 IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as
13 "COUNTY").

14 **RECITALS**

15 **WHEREAS**, Permittee is the owner, lessee or successor in interest in certain land
16 in Imperial County located on 1374 Shell Canyon Road, Ocotillo, CA and further described
17 as Parcel 2 of Parcel Map #2343 in Section 25, Township 16 South, Range 9 East, SBBM,
18 Assessor's Parcel Number 033-250-074-000;

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

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

1 **WHEREAS**, the County, after a noticed public hearing, agreed to issue Conditional
2 Use Permit #22-0019 to Permittee, and/or his or her successor in interest subject to the
3 following conditions:
4

5
6 **GENERAL CONDITIONS:**

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

12 **G-1 GENERAL LAWS:**

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

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

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

27 **G-3 RECORDATION:**

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

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2 **G-4 CONDITION PRIORITY:**

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

7 **G-5 INDEMNIFICATION:**

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

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

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

22 **G-7 SEVERABILITY:**

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

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

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

35 **G-9 COMPLIANCE/REVOICATION:**

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

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

7 **G-10 TIME LIMIT:**

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

20 **G-11 COSTS:**

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

28 **G-12 WATER AND SEWER:**

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

G-13 DEFINITIONS:

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

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G-14 SPECIFICITY:

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

G-15 HEALTH HAZARD:

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

G-16 CHANGE OF OWNER/OPERATOR:

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

G-17 COMMENCEMENT OF WORK:

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

(TOTAL "G" CONDITIONS are 17)

1 **WATER WELL SPECIFIC CONDITIONS**

2 **S-1 WATER WELL AND USAGE:**

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

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

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

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

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

22 **S-4 WELL REPLACEMENT:**

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

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

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

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

S-5 NO SLANT DRILLING:

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

S-6 WELL ABANDONMENT:

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

(Abandonment shall mean as follow :)

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

S-7 WELL REMOVAL:

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

S-8 WELL REGISTRATION:

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

S-9 PERMITTING:

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

1 **S-10 ARCHAEOLOGICAL RESOURCES/HUMAN REMAINS (HSC 7051 & PRC**
2 **5097.98)**

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

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

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28 (TOTAL "S" CONDITIONS are 10)

1 **NOW THEREFORE**, County hereby issues Conditional Use Permit #22-0019 and
2 Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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

6
7 **PERMITTEE :**

8
9 By _____
10 Karen Brunell

Date

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

12
13
14 By: _____
15 James A. Minnick, Director
16 Planning & Development Services Department

Date

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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 _____

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FOR COUNTY NOTARIZATION

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

STATE OF CALIFORNIA

COUNTY OF _____ } S.S.

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

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

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 _____

S:\AllUsers\APN\033\250\074\CUP22-0019\IPC\CUP22-0019 Conditions of Approval\Conditions of Approval CUP22-0019.docx

ATTACHMENT "F"- EEC PACKAGE

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: November 17, 2022

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM/ No. 4

Conditional Use Permit #22-0019
PROJECT TYPE: Karen Brunell SUPERVISORY DISTRICT #2

LOCATION: 1374 Shell Canyon Road APN: 033-250-074-000

Ocotillo, CA 92259 PARCEL SIZE: +/- 17 acres

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

ZONE (existing) R-1-L-5 (Low Density Residential, Lot 5 acre minimum) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIRONMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 11/17/2022

INITIAL STUDY: #22-0033

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

Quechan Indian Tribe, IID, Imperial Valley Desert Museum

REQUESTED ACTION:

(See Attached)

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

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NEGATIVE DECLARATION
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Conditional Use Permit #22-0019
Initial Study #22-0033
Karen Brunell**



Prepared By:

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

November 2022

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit (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

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principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

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

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preparation of this Initial Study and Negative Declaration.

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. **Tiered Documents**

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

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

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

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

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

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II. *Environmental Checklist*

1. **Project Title:** Conditional Use Permit (CUP) #22-0019
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Gerardo A. Quero, Planner I, (442)265-1736, ext. 1748
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** gerardoquero@co.imperial.ca.us
6. **Project location:** 1374 Shell Canyon Road, Ocotillo, CA 92259, Assessor's Parcel Number (APN) 033-250-074
7. **Project sponsor's name and address:** Karen Brunell
4135 Avenida de la Plata, Oceanside, CA 92056
8. **General Plan designation:** Ocotillo/Nomirage Community Area Plan
9. **Zoning:** R-1-L-5 (Low Density Residential Area, Lot 5 acre Minimum)
10. **Description of project:** The applicant, Karen Brunell, is proposing to construct and operate a new residential water well to supply a future home with a projected maximum annual water extraction of one (1) acre-feet.
11. **Surrounding land uses and setting:** The subject property is described as being Parcel 2 of Parcel Map #2343 in Section 25, Township 16 South, Range 9 East of the San Bernardino Base and Meridian, containing approximately 17 acres. The property is also known as Assessor's Parcel Number (APN) 033-250-074.
The project is surrounded by parcels zoned as R-1-L-5 (Low Density Residential, Lot 5 acre Minimum) on the South and West; parcels zoned as GS (Government/Special Public) on the East; and BLM (Bureau of Land Management) parcels on the North.
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 Quechan and Campo Band of Mission Indian Tribes have requested to be consulted under Assembly Bill 52. Consultation letters were sent to the Quechan and Campo Band of Mission Indian Tribes. The County received on September 13, 2022, an email response from the Quechan Indian Tribe advising they had no comments for this project. No comments have been received from the Campo Band of Mission Indians Tribe for this project to this date.

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SHERIFF DEPARTMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



 Jim Minnick, Director of Planning/EEC Chairman

Date: 11/17/2022

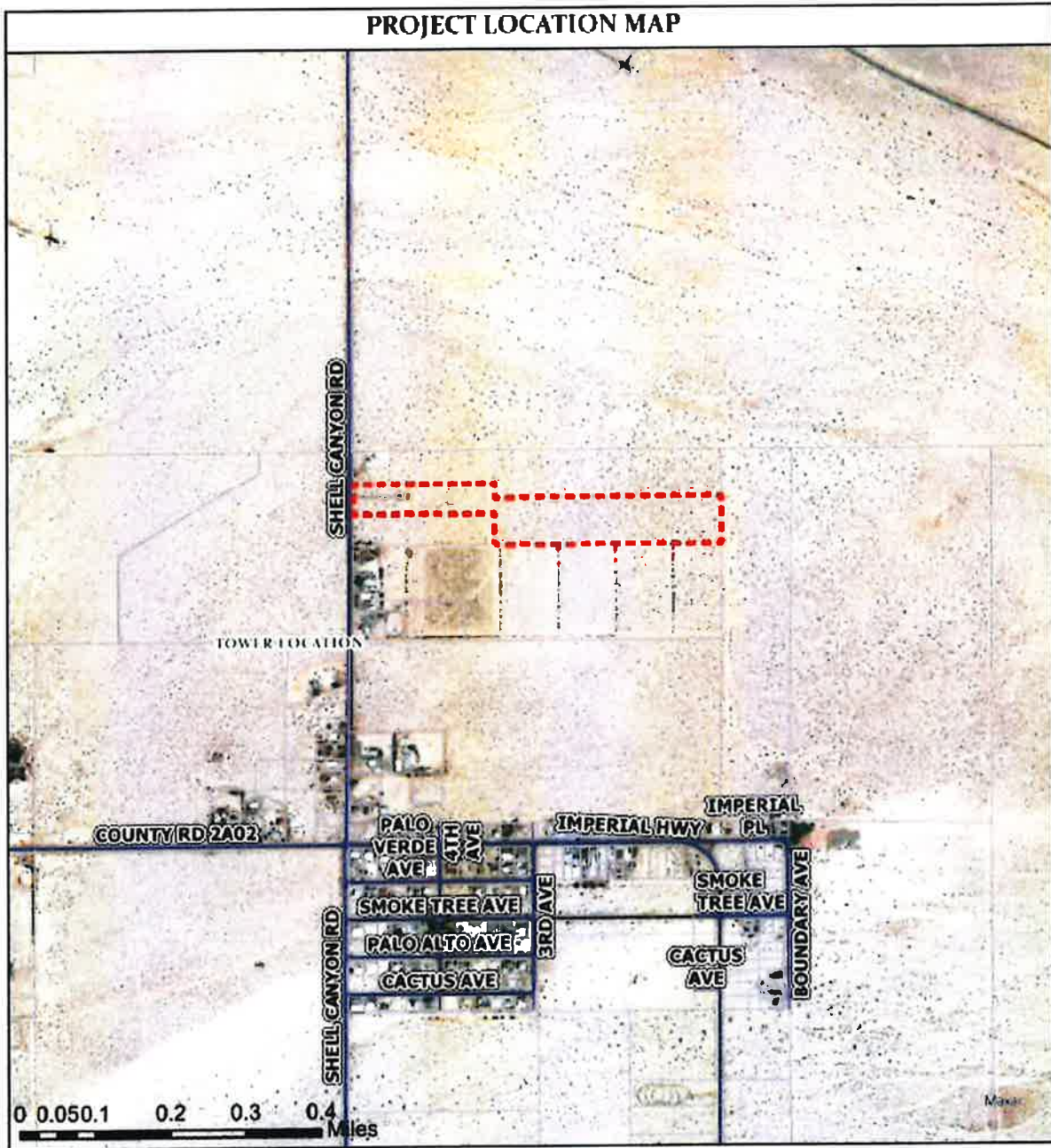
EEC ORIGINAL PKG

PROJECT SUMMARY

- A. Project Location:** The project is located at 1374 Shell Canyon Road, Ocotillo, CA 92259; Assessor's Parcel Number: 033-250-074-000.
- B. Project Summary:** The applicant, Karen Brunell, proposes to construct and operate a new residential water well to supply a future home with a projected maximum annual water extraction of one (1) acre-foot.
- C. Environmental Setting:** The proposed project is located within an area surrounded by already developed parcels with existing residential uses. The proposed project site is relatively flat terrain with native desert landscape and sand located on Shell Canyon Road, bounded to the south by Imperial Highway and by Bureau of Land Management parcels on the north in the County of Imperial, CA. The City of San Diego is located approximately 65 miles west of the proposed project site and approximately 1.5 miles north of the Kumeyaay Highway (I-8).
- D. Analysis:** Under the Land Use Element of the Imperial County General Plan, the project site is designated as "Residential" per the Ocotillo/Nomirage Community Area Plan. It is classified as R-1-L-5 (Low Density Residential, Lot 5 acre Minimum) per Zone Map #59 of the Imperial County Land Use Ordinance (Title 9). Initial Study #22-0033 will analyze any impacts related with the proposed project. Pursuant to the Ocotillo/Nomirage Community Area Plan, Section (II)(D), the entire planning area is dependent on groundwater.
- E. General Plan Consistency:** The proposed project site is located within the County's General Plan designation of "Residential" per the Ocotillo/Nomirage Community Plan Area. The site is currently zoned as R-1-L-5 (Low Density Residential, Lot 5 acre Minimum). The proposed project is consistent with the General Plan and County Land Use Ordinance (Title 9) Division 5, Section §90203.01 (A)(2) since a Conditional Use Permit has been applied for the water well pursuant to Division 21, Section §92102.01 of the aforementioned title.

EEC ORIGINAL PKG

Exhibit "A"
Vicinity Map



KAREN BRUNELL
CUP #22-0019 IS#22-0033
APN 033-250-074

 PROJECT LOCATION



EEC ORIGINAL PKG

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

EEC ORIGINAL PKG

Potentially Significant Impact (PSI)	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) Four areas within the County have the potential as state-designated scenic highways; however, the project site is not located near any scenic vista or scenic highway according to the Imperial County General Plan Circulation and Scenic Highway Element¹ and California State Scenic Highway System Map². No impacts are expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

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

c) The proposed project is for the construction and operation of a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot and it would not significantly or physically degrade the visual character or quality of public views of the site and its surroundings. It is also consistent with the current zoning and land uses in the nearby lots. No impacts are anticipated.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

d) The proposed project is for the construction and operations of a residential water well to supply a future home. However, it is not expected that a new source of substantial light or glare would adversely affect day or nighttime views in the area. No impacts are expected.

II. AGRICULTURE AND FOREST RESOURCES

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

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

a) The proposed project site is listed as "Area Not Mapped" located outside the survey boundary per the California Farmland Mapping & Monitoring Program: Imperial County Important Farmland 2018 Map³. Therefore, the proposed project will not convert any type of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impacts are expected.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

b) The County of Imperial has no current active Williamson Act contracts; therefore, the proposed project is not expected to conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impacts are expected.
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
by Government Code Section 51104(g)?				
c) Per Imperial County General Plan Land Use Map²³, the proposed project site is located within the "Ocotillo/Nomirage Community Area Plan^{4"} with no forest land on its vicinity and surroundings; therefore, it is not expected to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 5114(g)). No impacts are expected.				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) As previously stated under item (II)(c) above, the proposed project is not located in a forest land, therefore, it is not expected to result in the loss of forest land or conversion of forest land to non-forest. No impacts are expected.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) As previously stated under item (II)(c), the proposed project site is located within the "Ocotillo/Nomirage Community Plan^{4"} per Imperial County General Plan Land Use Map⁴, and zoned as R-1-L-5 (Low Density Residential Area, Lot 5 Acre Minimum). Additionally, there are no existing farmland or forestland on or in the immediate vicinity. Development of the proposed project would not result in the loss or conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, no impacts are expected.				

III. AIR QUALITY

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed project is for the construction and operations of a residential water well to supply a future home, and it is not expected to conflict with or obstruct implementation of the applicable air quality plan. Per Imperial County Air Pollution Control District's comment letter⁵ dated September 26, 2022, all construction activities must adhere to Regulation VIII, which is a collection of rules, designed to limit emissions of fugitive dust to 20% opacity. To be compliant with Air District rules, the drilling equipment used to construct the water well must meet the California Portable Equipment Registration Program (PERP) certifications or apply for certification from Air District. Adherence and compliance to ACPD's rules and regulations will bring any impacts to less than significant. | | | | |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) As previously stated under item (III)(a) above, the water well construction shall comply with the rules and regulations of the Imperial County Air Pollution Control District, therefore, it is not expected that the proposed project would substantially contribute to an existing or projected air quality violation. Therefore, any impacts are expected to be less than significant. | | | | |
| c) Expose sensitive receptors to substantial pollutants concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) The proposed project is not expected to expose sensitive receptors to substantial pollutants concentrations during the construction of the residential water well. However, any exposure would be temporary and would be lessened by adhering to Air Pollution Control District's rules and regulations. Compliance with APCD's requirements would bring any impacts to less than significant. | | | | |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) The proposed project is for the construction and operation of a residential water well to supply a future home and does not anticipate creating objectionable odors that would adversely affect a substantial number of people. Although some pollutants may be emitted during construction activities and as previously stated on item (III)(a) above, compliance with ACPD's Regulation VIII and adherence to the California Building Code would bring any impacts to less than significant. | | | | |

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) The proposed project location is within a residential zoning area with nearby properties already impacted by ongoing residential uses and wind energy operations. According to the Imperial County General Plan's Conservation and Open Space Element⁶, Figure 1 "Sensitive Habitat Map^{6a}," the project is not located within a sensitive habitat area. Additionally, in accordance to Figure 2 "Sensitive Species Map^{6b}," the project is located within the Flat-tailed Horned Lizard Species Distribution Model area. However, the proposed project does not expect to have any substantial physical changes to the environment as the proposed construction is to take place below ground level. Consequently, it does not appear to have a substantially adverse effect, either directly or through habitat modification, or to any species identified as a candidate, sensitive, or of special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service. Any future developments on site, the applicant shall contact ICPDS; therefore, any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
b) According to the Imperial County General Plan's Conservation and Open Space Element⁶, the project site is not within a sensitive or riparian habitat, or on other sensitive natural community. Additionally, the designated residential use is proposed to remain; therefore, it does not appear to have a substantial effect in local regional plans, policies, and regulations with respect to sensitive natural communities or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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) According to the National Wetlands Inventory: Surface Waters and Wetlands Map⁷, the proposed project is not located within a riparian habitat and which will not cause a substantial adverse effect on federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
d) The proposed project site is located on a vacant parcel zoned as R-1-L-5 (Low Density Residential Area, Lot 5 acre Minimum) with an area of approximately ±17 acres adjacent to other parcels with same zone with existing residential uses. As previously stated on item (IV)(b) above, the project site is not located within a Sensitive Habitat; therefore, it would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?
e) The proposed project does not conflict with any local policy or ordinance protecting biological resources, such as tree preservation policies or ordinances. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
f) The proposed project site is not located within a designated sensitive area according to the Imperial County General Plan's Conservation and Open Space Element⁶, therefore, it would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

EEC ORIGINAL PKG

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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plan. Any impacts are expected to be less than significant.

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

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- a) According to the Imperial County General Plan's Conservation and Open Space Element⁶, Figure 5, the project site is not located within an "Area of Heightened Historic Period Sensitivity"^{6c}. Although the proposed project site is located within a Native American Sacred Site in accordance with Figure 6, "Known Areas of Native American Cultural Sensitivity,"^{6d} on September 13, 2022, the County received an email from the Quechan Historic Preservation Officer stating they had no comments on this project⁸. Additionally, on October 28, 2022, ICPDS received a comment letter from the Imperial Valley Desert Museum²² advising that on September 30, 2022, IVDM Executive Director, a Native American monitor, member of the Campo Band of Mission Indians and representative for the Ewilaapaay Band of Kumeyaay Indians were present at the property (1374 Shell Canyon Road, Ocotillo, CA) for the Ground Penetrating Radar (GPR) scan to check if there exists the possibility of an accidental discovery or disturbance of sensitive cultural materials with any new ground disturbance activity. Throughout the process, several anomalies were noted on the property, but none located where development is proposed. IVDM advised that with additional tribal monitors and an archeologist, a site check on the property in which the anomalies were located will be performed. This will not impact or hinder the applicant's beginning construction at the proposed project site. It only ensures the possible preservation of artifacts, should they be located in the areas denoted by the GPR scan. Any impacts are expected to be less than significant.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- b) As previously stated under item (V)(a) above, on October 28, 2022, ICPDS received a comment letter from the Imperial Valley Desert Museum²² advising that on September 30, 2022, IVDM Executive Director, a Native American monitor, member of the Campo Band of Mission Indians and representative for the Ewilaapaay Band of Kumeyaay Indians were present at the property (1374 Shell Canyon Road, Ocotillo, CA) for the Ground Penetrating Radar (GPR) scan to check if there exists the possibility of an accidental discovery or disturbance of sensitive cultural materials with any new ground disturbance activity. Throughout the process, several anomalies were noted on the property, but none located where development is proposed. IVDM advised that with additional tribal monitors and an archeologist, a site check on the property in which the anomalies were located will be performed. This will not impact or hinder the applicant's beginning construction at the proposed project site. It only ensures the possible preservation of artifacts, should they be located in the areas denoted by the GPR scan. Any impacts are expected to be less than significant.
- c) Disturb any human remains, including those interred outside of dedicated cemeteries?
- c) The proposed project site is not located within or adjacent to any cemeteries, therefore, the proposed project would not disturb any human remains, including those interred outside of dedicated cemeteries. Additionally, as previously stated on under item (V)(a), the Imperial Valley Desert Museum with additional tribal monitors and an archeologist, will conduct a site check on the property to in which the anomalies were located by the Ground Penetrating Radar (GPR) will be performed. This will not impact or hinder the applicant's beginning construction at the proposed project site. It only ensures the possible preservation of artifacts, should they be located in the areas denoted by the GPR scan. Any impacts are expected to be less than significant.

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

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- a) The proposed project does not anticipate any changes in the existing land use, which is currently residential; therefore, it will not result in potentially significant environmental impact due to wasteful, insufficient, or unnecessary consumption of energy resources, during the project construction or operation. Any developments would require compliance with the latest edition of the California Building Code and a new building permit application with the Imperial County Planning and Development Services Department. Additionally, per comment letter received from the Imperial Irrigation District⁹ dated September 27, 2022, if any temporary and/or permanent electrical service for the project is required, the applicant should be advised to contact them. Any impacts are expected to be less than significant.
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

EEC ORIGINAL PKG

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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b) As previously stated on item (VI)(a) above, the proposed project is for the construction and operation of a residential water well to supply a future home with no changes on the existing zoning. Any developments would require compliance with the latest energy efficiency and renewable energy standards and regulations. Therefore, the proposed project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Any impacts are expected to be less than significant.

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

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

a) The construction of the proposed residential water well does not appear to conflict with the geology and soils of adjacent parcels in the area. Additionally, a residential use is proposed as permitted on current zoning. Any developments on the parcel will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects regarding impacts to geology and soils. Any impacts are expected to be less than significant.

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

1) According to the most recent Alquist-Priolo Earthquake Fault Zoning Map¹⁰, California Department of Conservation: Fail Activity Map¹¹, and the United States Geological Survey's Quaternary Faults Map¹², proposed project site is located approximately half (0.5) a mile away south of the Painted Gorge and Carrizo Mountain Quadrangle Maps. However, Imperial County is classified as Seismic Zone D per the Uniform Building Code, which required that any developments within this zone be required to incorporate the most stringent earthquake resistant measures. Any developments will be subject to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Adherence and compliance to these standards and regulations would bring any impacts to less than significant.

2) Strong Seismic ground shaking?

2) As previously stated on item (VII)(a)(1) above, the proposed project is located approximately half (0.5) a mile away south of the Painted Gorge and Carrizo Mountain Quadrangle Maps, indicating seismic ground shaking is expected. Adherence to the latest edition of the California Building Code and as well as to go through a ministerial building permit review would bring any impacts to less than significant.

3) Seismic-related ground failure, including liquefaction and seiche/tsunami?

3) The proposed project site is not located in a seiche/tsunami area per the California Tsunami Data Maps¹³. Any impacts are expected to be less than significant.

4) Landslides?

4) According to Imperial County General Plan's Seismic and Public Safety Element¹⁴, "Landslide Activity Map^{14a}," Figure 2, the proposed project is located within a moderate landslide activity area. The topography within the proposed project site is generally flat. However, any developments on the parcel will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Construction of the residential water well will comply with California Well standards and will be subjected to Division 21 (Water Well Regulations) and Division 22 (Groundwater Ordinance) of the Imperial County Land Use Ordinances (Title 9). A drill log will also be required from a California licensed well driller contractor during drilling operations. Therefore, less than significant impacts are expected.

b) Result in substantial soil erosion or the loss of topsoil?

b) According to Imperial County General Plan's Seismic and Public Safety Element¹⁴, "Erosion Activity Map^{14b}," Figure 3, the proposed project is not located within an area of substantial soil erosion. Any impacts are expected to be less than significant.

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?

EEC ORIGINAL PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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c) The proposed project site is not located on a geological unit that would become unstable or collapse as a result of the proposed water well construction. Any construction will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Adherence and compliance to these standards and regulations would bring any impacts to less than significant.

- d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?

d) The proposed project is not located on an expansive soil area. However, as previously stated on section (VII)(c), any new developments will require adherence and compliance to the California Building Code, standards and regulations, as well as to go through a ministerial building permit review which would bring any impacts to less than significant.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

e) The proposed project is for the construction and operation of a new residential water well to supply a future home. Per email received the Imperial County Division of Environmental Health¹⁵ dated October 19, 2022, this parcel recently received approval for the installation of a new septic system. Therefore, the applicant and the water well driller shall ensure that the selected well drilling location maintains the appropriate setbacks from the approved septic system, which according to Title 8, Section 8.80.100 of Imperial County Ordinance, shall be located a minimum of 100 feet from the disposal area (leach lines) and 50 feet from the septic tank. Once the well is installed, the applicant will be required to conduct a water potability test to ensure the water meets potable standards. EHS has no additional comments at this time, but they reserve the right to provide additional comments as the project moves through the entitlement and permitting process. Adherence and compliance with Imperial County Public Health Department, Division of Environmental Health standards and regulations would bring any impacts to less than significant.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

f) The proposed project is for the construction of a new residential water well to supply a future home, which will disturb approximately 182 square feet of the 17-acre parcel. The proposed project does not appear to directly or indirectly destroy a unique paleontological resource or site of unique geologic feature on site as there are no known unique resources or features on site or records of. Additionally, in the event of any paleontological findings on site during construction, all work shall be stop and the Imperial Valley College Desert Museum shall be contacted to have a qualified specialist inspect the site. Any impacts are expected to be less than significant.

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

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

a) The proposed residential water well is located on an area surrounded by already developed parcels with existing residential uses. The action is not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Additionally, as previously stated on item (III)(a) above, adherence and compliance to APCD's rules and regulations will bring any impacts to less than significant.

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

b) The proposed project would not conflict with any regulations under AB 32 Global Warming Solutions Act of 2006, of reducing the emissions of greenhouse gases to 1990 levels by 2020 provided that the applicant adheres to APCD's regulations. Less than significant impacts are expected.

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

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

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	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<p>a) The proposed project is not expected to create a significant hazard to the public or the environment as it does not involve the handling of any hazardous materials. No impacts are expected.</p>				
<p>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?</p> <p>b) The proposed residential water well is not expected to create a significant hazard to the public or environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment as no hazardous materials are anticipated as part of the project. No impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p> <p>c) The proposed project does not anticipate the emitting of hazardous emissions or the handling of hazardous or acutely hazardous materials, substance, or waste as previously stated on items (IX)(a) and (IX)(b) above. Additionally, the project site is not located within a ¼ mile of any schools. The nearest school in the vicinity is the Seeley Elementary School, which is located approximately 19 miles northeast of the proposed project site; therefore, it would not represent a risk to educational facilities. No impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p> <p>d) The proposed project is not located on a site included on a list of hazardous materials sites according to California Department of Toxic Substances Control EnviroStor¹⁶; therefore, no impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p> <p>e) The proposed project is not located within an airport land use plan per Imperial County Airport Land Use Compatibility Maps¹⁷. However, the nearest air facility in the area is the Neil Emory private landing airstrip located approximately 1,800 feet west of the project site; therefore, exposure to periodic noise emissions are expected during aircraft takeoff and landing operations. Any impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p>f) The proposed residential water well would not interfere with an adopted emergency response plan or emergency evacuation plan. The applicant will meet any requirements requested by the Fire/OES Department. No impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p> <p>g) According to Cal Fire "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County¹⁸" adopted November 7, 2007, the proposed project site is located in an unincorporated Local Responsibility Area (LRA) adjacent to a Moderate Fire Hazard Severity Zone (MFHSZ). Developments may be subject to the inclusion of fire sprinklers and have either a private water or public source as pressurized hydrants for fire suppression. Compliance to ICFD standards would bring any impacts to less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. **HYDROLOGY AND WATER QUALITY** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p> <p>a) The proposed project is for the construction and operation of a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Any impacts are expected to be less than</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
significant.				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? b) As previously stated on item (X)(a) above, the proposed residential water well anticipates an annual water extraction of one (1) acre-feet and does not expect to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Any impacts are expected to be less than significant.	<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 project does not anticipate a physical alteration to the site that would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces. Any proposed grading will require drainage review and approval from the Imperial County Public Works Department. Any impacts are expected to be less than significant.	<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) According to Imperial County General Plan's Seismic and Public Safety Element¹⁴, "Erosion Activity Map^{14b}," Figure 3, the proposed project site is not located within an area of substantial soil erosion or siltation on- or off-site. Therefore, any impacts are expected to be less than significant.	<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 water well project is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Any proposed grading will require drainage reviews and approval with the Imperial County Department of Public Works. Compliance with Imperial County Department of Public Works rules and regulations would bring any impacts to 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 project does not anticipate creating or contributing runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As previously stated on items (X)(c) and (X)(c)(ii) above, Any proposed grading will require drainage review and approval from the Imperial County Public Works Department. Compliance with Imperial County Public Works Department standards would ensure that any runoff water impacts would be reduced to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows? (iv) The proposed project is for the construction and operation of a new residential water well to supply a future home and is not expected to impede or redirect flood flows. According to the Federal Emergency Management Agency (FEMA) Flood Map Service Center¹⁹, Flood Insurance Rate Map, the proposed project site is located within "Zone X" of flood map 06025C1620C, effective September 26, 2008. Additionally, a reviewed and approved grading/drainage letter is to be required by the Imperial County Department of Public Works. Therefore, compliance with ICDPW's standards would bring any impacts 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 project will continue with the existing residential use in the area; therefore, impacts related to risk release of pollutants due to project inundation are considered to be low. Additionally, as previously stated on item (X)(c)(iv) above, the proposed project site is located within "Zone X" of flood map 06025C1620C. Compliance with ICDPW's standards would	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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contribute to lower any impacts to less than significant.

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

e) The proposed project is for the annual extraction of one (1) acre-foot of water from a proposed residential water well, which is not expected to conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. As previously stated on item (X)(c) above, the proposed project would require a grading letter approved by the Imperial County Public Works Department. Any impacts are expected to be less than significant.

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

- a) Physically divide an established community?

a) The proposed project is for the construction and operation of a new residential water well to supply a future which would not physically divide an established community; therefore, it does not anticipate changing the existing land use designation and zoning established. No land use nor planning impacts are expected.

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

b) The proposed project is consistent with the Imperial County General Plan, County's Land Use Ordinance and with the Ocotillo/Nomirage Community Area Plan; water wells are allowed with an approved Conditional Use Permit in an R-1 zone per Division 21 – Water Well Regulations, Section 92102.00. Additionally, per the Ocotillo/Nomirage Community Area Plan, Section D – Water/Sewer, an acre-foot of water supplies a family of five per year. Any impacts are expected to be less than significant.

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

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

a) The proposed project does not anticipate the removal of mineral resources and it is not located within the boundaries of an active mine per Imperial County General Plan's Conservation and Open Space Element⁶, "Existing Mineral Resources Map^{6e}" Figure 8. No impacts are expected.

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

b) The proposed residential water well will not result in the loss of availability of locally-important mineral resources recovery site delineated on a local general plan, specific plan or other land use plan. No impacts are expected.

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

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

a) The proposed project is for the construction and operation of a new residential water well. Temporary generation of noise would be expected during construction; however, such would not result in the generation of permanent noise beyond that which already occurs on the surrounding area. Such action would be subject to the Imperial County General Plan's Noise Element²⁰ which states that construction equipment operation shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and from 9 a.m. to 5 p.m. on Saturday. Additionally, construction noise from a single piece of equipment or combination, shall not exceed 75 dB Leq when averaged over an eight (8) hour period. Compliance with Imperial County General Plan's Noise Element would bring any impacts to less than significant.

- b) Generation of excessive groundborne vibration or groundborne noise levels?

EEC ORIGINAL PKG

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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b) The proposed project does not anticipate any changes to the existing and designated residential uses on the surrounding parcels and area. Additionally, as previously stated on item (XIII)(a) above, any construction would be subject to Imperial County General Plan's Noise Element. Any impacts are expected to be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

c) As previously stated on item (IX)(e) above, the proposed project site is located approximately 1,800 feet east of the existing Neil Emory private airstrip; therefore, exposure to periodic noise emissions are expected during aircraft takeoff and landing operations. Any impacts are expected to be less than significant.

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

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?

a) The proposed residential water well construction and operation would not induce a substantial unplanned population growth in an area, either directly or indirectly, as no changes to the designated residential use on the parcel are proposed. Therefore, any impacts are expected to be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

b) The proposed project will not displace substantial numbers of people necessitating the construction or replacement housing elsewhere as the designated residential use on the parcel is proposed to remain. Any impacts are expected to be less than significant.

XV. **PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) The proposed residential water well construction and operation does not anticipate that such would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios. Any impacts would be less than significant.

1) Fire Protection?

1) The proposed project is not expected to result in substantial impacts on fire protection. Any future developments may be subject to fire sprinklers and to have either a private or a public source of water for fire suppression purposes such as pressurized hydrants. Compliance with ICFD would bring any impacts to less than significant.

2) Police Protection?

2) The proposed project is not expected to result in substantial impacts on police protection. Both the California Highway Patrol and Sheriff's Office South County Patrol have active policing and patrol operations in the area. Any impacts are expected to be less than significant.

3) Schools?

3) The proposed water well construction and operation is not expected to have a substantial impact on schools. No impacts are expected.

4) Parks?

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	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
4) The proposed project is not expected to create a substantial impact on 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 residential water well is not expected to have a substantial impact on other public facilities; therefore, any impacts are expected to be less than significant.				

XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- a) The proposed project is for the construction and operation of a new residential water well to supply a future home. Subsequently, the proposed water well would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. No impacts are expected.**
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
- b) The proposed project does not include nor require the construction or expansion of recreational facilities as it would only serve as a water supply for a future home; therefore, no impacts are expected.**

XVII. TRANSPORTATION *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- a) The proposed residential water well construction and operation is not expected to create a substantial impact to surrounding roads nor conflicting with Imperial County General Plan's Circulation and Scenic Highway Element'. Therefore, no impacts are expected.**
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
- b) The proposed project will not conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b) as it is not expected to have a significant transportation impact within transit priority areas with no proposed change on the existing land use. Additionally, the proposed project site is located within 1/2 mile of either an existing major transit stop or a stop along an existing high quality transit corridor. No impacts are expected.**
- c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- c) The existing residential use on the proposed project's site is compatible with the Imperial County General Plan Land Use Designation and the site design is not expected to increase hazards. Therefore, no impacts are expected.**
- d) Result in inadequate emergency access?
- d) The proposed project would not result in inadequate emergency access. Additionally, no change on existing land use nor zoning are proposed. Access to the proposed project site from Shell Canyon Road appears to be suitable for emergency response vehicles. No impacts are expected.**

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public

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Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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) According to the Imperial County General Plan's Conservation and Open Space Element⁶, Figure 6, the project site is located within a "Known Area of Native American Cultural Sensitivity.^{6d}" However, on September 13, 2022 the County received an email from the Quechan Historic Preservation Officer stating they had no comments on this project⁶. Additionally, on October 28, 2022, ICPDS received a comment letter from the Imperial Valley Desert Museum²² advising that on September 30, 2022, IVDM Executive Director, a Native American monitor, member of the Campo Band of Mission Indians and representative for the Ewliaapaay Band of Kumeyaay Indians were present at the property (1374 Shell Canyon Road, Ocotillo, CA) for the Ground Penetrating Radar (GPR) scan to check if there exists the possibility of an accidental discovery or disturbance of sensitive cultural materials with any new ground disturbance activity. Throughout the process, several anomalies were noted on the property, but none located where development is proposed. IVDM advised that with additional tribal monitors and an archeologist, a site check on the property in which the anomalies were located will be performed. This will not impact or hinder the applicant's beginning construction at the proposed project site. It only ensures the possible preservation of artifacts, should they be located in the areas denoted by the GPR scan. Any impacts are expected to be less than significant.

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

(i) According to the California Historic Resources²¹ in Imperial County, the proposed project site is not listed or seem to be eligible under the Public Resources Code Section 21074 or 5020.1 (k); therefore, any impacts are expected to be less than significant.

0 (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth 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 significant resources listed as defined in the Public Resources Code Section 5024.1 are expected to be impacted by the proposed residential water well construction. Any impacts are expected to be less than significant.

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

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

a) The proposed residential water well construction and operation does not require or result in the relocation or construction of a new expanded water, wastewater treatment or stormwater drainage, electric power, natural gas or telecommunication facilities, the construction of which could cause significant environmental effects. On September 27, 2022, ICPDS received a comment letter from the Imperial Irrigation District⁹ advising the applicant should contact IID if the project requires temporary and/or permanent electrical service. Additionally, on October 19, 2022, ICPDS received a comment email from the Imperial County Division of Environmental Health¹⁵ advising the proposed project site recently received approval for the installation of a new septic system; therefore, the applicant and the water well driller shall ensure that the selected well drilling location maintains the appropriate setbacks from the approved septic system, which according to Title 8, Section 8.80.100 of Imperial County Ordinance, shall be located a minimum of 100 feet from the disposal area (leach lines) and 50 feet from the septic tank. Any impacts are considered to be less than significant.

b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?

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	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<p>b) The proposed project is for the construction and operation of a new residential water well construction with a projected annual water extraction of one (1) acre-foot, which does not anticipate a change to the existing residential designation on the parcel. Additionally, as per the Ocotillo/Nomirage Community Area Plan⁴, Section (II)-Existing Conditions and Trends, Subsection (D)-Water/Sewer, an acre-foot of water supplies a family of five per year. Any impacts are expected to be less than significant.</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) As previously stated on sections (VII)-"Geology and Soils" and (XIX)(a) above, the Imperial County Division of Environmental Health advised the proposed project site recently received approval for the installation of a new septic system; therefore, the applicant and the water well driller shall ensure that the selected well drilling location maintains the appropriate setbacks from the approved septic system, which according to Title 8, Section 8.80.100 of Imperial County Ordinance, shall be located a minimum of 100 feet from the disposal area (leach lines) and 50 feet from the septic tank. Adherence to Environmental Health Services regulations would bring any impact to less than significant.</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) Excess solid waste generation is not expected by the proposed residential water well construction. Less than significant impacts are expected.</p>				
<p>e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) All proposed projects within the County shall contract with a licensed waste hauler for waste generated by the facility. The proposed subdivision shall comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Any impact are expected to be less than significant.</p>				

XX. WILDFIRE

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

<p>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>a) As previously stated on item (IX)(g) – "Hazards and Hazardous Materials" above, per Cal Fire "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County¹⁸" adopted November 7, 2007, the proposed project site is located in an unincorporated Local Responsibility Area (LRA) adjacent to a Moderate Fire Hazard Severity Zone (MFHSZ) on the west. Developments may be subject to the inclusion of fire sprinklers and have either a private water or public source as pressurized hydrants for fire suppression. Compliance with Imperial County Fire Department's standards would bring any impacts to less than significant.</p>				
<p>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) As previously stated on item (XX)(a) above, the proposed project is adjacent to a Moderate Fire Hazard Severity Zone (MFHZ); therefore, impacts due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire are expected to be less than significant with adherence and compliance of ICFD's standards.</p>				
<p>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) The proposed project is for the construction and operation of a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot. As previously stated on item (XX)(a) above, the proposed project site is adjacent to a Moderate Fire Hazard Severity Zone (MFHZ). Any developments may be subject to the inclusion of fire sprinklers and have either a private water or public source as pressurized hydrants for fire suppression. Compliance with</p>				

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Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Imperial County Fire Department's standards would bring any impacts to less than significant.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

d) As previously stated on item (VII)(a)(4) above, per Imperial County General Plan's Seismic and Public Safety Element¹⁴, "Landslide Activity Map^{14a}," Figure 2, the proposed project is located within a moderate landslide activity area. The topography within the proposed project site is generally flat. However, any developments on the parcel will be subjected to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Therefore, less than significant Impacts are expected. Additionally, as previously stated on item (XX)(a) above, the proposed project neighbors a Moderate Fire Hazard Severity Zone per Cal Fire's "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County"¹⁵; therefore impacts related to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes are considered to be less than significant.

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 Arroyo Waterways v. Arroyo Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

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

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Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <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"/> |

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IV. PERSONS AND ORGANIZATIONS CONSULTED

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

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planning Division Manager
- Gerardo A. Quero, 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
- Quechan Indian Tribe

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

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V. REFERENCES

1. Imperial County General Plan: Circulation and Scenic Highway Element
<https://www.icpds.com/assets/planning/circulation-scenic-highway-element-2008.pdf>
2. California State Scenic Highway System Map
<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>
3. California Farmland Mapping & Monitoring Program: Imperial County Important Farmland Map 2018
<https://maps.conservation.ca.gov/DLRP/CIFF/>
4. Ocotillo/Nomirage Community Area Plan
<https://www.icpds.com/assets/planning/community-plans/ocotillo-nomirage-community-area-plan.pdf>
5. Imperial County Air Pollution Control District comment letter dated September 26, 2022
6. Imperial County General Plan: Conservation and Open Space Element
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
 - a) Figure 1: Sensitive Habitat Map
 - b) Figure 2: Sensitive Species Map
 - c) Figure 5: Areas of Heighten Historic Period Sensitivity Map
 - d) Figure 6: Known Areas of Native American Cultural Sensitivity Map
 - e) Figure 8: Existing Mineral Resources Map
7. National Wetlands Inventory: Surface Waters and Wetlands Map
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
8. Quechan Indian Tribe comment email dated September 13, 2022
9. Imperial Irrigation District comment letter dated September 27, 2022
10. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones
<https://gjs.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C-110.920388%2C6.00>
11. California Department of Conservation: Fault Activity Map
<https://maps.conservation.ca.gov/cgs/fam/>
12. United States Geological Survey's Quaternary Faults Map
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>
13. California Tsunami Data Maps
<https://www.conservation.ca.gov/cgs/tsunami/maps>
14. Imperial County General Plan: Seismic and Public Safety Element
<https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>
 - a) Figure 2: Landslide Activity Map
 - b) Figure 3: Erosion Activity Map
15. Imperial County Division of Environmental Health comment email dated October 19, 2022
16. California Department of Toxic Substances Control: EnviroStor
<https://www.envirostor.dlsc.ca.gov/public/>
17. Imperial County Airport Land Use Compatibility Maps
<https://www.icpds.com/planning/maps/airport-land-use-compatibility-maps>
18. Cal Fire: Fire Hazard Severity Zones Maps – Imperial County
https://osfm.fire.ca.gov/media/6680/fhszs_map13.pdf
19. Federal Emergency Management Agency (FEMA) Flood Map Service Center: Flood Insurance Rate Map
<https://msc.fema.gov/portal/search?AddressQuery=851%20pitzer%20road%20heber%20ca#searchresultsanchor>
20. Imperial County General Plan: Noise Element
<https://www.icpds.com/assets/planning/noise-element-2015.pdf>
21. California Historic Resources: Imperial County
<https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>
22. Imperial Valley Desert Museum comment letter dated October 28, 2022
23. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.

EEC ORIGINAL PKG

EEC ORIGINAL PKG

VI. NEGATIVE DECLARATION – County of Imperial

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

Project Name: Conditional Use Permit (CUP) #22-0019

Project Applicant: Karen Brunell

Project Location: 1374 Shell Canyon Road, Ocotillo, AC 92259

Description of Project: The applicant is proposing to construct and operate a new residential water well to supply a future home with a projected annual water extraction of one (1) acre-foot.

EEC ORIGINAL PKG

VII. FINDINGS

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

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

The Initial Study identifies potentially significant effects but:

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

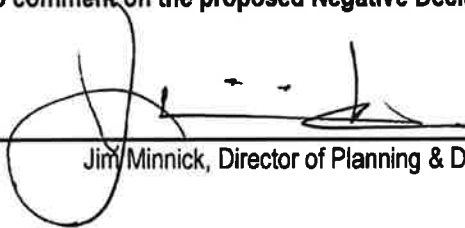
A **MITIGATED NEGATIVE DECLARATION** will be prepared.

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

NOTICE

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

11/17/22
Date of Determination



Jim Minnick, Director of Planning & Development Services

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



Applicant Signature

11/17/2022
Date

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SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

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IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

COMMENT LETTERS

EEC ORIGINAL PKG



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

September 12, 2022
REQUEST FOR REVIEW
AND COMMENTS

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the County's Planning & Development Services Department. Please review the proposed project based on your agency/department area of interest, expertise, and/or jurisdiction.

- | | | |
|--|--|---|
| To: County Agencies | State Agencies/Other | Cities/Other |
| <input checked="" type="checkbox"/> County Executive Office – Rosa Lopez | <input checked="" type="checkbox"/> IC Sheriff's Office – Ray Loera/
Manuel Deleon | <input checked="" type="checkbox"/> Coachella Valley Water District- Jim Barrett |
| <input checked="" type="checkbox"/> APCD – Monica Soucier/ Matt Dessert | <input checked="" type="checkbox"/> Certified Unified Program Agency-
Robert Krug | <input checked="" type="checkbox"/> Ocotillo Mutual Water Company-
Board of Directors |
| <input checked="" type="checkbox"/> EHS – Jeff Lamoure/Mario Salinas/ Jorge Perez | <input checked="" type="checkbox"/> BLM- Ranger Gonzalez | <input checked="" type="checkbox"/> IID – Donald Vargas |
| <input checked="" type="checkbox"/> Public Works – Guillermo Mendoza/John Gay | <input checked="" type="checkbox"/> Campo Band of Mission Indians –
Marcus Cuero, Jonathan Mesa | <input checked="" type="checkbox"/> Coyote Valley Mutual Water Co.- Mike Peterson |
| <input checked="" type="checkbox"/> Ag. Commissioner – Margo Sanchez/ Carlos Ortiz | <input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/
Robert Malek | <input checked="" type="checkbox"/> Caltrans –District 11- Roger Sanchez |
| <input checked="" type="checkbox"/> Board of Supervisors – Luis Plancarte -
District #2 | | <input checked="" type="checkbox"/> Fort Yuma – Quechan Indian Tribe -
H. Jill McCormick/Jordan D. Joaquin |

From: Gerardo Quero, Planner I – (442) 265-1736 or gerardoquero@co.imperial.ca.us
Project ID: Conditional Use Permit #22-0019
Project Location: 1374 Shell Canyon Rd. Ocotillo CA 92259 APN 033-250-074
Project Description: Applicant proposes for the new construction and operation of a new residential water well to supply future home.
Applicants: Karen Brunell
Comments due by: September 27th 2022 at 5:00PM

COMMENTS: (attach a separate sheet if necessary) (if no comments, please state below and mail, fax, or e-mail this sheet to Case Planner)

No comments

Name: Ana Gomez Signature: [Signature] Title: Ag Biologist
 Date: 9/21/2022 Telephone No.: 442 265 1500 E-mail: ana.gomez@co.imperial.ca.us

G:\GIS\AllUsers\APN\033\250\074\CUP22-0019\CUP22-0019 Request for Comments 09 27 22 .docx

Gerardo Quero

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Monday, 12 September, 2022 12:30 PM
To: Allison Galindo; Gerardo Quero
Subject: RE: CUP22-0019 Request for Comments

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

This email is to inform you that we have no comments on this project.

From: Allison Galindo [mailto:allisongalindo@co.imperial.ca.us]
Sent: Monday, September 12, 2022 10:34 AM
To: Andrew Loper; Carlos Ortiz; Donald Vargas ; Guillermo Mendoza; H. Jill McCormick; Jeff Lamoure; John Gay; Jordan D. Joaquin; Jorge Perez; Manuel Deleon; Marcus Cuero ; Margo Sanchez; Mario Salinas; Matt Dessert; Mitch Mansfield; Monica Soucier; Ray Loera ; Robert Malek; Rosa Lopez; Luis Plancarte; jbarrett@cvwd.org; Roger Sanchez; Robert Krug; cgonzalez@blm.gov; jmesa@campo-nsn.gov; Marcus Cuero
Cc: Jim Minnick; Michael Abraham; Diana Robinson; Gerardo Quero; Aimee Trujillo; Allison Galindo; John Robb; Leslie Martinez; Maria Scoville; Melina Rizo; Rosa Soto
Subject: CUP22-0019 Request for Comments

Good morning,

Please see attached Request for Comments packet for CUP22-0019/ APN 033-250-074 {1374 Shell Canyon Rd., Ocotillo, CA 92259}

Comments are due by **September 27th 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 Gerardo Quero at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Allison Galindo
Office Assistant III
Imperial County Planning & Development Services
801 Main St.
El Centro, CA 92243
(442)265-1736

 Virus-free. www.avast.com

EEC ORIGINAL PKG



September 26, 2022

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

SUBJECT: Conditional Use Permit (CUP) 22-0019 – Karen Brunell

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on Condition Use Permit ("CUP") 22-0019 ("Project") that would allow the construction of a water well for residential purposes at 1374 Shell Canyon Road in Ocotillo, California, also described as Assessor's Parcel Number 033-250-074-000.

The Air District would remind the applicant that all construction activities must adhere to Regulation VIII, which is a collection of rules, designed to limit emissions of fugitive dust to 20% opacity. To be compliant with Air District rules the drilling equipment used to construct the water well must meet the California Portable Equipment Registration Program ("PERP") certifications or apply for certification from the Air District.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Ismael Garcia".

Ismael Garcia
Environmental Coordinator I

A handwritten signature in blue ink, appearing to read "Monica N. Soudier".

Monica N. Soudier
APC Division Manager

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IID

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www.iid.com

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September 27, 2022

Mr. Gerardo Quero
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: K. Brunell Residential Water Well Project, CUP22-0019

Dear Mr. Quero:

On September 12, 2022, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on a residential water well project under Conditional Use Permit application No. 22-0019. The applicant, Karen Brunell, proposes the construction of a new water well to supply a future home at 1374 Shell Canyon Road, Ocotillo, CA (APN 033-250-074).

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

1. If the project requires temporary and/or permanent electrical service, the applicant should be advised to contact Ignacio Romo, IID project development service planner, at (760) 482-3426 or e-mail Mr. Romo at IGRomo@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the district website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit AutoCAD site plan, electrical and utility plans, 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. 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

EEC ORIGINAL PKG

Gerardo Quero
September 27, 2022
Page 2

encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.

4. 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 dvgargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamie Asbury – Manager, Energy Dept.
Constance Bergmark – Deputy Mgr. Energy Dept., Energy Business, Regulatory & Transactions Admn.
Geoffrey Holbrook – Interim 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

Gerardo Quero

From: Jorge Perez
Sent: Wednesday, 19 October, 2022 3:25 PM
To: Allison Galindo; Gerardo Quero
Cc: Aimee Trujillo; John Robb; Laryssa Alvarado; Maria Scoville; Melina Rizo; Rosa Soto
Subject: RE: CUP22-0019 Request for Comments
Attachments: 1374 Shell Canyon Road Brunell Residence OWTS Site Plan (1).pdf

Hi Allison/Gerardo,

This parcel recently received approval for the installation of a new septic system. Therefore, the applicant and the water well driller shall ensure that the selected well drilling location maintains the appropriate setbacks from the approved septic system, which according to Title 8, Section 8.80.100 of Imperial County Ordinance, shall be located a minimum of 100 feet from the disposal area (leach lines) and 50 feet from the septic tank. Attached is a copy of the septic system site plan approved by our office.

Once the well is installed, the applicant will be required to conduct a water potability test to ensure the water meets potable standards.

We have no additional comments at this time, but we reserve the right to provide additional comments as the project moves through the entitlement and permitting process.

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

Regards,

Jorge A. Perez

Imperial County Division of Environmental Health

P: 442-265-1888 – C: 760-427-1190

From: Allison Galindo <allisongalindo@co.imperial.ca.us>

Sent: Tuesday, October 18, 2022 1:50 PM

To: Andrew Loper <AndrewLoper@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>

Cc: 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: FW: CUP22-0019 Request for Comments

Good Afternoon,

Please see attached Request for Comments packet for CUP22-0019/ APN 033-250-074 {1374 Shell Canyon Rd., Ocotillo, CA 92259}

Comments were due by **September 27th at 5:00PM**. If you can please reply with any comments towards this project.

EEC ORIGINAL PKG

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

Thank you,

Allison Galindo
Office Assistant III
Imperial County Planning & Development Services
801 Main St.
El Centro, CA 92243
(442)265-1736

EEC ORIGINAL PKG



October 28, 2022

Jim Minnick
Imperial County Planning & Development Services
801 Main St
El Centro, CA 92243

Re: Proposed Development at 1374 Shell Canyon Road, Ocotillo, CA 92259

Dear Mr. Minnick,

The Imperial Valley Desert Museum Society, Inc. is a registered 501(c)(3) nonprofit, which operates the Imperial Valley Desert Museum (IVDM), a federally recognized curation facility and museum, located at 11 W. Frontage Rd., Ocotillo, CA 92259. It is located immediately south of the parcel proposed for construction by Ms. Brunell at 1374 Shell Canyon Road in Ocotillo, CA.

The mission of Imperial Valley Desert Museum is to preserve, interpret, and celebrate the deserts of Southern California through outstanding research, collections, and educational programs. The lands of IVDM and the surrounding region of Ocotillo and western Imperial County reside on the traditional lands of the Kumeyaay people, which today still preserves over 10,000 years of their history on and beneath the modern landscape.

Given the rich and documented history of indigenous activity throughout the region in antiquity, there exists the possibility of an accidental discovery or disturbance of sensitive cultural materials with any new ground disturbance activity. An abundance of caution is recommended in this and all other projects within the area of Ocotillo whenever they would require subsurface work. Imperial Valley Desert Museum recognizes and applauds Ms. Burnell's commitment to the preservation of the Imperial Valley's rich and diverse history.

On September 30, 2022 IVDM Executive Director Kristin O'Lear, Native American monitor Phillip Paipa, member of the Campo Band of Mission Indians and representative for the Ewiiapaayp Band of Kumeyaay Indians were present at the property for the Ground Penetrating Radar (GPR) scan. In addition to Mr. Paipa and Ms. O'Lear, Ms. Burnell, Mr. Allen Repashy, and her contractor Robert D. Osoria were also present. The scan was performed by Ground Penetrating Radar Systems under the supervision of project manager Mark Reynoso. Mr. Paipa and Ms. O'Lear remained at the property for the duration of the scan, which lasted approximately two hours.

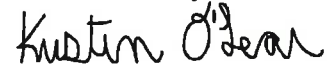
Throughout the process several anomalies were noted on the property. At this time, none of the anomalies are located where Ms. Burnell has proposed developing on the property. Prior to the scan, a large portion of the property had been covered with gravel. As a result, the GPR scan would be unable to indicate if any potential artifacts are present. Again, no proposed developed will be done on the gravel. Following the conclusion of the scan IVDM, Mr. Paipa, and Ms. Burnell received a full report on the same day.

Following a thorough review of the report and locations of the anomalies, IVDM is satisfied and accepts the result of the GPR scan performed by Ground Penetrating Radar Systems. IVDM consents to the development of the property and that the project can proceed.

In order to be as thorough as possible Mr. Paipa and IVDM, with additional tribal monitors and an archaeologist, will perform a site check on the areas of the property in which the anomalies were located. This will **not** impact or hinder Ms. Burnell beginning construction at 1374 Shell Canyon Road. It only ensures the possible preservation of artifacts, should they be located in the areas denoted by the GPR scan. Ms. Burnell and IVDM Executive Director Kristin O'Lear have previously discussed the above items and are in agreement.

If you have further questions, please do not hesitate to contact the Museum at info@ivdesertmuseum.org or (760) 358-7016.

Sincerely,



Kristin O'Lear, M.A

Executive Director, Imperial Valley Desert Museum

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 <u>Brunell Karen K.</u>	EMAIL ADDRESS <u>Karen.brunell@gmail.com</u>	
2. MAILING ADDRESS (Street / P.O. Box, City, State) <u>4135 Avenida de la Plata Ocotillo</u>	ZIP CODE <u>92056</u>	PHONE NUMBER <u>760-912-5200</u>
3. APPLICANT'S NAME <u>Brunell Karen K.</u>	EMAIL ADDRESS <u>karen.brunell@gmail.com</u>	
4. MAILING ADDRESS (Street / P.O. Box, City, State) <u>4135 Avenida de la Plata Ocotillo CA</u>	ZIP CODE <u>92056</u>	PHONE NUMBER <u>760-912-5200</u>
4. ENGINEER'S NAME <u>Fair Drilling</u>	CA. LICENSE NO. <u>328209</u>	EMAIL ADDRESS <u>dave@fairdrilling.com</u>
5. MAILING ADDRESS (Street / P.O. Box, City, State) <u>12029 Old Castle rd, Valley Center, CA</u>	ZIP CODE <u>92087</u>	PHONE NUMBER <u>760-749-0701</u>
6. ASSESSOR'S PARCEL NO. <u>032-250-074-00</u>	SIZE OF PROPERTY (in acres or square foot) <u>17 Acre</u>	ZONING (existing) <u>R-1-L-5</u>
7. PROPERTY (site) ADDRESS <u>1374 Shiloh Canyon Rd, Ocotillo, CA 92259</u>		
8. GENERAL LOCATION (i.e. city, town, cross street)		
9. LEGAL DESCRIPTION <u>Vacant Lot</u>		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) <u>for the construction and operation of a new residential water well to supply future home.</u>	
11. DESCRIBE CURRENT USE OF PROPERTY <u>Vacant Land</u>	
12. DESCRIBE PROPOSED SEWER SYSTEM <u>Septic System</u>	
13. DESCRIBE PROPOSED WATER SYSTEM <u>Well</u>	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

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

Karen K. Brunell 8/25/22
Print Name Date
Karen K Brunell
Signature

Print Name Date

Signature

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY: [Signature]

APPLICATION DEEMED COMPLETE BY: _____

APPLICATION REJECTED BY: _____

TENTATIVE HEARING BY: _____

FINAL ACTION: APPROVED DENIED

DATE 8/26/22 REVIEW / APPROVAL BY OTHER DEPT'S required

DATE _____ P. W.

DATE _____ E. H. S.

DATE _____ A. P. C. D.

DATE _____ O. E. S.

DATE _____ _____

CUP #
22-0019
922-0000

EEC ORIGINAL PKG

Gerardo Quero

From: Karen <karen.brunell@gmail.com>
Sent: Friday, 30 September, 2022 9:18 AM
To: Gerardo Quero
Subject: Re: FW: Pending Documents for Water Well CUP APN 033-250-074
Attachments: image001.png

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

Hello Gerardo

We estimate a one acre annual extraction for our residential home use.

Thank you in advance for your help on this project.

Karen Brunell
Karen.brunell@gmail.com
760 912-5200
1374 Shell Canyon Road
Ocotillo CA 92259

On Fri, Sep 30, 2022, 9:14 AM Gerardo Quero <gerardoquero@imperial.ca.us> wrote:

Good morning Mrs. Brunell

After reviewing the F-118a information, I wanted to get clarification on the total annual water extraction provided.

Could you please provide me with the total Acre Feet of water for your home's total acre?

Thank you and have a great day!



EEC ORIGINAL PKG

From: Karen <karen.brunell@statemail.coto>
Sent: Thursday, 25 August, 2022 3:03 PM
To: Gerardo Quero <gerardoquero@uconn.edu>
Subject: Re: FW: Pending Documents for Water Well CUP APN 033-250-074

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

Hello Gerardo,

Attached please find the Notarized documentation and information you requested. I Sent the originals via FedEx Today

Project Description and Additional Information Needed:

Water Usage:

- How much water are you planning to extract in an annual basis? (Acre-Feet)

Household calculations estimated 27810 gallons per capita.

- Are you planning on using this water to supply your future house?

Yes this is for my personal home use.

Water Well Monitoring

- How are you planning to monitor your annual water usage. Any meters planned?

No additional monitoring planned.

Well Construction and Replacement:

- Are you contracting a California Licensed Driller for this water well project?

Yes I have requested that our contractor provide this information.

- Please be advised that your water well shall be registered with our department to comply with the existing Groundwater Ordinance.

Best regards,

EEC ORIGINAL PKG

Thank you for your help on this Project.

Karen Brunell

kabrunell@gmail.com

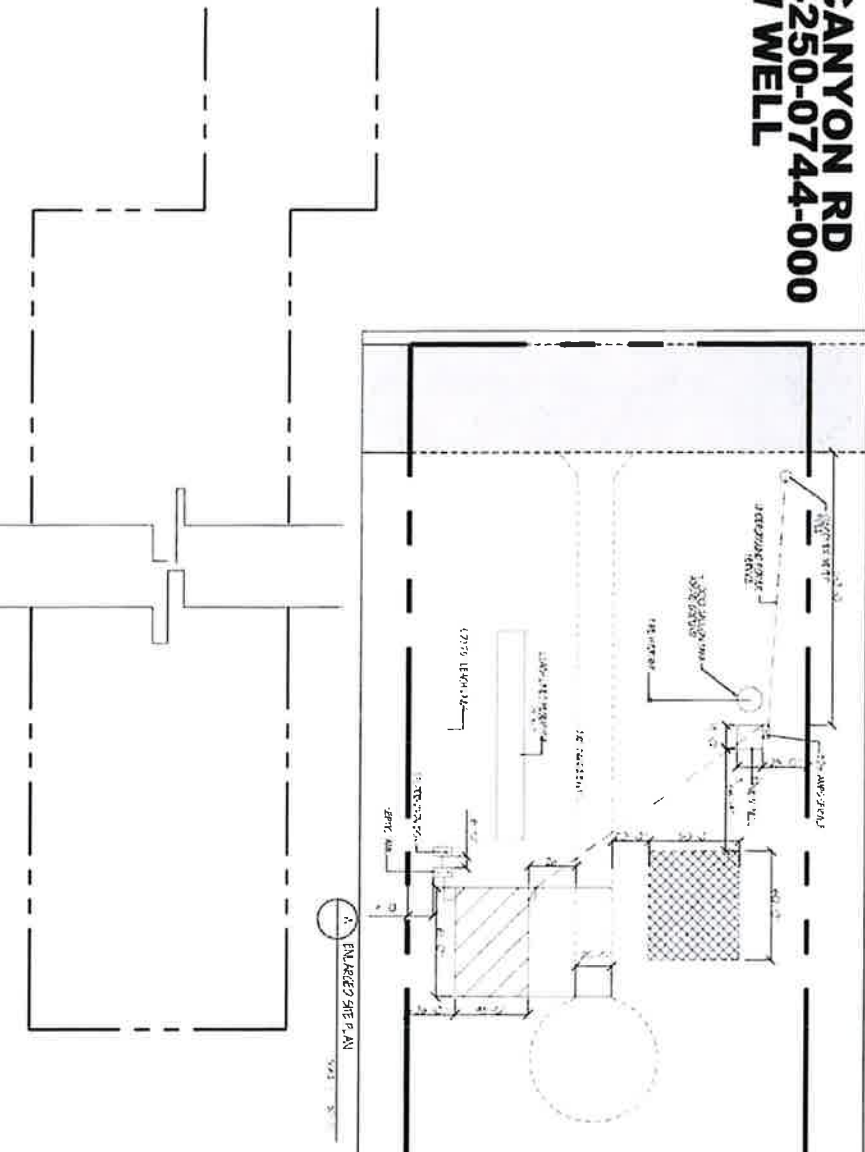
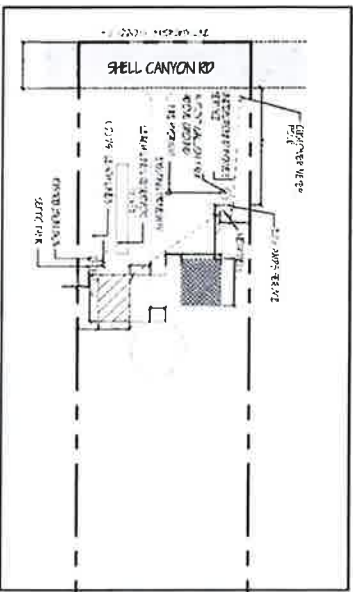
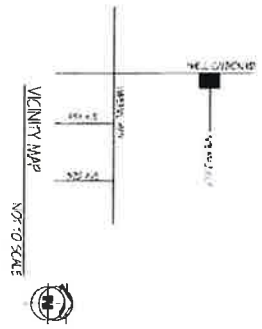
1374 Shell Canyon road

Ocotillo CA 92259

APN 033-250-074

EEC ORIGINAL PKG

SHELL CANYON RD APN: 033-250-0744-000 NEW WELL



LEGEND

SHELL CANYON RD

WELL CURB

CONCRETE PAD

WELL ANCHORS

WELL DEPTH 10'-0"

- GENERAL NOTES**
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SET POINTS BEFORE BEGINNING WORK.
 2. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE CITY OF SAN JOSE.
 3. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC).
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE ORDINANCES AND RESOLUTIONS.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF SAN JOSE.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SURROUNDING PROPERTIES.
 7. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS DAMAGED DURING CONSTRUCTION.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS AND WASTE FROM THE SITE.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE ORDINANCES AND RESOLUTIONS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF SAN JOSE.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SURROUNDING PROPERTIES.
14. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS DAMAGED DURING CONSTRUCTION.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS AND WASTE FROM THE SITE.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

18. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE ORDINANCES AND RESOLUTIONS.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF SAN JOSE.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND SURROUNDING PROPERTIES.
21. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS DAMAGED DURING CONSTRUCTION.
23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS AND WASTE FROM THE SITE.
24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

PROJECT NAME	1317 SHELL CANYON RD
PROJECT NO.	033-250-0744-000
DATE	11/11/11
SCALE	AS SHOWN
DESIGNED BY	[Signature]
CHECKED BY	[Signature]
DATE	11/11/11
DRAWING NUMBER	WELL PLAN
SCALE	1" = 20'

ATTACHMENT "G"- NOI COMMENT LETTERS



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November 23, 2022

Mr. Gerardo Quero
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: NOI for the Preparation of an ND for the K. Brunell Residential Water Well Project, CUP22-0019

Dear Mr. Quero:

On November 22, 2022, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, the Notice of Intent for the preparation of a Negative Declaration for the residential water well project under Conditional Use Permit application No. 22-0019. The applicant, Karen Brunell, proposes the construction of a new water well to supply a future home at 1374 Shell Canyon Road, Ocotillo, CA (APN 033-250-074).

The IID has reviewed the project information and found that the comments provided in the September 27, 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.
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.



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September 27, 2022

Mr. Gerardo Quero
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: K. Brunell Residential Water Well Project, CUP22-0019

Dear Mr. Quero:

On September 12, 2022, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on a residential water well project under Conditional Use Permit application No. 22-0019. The applicant, Karen Brunell, proposes the construction of a new water well to supply a future home at 1374 Shell Canyon Road, Ocotillo, CA (APN 033-250-074).

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

1. If the project requires temporary and/or permanent electrical service, the applicant should be advised to contact Ignacio Romo, IID project development service planner, at (760) 482-3426 or e-mail Mr. Romo at IGRomo@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the district website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit AutoCAD site plan, electrical and utility plans, 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. 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/departments-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding

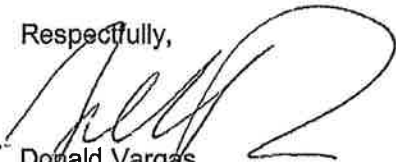
Gerardo Quero
September 27, 2022
Page 2

encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.

4. 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., Energy Business, Regulatory & Transactions Admin.
Geoffrey Holbrook – Interim General Counsel
Michael P. Kamp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.



December 21, 2022

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

SUBJECT: Notice of Intent for a Negative Declaration for Conditional Use Permit 22-0019,
Initial Study 22-0033 – Karen Brunell

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") 22-0019 ("Project"). The project proposes the construction and operation of a new residential well with a projected annual extraction of acre-foot. The project is located at 1374 Shell Canyon Road, Ocotillo also identified as Assessor's Parcel Number ("APN") 033-250-074.

The Air District reminds the applicant that if drilling equipment used is not currently registered with California Air Resources Board ("CARB") Portable Equipment Registration Program ("PERP") an Air District permit would be required.

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