

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE
FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA DATE: July 11, 2024
AGENDA TIME: 1:30PM / No. 1

PROJECT TYPE: Parcel Map (PM) #02511
KUDU, Inc. SUPERVISOR DIST # 4
LOCATION: 949 Lindsey Rd. APN: 020-130-018 & 020-130-019
Calipatria, CA 92233 PARCEL SIZE: +/-480 AC & +/-160 AC

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

ZONE (existing) A-3-G (Heavy Agriculture with Geothermal Overlay) ZONE (proposed) N/A

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

PLANNING COMMISSION DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIRONMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07-11-2024

INITIAL STUDY: #24-0008

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☐ NONE	☒ ATTACHED
AG	☒ NONE	☐ ATTACHED
APCD	☐ NONE	☒ ATTACHED
E.H.S.	☒ NONE	☐ ATTACHED
FIRE / OES	☒ NONE	☐ ATTACHED
SHERIFF	☒ NONE	☐ ATTACHED
OTHER <u>CEO, IID</u>		

REQUESTED ACTION:

See attached.

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

*Initial Study & Environmental Analysis
For:*

**Parcel Map #02511
Initial Study #24-0008
Kudu, Inc.**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
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July 2024

EEC ORIGINAL PKG

TABLE OF CONTENTS

PAGE

SECTION 1

I. INTRODUCTION	3
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SECTION 2

II. ENVIRONMENTAL CHECKLIST	8
PROJECT SUMMARY	10
ENVIRONMENTAL ANALYSIS	13
I. AESTHETICS	14
II. AGRICULTURE AND FOREST RESOURCES	14
III. AIR QUALITY	15
IV. BIOLOGICAL RESOURCES	15
V. CULTURAL RESOURCES	16
VI. ENERGY	16
VII. GEOLOGY AND SOILS	16
VIII. GREENHOUSE GAS EMISSION	18
IX. HAZARDS AND HAZARDOUS MATERIALS	19
X. HYDROLOGY AND WATER QUALITY	20
XI. LAND USE AND PLANNING	21
XII. MINERAL RESOURCES	21
XIII. NOISE	22
XIV. POPULATION AND HOUSING	22
XV. PUBLIC SERVICES	22
XVI. RECREATION	23
XVII. TRANSPORTATION	23
XVIII. TRIBAL CULTURAL RESOURCES	21
XIX. UTILITIES AND SERVICE SYSTEMS	24
XX. WILDFIRE	24

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE	23
IV. PERSONS AND ORGANIZATIONS CONSULTED	24
V. REFERENCES	25
VI. NEGATIVE DECLARATION - COUNTY OF IMPERIAL	26
27 FINDINGS	27

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)	28
IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)	29

SECTION 1 INTRODUCTION

A. PURPOSE

This document is a ☐ policy-level, ☒ project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Parcel Map (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 the quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

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

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

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

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

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

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

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

preparation of this Initial Study and Negative Declaration.

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

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

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

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

II. Environmental Checklist

1. **Project Title:** Parcel Map #02511 / Initial Study #24-0008
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Rocio Yee, Planner I, (442)265-1736, ext. 1750
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** rociyee@co.imperial.ca.us
6. **Project location:** 949 Lindsey Rd. Calipatria, CA 92233, The parcels are identified as Assessor's Parcel Number (APN) 020-130-018, with legal description POR PAR 5 COC OF NW4 & S2 SEC 9 12-13 480AC and APN: 020-130-019, legally described as POR PAR 5 COC OF NE4 SEC 9 12-13 160AC. Both parcels are located in an unincorporated area of the County of Imperial.
7. **Project sponsor's name and address:** Kudu, Inc.
696 N. 8th Street, Brawley CA 92227
8. **General Plan designation:** Agriculture
9. **Zoning:** A-3-G (Heavy Agricultural with Geothermal Overlay)
10. **Description of project:** The parcel map consists of four (4) separate legal parcels and are assessed as two APNs being 020-130-018 and 020-130-019, which are approximately 480 acres and 160 acres, respectively. The reason behind the proposed parcel map is to separate the existing separately farmed fields into six (6) legal parcels; per Subdivision Map Act Section 66426 (d) allowing more than four parcels on a Parcel Map.
11. **Surrounding land uses and setting:** The first lot is located at the Southeast quadrant of Lindsey Road and Severe Road, the second lot is located at the Northeast quadrant of Young Road and Severe Road, the third lot is located at the Northwest quadrant of Young and Gentry Road, and the fourth lot is located at the Southwest quadrant of Gentry and Lindsey Road in the Imperial County, California.
The project is surrounded by parcels zoned as A-3-G (Heavy Agricultural with Geothermal Overlay) and M-3-G (Heavy Industrial with Geothermal Overlay) on the North; parcels zoned as A-3-G (Heavy Agricultural with Geothermal Overlay) on the South, East and West.
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 Torres Martinez Desert Cahuilla Indian Tribes on May 8, 2024. No comments have been received from the Quechan Indian Tribes and Campo Band of Mission Indian Tribes for this project to date.

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.

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

EEC VOTES

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

YES

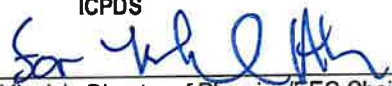
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NO

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ABSENT

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Jim Minnick, Director of Planning/EEC Chairman

Date: 7-11-2024

PROJECT SUMMARY

A. Project Location: The project is located at 949 Linsey Road, Calipatria, CA 92233; Assessor's Parcel Number: 020-130-018 and 020-130-019.

B. Project Summary: The applicant, KUDU, Inc., proposes a parcel map to separate the existing separately farmed fields into legal parcels, the Parcel Map consist of four separate legal lots and are assessed as two Assessor Parcel Number being 020-130-180 and 020-130-019; The proposed parcels will be as followed:

- Proposed Parcel 1 would be approximately 160.60 Acres
- Proposed Parcel 2 would be approximately 159.92 Acres
- Proposed Parcel 3 would be approximately 81.04 Acres
- Proposed Parcel 4 would be approximately 79.44 Acres
- Proposed Parcel 5 would be approximately 79.82 Acres
- Proposed Parcel 6 would be approximately 80.25 Acres

Existing agricultural use (A-3-G) will remain the same.

C. Environmental Setting: The proposed project parcel is generally flat, located between Severe Road and Gentry Road, bounded to the south by Young Road in the County of Imperial, CA, and currently used as agricultural. Surrounding parcel uses are Heavy Agricultural with Geothermal Overlay and Medium Industrial with Geothermal Overlay. The City of Calipatria is located approximately 5.5 miles southeast of the project site.

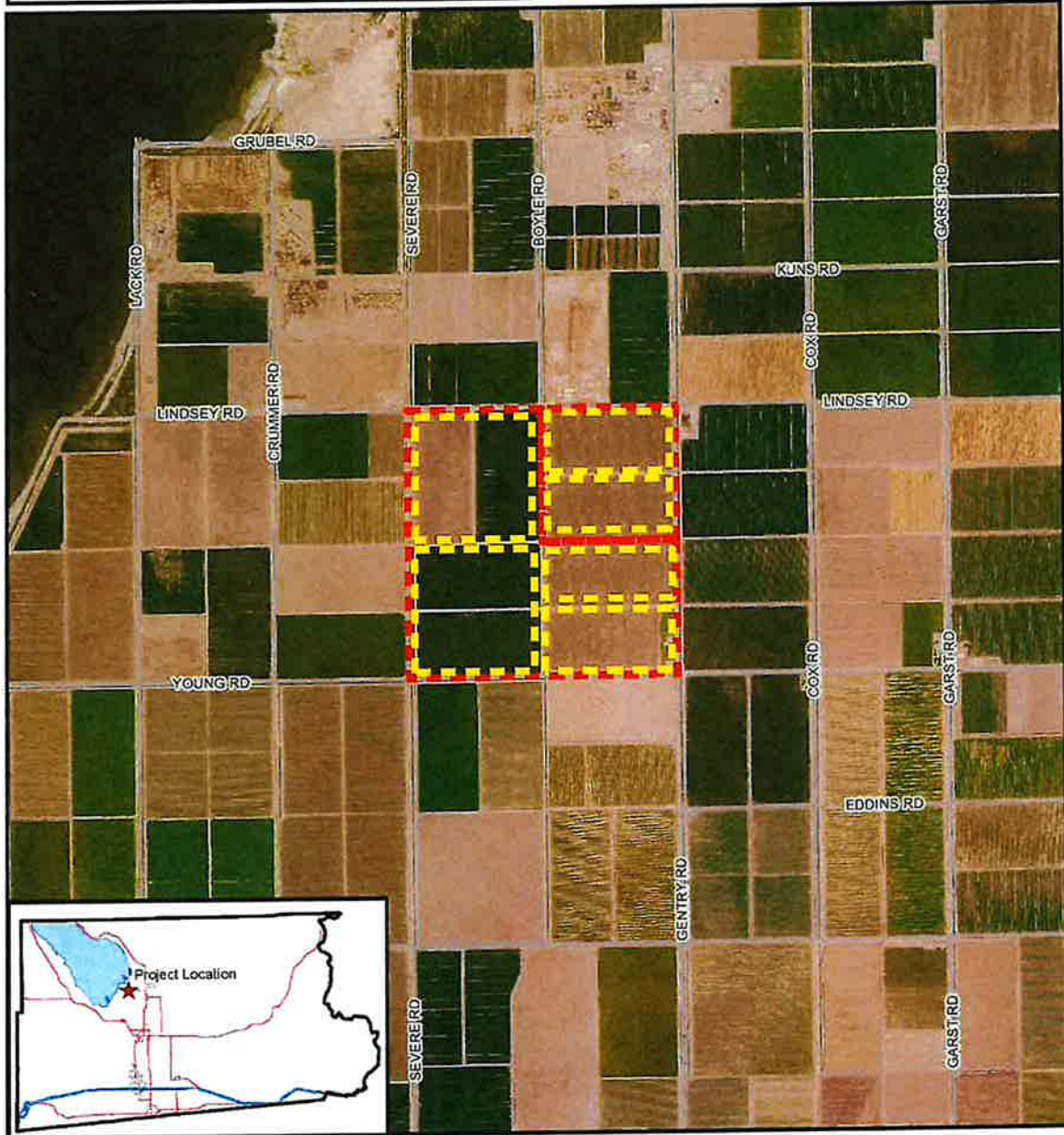
Analysis: Under the Land Use Element of the Imperial County General Plan, the project site is designated as "Agriculture." It is classified as A-3-G (Heavy Agricultural with Geothermal Overlay) per Zone Map #53 of the Imperial County Land Use Ordinance (Title 9). Initial Study #24-0008 will analyze any impacts related to the proposed project. The Parcel Map proposes (6) six parcels, which complies with Section 90805 of the Imperial County Land Use Ordinance (Title 9); and Subdivision Map Act Section 66426 (d) allowing more than four parcels on a Parcel Map. The parcels will remain in agricultural use.

- Proposed Parcel 1 would be approximately 160.60 Acres
- Proposed Parcel 2 would be approximately 159.92 Acres
- Proposed Parcel 3 would be approximately 81.04 Acres
- Proposed Parcel 4 would be approximately 79.44 Acres
- Proposed Parcel 5 would be approximately 79.82 Acres
- Proposed Parcel 6 would be approximately 80.25 Acres

D. General Plan Consistency: The project is located within the County's General Plan designation of "Agriculture." The site is currently zoned as A-3-G (Heavy Agricultural with Geothermal Overlay). The proposed project could be considered consistent with the General Plan and County Land Use Ordinance, Section 90509, since no change is being proposed to the existing "Agriculture" designation.

Exhibit "A" Vicinity Map

PROJECT LOCATION MAP



KUDU INC.
PM #02511
APN 020-130-018 & -019-000

 Project Location
 Proposed Subdivision



TENTATIVE PARCEL MAP NO.
SECTION 9, TOWNSHIP 12 SOUTH RANGE 11 EAST, S.B.M.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

- a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☐ ☒
a) The project site is not located near any scenic vista or scenic highway according to the Imperial County General Plan Circulation and Scenic Highway Element¹. 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, only four areas within the County have the potential as state-designated scenic highways 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 would not substantially or physically degrade the existing visual character or quality of public views of the site and its surroundings since the existing agricultural uses are proposed to remain. No impacts are expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☐ ☒
d) The proposed project is to separate (4) four existing agricultural fields into (6) six legal parcels; Per the Subdivision Map Act Section 66426 (d) allowing more than four parcels on a Parcel Map. 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 "Prime Farmland" per the California Farmland Mapping & Monitoring Program: Imperial County Important Farmland 2018 Map². 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 minor subdivision 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 by Government Code Section 51104(g))? ☐ ☐ ☐ ☒
c) The proposed project is consistent with the zoning, and it is not located within a forestland or timberland; therefore, it is not expected to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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?	☐	☐	☐	☒
d) The proposed project is not located in 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?	☐	☐	☐	☒
e) The proposed project is for a subdivision to separate (4) four existing agricultural fields into (6) six legal parcels. Per the Subdivision Map Act Section 66426 (d) allowing more than four parcels on a Parcel Map. No new construction is proposed as a result of this project and is not expected to change the existing environment that could result in the conversion of farmland. Therefore, no impacts are expected.				

III. AIR QUALITY

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |
| a) The proposed project is for a subdivision, and it is not expected to conflict with or obstruct implementation of the applicable air quality plan. For future construction and earthmoving, the applicant must adhere to Air District Rules and Regulations. Additionally, per Imperial County Air Pollution Control District's comment letter¹⁷ dated May 22, 2024, the applicant and all developments must comply with all Air District Rules & Regulation VII- Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity. 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? | ☐ | ☐ | ☒ | ☐ |
| b) As previously stated under item (III)(a) above, any future construction shall comply with the rules and regulations of the Imperial County Air Pollution Control District; therefore, it is not expected that the proposed project would substantially contribute to an existing or projected air quality violation. Therefore, any impacts are expected to be less than significant. | | | | |
| c) Expose sensitive receptors to substantial pollutants concentrations? | ☐ | ☐ | ☒ | ☐ |
| c) The proposed project is for a subdivision to create (6) six legal parcels. No new construction or change to current use is proposed as a result of this project. The proposed subdivision is not expected to expose sensitive receptors to substantial pollutants concentrations. Compliance with ACPD's requirements, rules and regulations 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)? | ☐ | ☐ | ☒ | ☐ |
| d) As previously stated on item (III)(c) above, the proposed minor subdivision does not anticipate creating objectionable odors that would adversely affect a substantial number of people. Also, as previously stated on item (III)(b) above, compliance with ACPD's requirements, rules, and regulations and adhering to the California Building Code would bring any impacts to less than significant. | | | | |

IV. BIOLOGICAL RESOURCES *Would the project:*

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) The proposed project site is located within disturbed land. According to the Imperial County General Plan's Conservation and Open Space Element³, Figure 1 "Sensitive Habitat Map^{3a}," the project is not located within a sensitive habitat area. Additionally, in accordance to Figure 2 "Sensitive Species Map^{3b}," the project is located within the Burrowing Owl Species Distribution Model area. However, the proposed project does not expect to have any physical changes to the environment. Consequently, it does not appear to have a substantially adverse effect, either directly or through habitat modification, or to any species identified as a candidate, sensitive, or of special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service. Any future developments on site, the applicant shall contact ICPDS; therefore, any impacts are expected to be less than significant.				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? b) According to the Imperial County General Plan's Conservation and Open Space Element³, the project site is not within a sensitive or riparian habitat, or on other sensitive natural community. Additionally, the existing agricultural use is proposed to remain; therefore, it does not appear to have a substantial effect in local regional plans, policies, and regulations with respect to sensitive natural communities or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Any impacts are expected to be less than significant.	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? c) As previously stated on item (IV)(b) above, the proposed project is for a minor subdivision that is not located within a riparian habitat and which will not cause a substantial adverse effect on federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Any impacts are expected to be less than significant.	☐	☐	☒	☐
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? d) The proposed project site has an existing agricultural use in an area of approximately ±641.07 acres where no physical alterations to the environment are proposed. Additionally, as previously stated on item (IV)(b) above, the project site is not located within a Sensitive Habitat; therefore, it would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Any impacts are expected to be less than significant.	☐	☐	☒	☐
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? e) The proposed project does not conflict with any local policy or ordinance protecting biological resources, such as tree preservation policies or ordinances. No impacts are expected.	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? f) The proposed project is for a subdivision to create (6) six parcels and is not within a designated sensitive area according to the Imperial County General Plan's Conservation and Open Space Element⁴, therefore, it would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Any impacts are expected to be less than significant.	☐	☐	☒	☐

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

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ☐ ☐ ☒ ☐
- a) According to the Imperial County General Plan's Conservation and Open Space Element³, Figure 5, the project site is not located within an "Area of Heightened Historic Period Sensitivity^{3c}." Additionally, in accordance with Figure 6, "Known Areas of Native American Cultural Sensitivity^{3d}," does not locate the proposed project within a designated area of possible impact.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Also, on May 8, 2024, the County emailed the Quechan Tribes to request any comments regarding this project. The County of Imperial has not received any comments to date. The site is already disturbed by existing agricultural operations with no documented nor known historical resources; therefore, 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) The proposed project is located on already disturbed land with existing agricultural operations with no documented nor known archeological resources. The proposed minor subdivision is not likely to cause a substantial adverse change to any archeological resource. Any impacts are expected to be less than significant.
- c) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☐ ☒ ☐
c) As previously stated on items (V)(a) and (V)(b) above, the proposed project site is not located within or adjacent to any cemeteries, therefore, the proposed minor subdivision would not disturb any human remains, including those interred outside of dedicated cemeteries. Any impacts are expected to be less than significant.

VI. ENERGY Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? ☐ ☐ ☒ ☐
a) The proposed project is for a minor subdivision that is not proposing any changes in the existing land use, which is currently agricultural; therefore, it will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during the project construction or operation. Should any new habitable construction occur, said 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. Any impacts are expected to be less than significant.
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ☐ ☐ ☒ ☐
b) As previously stated in item (VI)(a) above, the proposed project is for a minor subdivision which does not propose any changes to the existing use. Future new developments will 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 proposed subdivision does not appear to conflict with the geology and soils of adjacent parcels in the area as no proposed developments are anticipated at the time. Additionally, the existing agricultural operations are proposed to remain. Should any new, future developments be to occur on the parcels, such 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) Although the most recent Alquist-Priolo Earthquake Fault Zoning Map⁴ does not include the proposed project site within any Earthquake Fault Zones, it is still located within the Brawley Seismic Zone and approximately 15 miles away northwest of the Imperial Fault according to the California Fault Activity Map⁵ and the United States Geological Survey's Quaternary Faults Map⁶ indicating seismic ground shaking is expected. 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. Should any new, future developments are to occur on either parcel, such will be subject to compliance with the latest edition of the California Building Code as well as to go through an administrative building permit review. Adherence and compliance with these standards and regulations 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)
2) Strong Seismic ground shaking? 2) The proposed project is for a minor subdivision where existing agricultural operations are proposed to remain with no new developments. As previously stated on item (VII)(a)(1) above, the proposed project is located within the Brawley Seismic Zone and approximately 15 miles away northwest of the Imperial Fault, 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) As previously stated in item (VII)(a)(2) above, the proposed project does not anticipate any new developments. Additionally, the project site is not located in a seiche/tsunami area per the California Tsunami Data Maps ⁷ . Any impacts are expected to be less than significant.	☐	☐	☒	☐
4) Landslides? 4) According to Imperial County General Plan's Seismic and Public Safety Element ⁸ , "Landslide Activity Map ^{8a} ," Figure 2, the proposed project is not located within a landslide activity area. The topography within the proposed project site is generally flat; therefore, no impacts are expected.	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? b) According to Imperial County General Plan's Seismic and Public Safety Element ⁹ , "Erosion Activity Map ^{9b} ," 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? c) The proposed project site is not located on a geological unit that would become unstable or collapse as a result of the proposed minor subdivision. Should any future construction occur on either parcel, such 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 for a subdivision on already disturbed land with existing agricultural operations. According to the U.S. Department of Agriculture, Natural Resources Conservation Service "Soil Maps," ⁹ the proposed project site is located on an area containing Holtville, Imperial-Glenbar, and Indio silty clays and loams. 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 waste water? e) No proposed developments are anticipated as the existing agricultural operations are proposed to remain. Any future construction proposing any septic or alternative wastewater disposal systems shall comply with applicable standards and regulations from the Imperial County Public Health Department, Division of Environmental Health. Adherence and compliance to these standards 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 project site is located on already disturbed land with existing agricultural operations. The proposed subdivision does not appear to directly or indirectly destroy a unique paleontological resource or site of unique geologic feature on site. Any impacts are expected to be less than significant.	☐	☐	☒	☐

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? a) The proposed subdivision is for with already disturbed land with existing agricultural operations with no new developments proposed. The action is not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Additionally, per Imperial County Air Pollution Control District's comment letter¹⁷ dated May 22, 2024, stated that the applicant and all developments must comply with all Air District Rules & Regulations and would emphasize Regulation VIII- Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity. 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?
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. | ☐ | ☐ | ☐ | ☒ |
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
b) The proposed minor subdivision 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. | ☐ | ☐ | ☐ | ☒ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
c) The proposed project does not anticipate the emitting of hazardous emissions, or the handling of hazardous or acutely hazardous materials, substances, or waste as previously stated on items (IX)(a) and (IX)(b) above. Additionally, the project site is not located within a ¼ mile of any schools. The nearest school in the area is Calipatria High School, which is approximately 6.3 miles southeast of the proposed project site; therefore, it would not represent a risk to educational facilities. No impacts are expected. | ☐ | ☐ | ☐ | ☒ |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
d) The proposed project is not located on a site included on a list of hazardous materials sites according to California Department of Toxic Substances Control EnviroStor¹⁰; therefore, no impacts are expected. | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
e) The proposed project is not located within an airport land use plan per Imperial County Airport Land Use Compatibility Maps¹¹. The nearest airport in the area is the Calipatria Municipal Airport located approximately 6 miles southeast of the project site; therefore, it would not result or create a significant hazard or excessive noise for people residing or working in the project area. No impacts are expected. | ☐ | ☐ | ☐ | ☒ |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? f) The proposed subdivision 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.	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? g) According to Cal Fire "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County¹²" adopted November 7, 2007, the proposed project site is located within an unincorporated Local Responsibility Area. New developments are not proposed. Should any future construction occur on either parcel, such 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 ICFD standards would bring any impacts to less than significant.	☐	☐	☒	☐

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
a) The proposed minor subdivision is to separate two agricultural fields into two legal parcels and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Therefore, any impacts are expected to be less than 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) The project proposes to continue the existing agricultural use and is not expected to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Any impacts are expected to be less than significant. | ☐ | ☐ | ☒ | ☐ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

c) Although the proposed subdivision is located approximately 1.5 miles west of the Salton Sea, it 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. Additionally, the proposed project will be required to submit a grading and drainage letter according to the Imperial County Public Works Department regulations prior to the recordation of the proposed parcel map. Compliance with Public Works Department would bring any impacts to less than significant. | ☐ | ☐ | ☒ | ☐ |
| (i) result in substantial erosion or siltation on- or off-site;

(i) According to Imperial County General Plan's Seismic and Public Safety Element¹⁰, "Erosion Activity Map^{10b}," Figure 3, the proposed subdivision is not located within an area of substantial soil erosion or siltation on- or off-site. Additionally, the proposed project will continue with the existing agricultural use with no new developments proposed. Therefore, any impacts are expected to be less than significant. | ☐ | ☐ | ☒ | ☐ |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

(ii) As previously stated on item (X)(c)(i) above, the proposed project does not anticipate new development; therefore, it is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Compliance with Imperial County Public Works Department would bring any impacts to less than significant. | ☐ | ☐ | ☒ | ☐ |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage | ☐ | ☐ | ☒ | ☐ |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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systems or provide substantial additional sources of polluted runoff; or;

(iii) As previously stated on item (X)(c) above, Imperial County Public Works Department will require a grading letter prior to the recordation of the proposed parcel map which shall clearly show all on-site grading and shall demonstrate how off-site drainage resulting from the subdivision will be managed or controlled to prevent any adverse impacts. Compliance with Imperial County Public Works Department standards would ensure that any runoff water impacts would be reduced to less than significant.

(iv) impede or redirect flood flows? ☐ ☐ ☒ ☐

(iv) According to the Federal Emergency Management Agency (FEMA) Flood Map Service Center¹³, Flood Insurance Rate Map, the proposed project site is located within "Zone A" of flood map 06025C0750C, effective September 26, 2008. However, no new developments are proposed, and existing agricultural operations are to remain and as a result, it would not impede or redirect flood flows. Additionally, a reviewed and approved grading/drainage letter is to be required by the Imperial County Public Works Department. Therefore, compliance with ICPWD's standards would bring any impacts to be less than significant.

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 agricultural use with no new development proposed; 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, even though the proposed project site is located within "Zone A" of Flood Map 06025C0750C, compliance with ICPWD's standards would contribute to lessen any impacts to less than significant.

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

e) As previously stated on item (X)(c) above, the proposed project would require a grading letter approved by the Imperial County Public Works Department prior to the recordation of the parcel map; therefore, it is not expected that the subdivision would conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. 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 subdivision is to separate a parcel containing four (4) existing agricultural fields into six (6) legal parcels and would not physically divide an established community. Additionally, each proposed parcel does not anticipate changing the existing land use designation and zoning; therefore, no impacts are expected.

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

b) As previously stated on item (XI)(a) above, the proposed project is consistent with the Imperial County General Plan, Section 90303.01 (lot size) as no portion of any lot parcel within the A-3 zone shall contain less than 40 acres gross. Therefore, under the Subdivision Map Act Section 66426 (d) "Each parcel created by the division has a gross area of not less than 40 acres or is not less than a quarter of a quarter section" allowing more than four parcels on a Parcel Map, to separate the existing farmed fields into legal parcels. Additionally, the proposed Parcel Map is also consistent with the County's Land Use Ordinance; therefore, no impacts are expected.

XII. MINERAL RESOURCES *Would the project:*

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

a) The proposed project 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 Element³, "Existing Mineral Resources Map^{3a}" Figure 8. No impacts are expected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
b) The proposed Parcel Map 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 subdivision is for a subdivision to separate four (4) existing agricultural fields into six (6) legal parcels, that would not result in the generation of temporary or permanent noise beyond that which already occurs on the site. However, should any future construction occur, such action would be subject to the Imperial County General Plan's Noise Element¹⁴ 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?
- b) The proposed subdivision does not anticipate any changes to the existing agricultural uses on the newly proposed parcels. Additionally, as previously stated on item (XIII)(a) above, any future 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) The proposed project site is not located within the vicinity of a private airstrip; therefore, no impacts are expected.

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

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
- a) The proposed Parcel Map would not induce substantial unplanned population growth in an area, either directly or indirectly, as no changes to the existing agricultural use 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 Subdivision will not displace substantial numbers of people necessitating the construction or replacement housing elsewhere as it has an existing agricultural use with no future developments are proposed. 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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
performance objectives for any of the public services:				
a) The proposed subdivision would create six (6) parcels with existing agricultural uses within agriculture-zoned designation. Additionally, it is not anticipated that the project would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios. Any impact would be less than significant.				
1) Fire Protection?	☐	☐	☒	☐
1) The proposed subdivision is not expected to result in substantial impacts on fire protection. Any future construction or development may be subject to fire sprinklers and to have either a private or 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 North County Operations have active policing and patrol operations in the area. Any impacts are expected to be less than significant.				
3) Schools?	☐	☐	☒	☐
3) The proposed subdivision is not expected to have a substantial impact on schools as the project would generate six (6) non-residential parcels. Any impacts are expected to be less than significant.				
4) Parks?	☐	☐	☒	☐
4) The proposed project is not expected to have a substantial impact on parks as the project would generate six (6) parcels with existing agricultural operations. Any impacts are expected to be less than significant.				
5) Other Public Facilities?	☐	☐	☐	☒
5) The proposed subdivision is not expected to have a substantial impact on other public facilities; therefore, no impacts are expected.				

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 to separate four (4) agricultural fields into six (6) legal parcels with existing agricultural uses are proposed to remain. Subsequently, the proposed subdivision 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. Any impacts are expected to be less than significant.
- 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 minor subdivision does not include nor require the construction or expansion of recreational facilities as it would only generate two parcels zoned as agricultural; therefore, less than significant impacts are expected.

XVII. TRANSPORTATION *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- ☐ ☐ ☒ ☐
- a) The proposed project is to separate four (4) agricultural fields into six (6) legal parcels where the existing uses are proposed to remain. The subdivision is not expected to create a substantial impact on surrounding roads nor conflicting with Imperial County General Plan's Circulation and Scenic Highway Element¹. However, any new impacts would appear to be less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)? b) The proposed subdivision 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 not located within ½ mile of either an existing major transit stop or a stop along an existing high quality transit corridor. Less than significant 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 agricultural use on the proposed subdivision's site is compatible with the Imperial County General Plan Land Use Designation and the site design is not expected to increase hazards. Additionally, the proposed project does not propose any new development and expects current agricultural operations to remain. Therefore, any impacts are expected to be less than significant.	☐	☐	☒	☐
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. Proposed parcel 1 will have legal and physical access from Lindsey Road, the proposed parcel 2 will have legal and physical access from Severe Road, the proposed parcel 3 will have legal and physical access from Lindsey Road and Gentry Road, the proposed parcel 4 will have legal and physical access from Gentry Road, the proposed parcel 5 will have legal and physical access from Gentry road and the proposed parcel 6 will have legal and physical access from Gentry Road and Young Road. All proposed accesses appear to be suitable for emergency response vehicles; therefore, less than significant impacts are expected.	☐	☐	☒	☐

XVIII. TRIBAL CULTURAL RESOURCES

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

a) According to the Imperial County General Plan's Conservation and Open Space Element^{3d}, Figure 6, the project site is not located within any known Native American cultural sensitivity area. Additionally, the County has consulted with the appropriate tribes with potential interest in the area. On May 8, 2024, AB52 letter was sent to the Quechan Indian Tribes and Campo Band of Mission Indian Tribes for consultation. No comments were received to this date. Therefore, less than significant impacts are expected. | ☐ | ☐ | ☒ | ☐ |
| (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
(i) According to the California Historic Resources¹⁵ 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 in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.
(ii) No significant resources listed as defined in the Public Resources Code Section 5024.1 are expected to be | ☐ | ☐ | ☒ | ☐ |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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impacted by the proposed minor subdivision. 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 subdivision is to separate four (4) agricultural fields into six (6) legal parcels, which anticipates continuing with the existing uses as no new developments are proposed. Additionally, it does not expect 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. The proposed parcels will continue to receive water from the Vail Lateral 4 Delivery #411 and will continue to drain to the Vail 4-A Drain. There is no proposed development on any of the parcels or any changes in water delivery; Therefore, 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? ☐ ☐ ☒ ☐
- b) The proposed project does not project a change to the existing agricultural use. Additionally, as previously stated on section "(X)" there is no proposed development on any of the parcels involved and no changes in water delivery; Therefore, any impacts are expected to be less than significant.**
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ☐ ☐ ☒ ☐
- c) The proposed subdivision will separate a parcel containing six (6) existing agricultural fields into six (6) legal parcels and it is not expected to 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 provider's existing commitments. Less than significant impacts are expected.**
- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? ☐ ☐ ☒ ☐
- d) Excess solid waste generation is not expected by the proposed subdivision as the existing agricultural use is proposed to remain on both new parcels. Less than significant impacts are expected.**
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? ☐ ☐ ☒ ☐
- e) As previously stated in item (XIX)(d) above, the proposed project does not anticipate an expansion of the existing agricultural use as no new developments are proposed. The proposed subdivision shall comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Any impacts are expected to be less than significant.**

XX. WILDFIRE

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

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐
- a) As previously stated on item (X)(g) – "Hazards and Hazardous Materials" above, per Cal Fire's "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County" adopted November 7, 2007, the proposed project site is located within an unincorporated Local Responsibility Area (LRA) with the closest Very High Fire Hazard Severity Zone (VHFHZ) located approximately 26 miles west, across the Salton Sea, on the Borrego Springs Fire Protection District in the County of San Diego. Therefore, the proposed subdivision would not substantially impair an adopted emergency response plan or emergency evacuation plan. Less than significant impacts are expected.**

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
b) As previously stated on item (XX)(a) above, the proposed project is not located within a Very High Fire Hazard Severity Zone (VHFHZ); 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.				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
c) The proposed subdivision does not anticipate any changes in the current use other than creating six (6) parcels. Less than significant impacts are expected.				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐
d) The proposed project site is generally flat and proposes to continue with the existing agricultural use. Additionally, as previously stated on item (XX)(a) above, the proposed project is not located within a Very High Fire Hazard Severity Zone per Cal Fire's "Fire Hazard Severity Zones in State Responsibility Areas – Imperial County ¹² "; 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 Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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

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.

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?

☐
☐
☒
☐

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

☐
☐
☒
☐

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

☐
☐
☒
☐

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
- Rocio Yee, 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)

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 Farmland Mapping & Monitoring Program: Imperial County Important Farmland Map 2018
<https://maps.conservation.ca.gov/DLRP/CIFF/>
3. 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
4. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones
<https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C-110.920388%2C6.00>
5. California Department of Conservation: Fault Activity Map
<https://maps.conservation.ca.gov/cgs/fam/>
6. United States Geological Survey's Quaternary Faults Map
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>
7. California Tsunami Data Maps
<https://www.conservation.ca.gov/cgs/tsunami/maps>
8. 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
9. United States Department of Agriculture- Natural Resources Conservation Service: Soils Map
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
10. California Department of Toxic Substances Control: EnviroStor
<https://www.envirostor.dtsc.ca.gov/public/>
11. Imperial County Airport Land Use Compatibility Map: Calexico International Airport
<https://www.icpds.com/assets/planning/calexico-international-airport.pdf>
12. Cal Fire: Fire Hazard Severity Zones Maps – Imperial County
https://osfm.fire.ca.gov/media/6680/fhszs_map13.pdf
13. 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>
14. Imperial County General Plan: Noise Element
<https://www.icpds.com/assets/planning/noise-element-2015.pdf>
15. California Historic Resources: Imperial County
<https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>
16. Imperial County Public Works Department comment letter dated June 6, 2024.
17. Imperial County Air Pollution Control District comment letter dated May 22, 2024
18. "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.

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: Parcel Map #02511 / Initial Study #24-0008

Project Applicant: Kudu, Inc.

Project Location: 949 Lindsey Rd. Calipatria CA, 92233, The parcels are identified as Assessor's Parcel Number (APN) 020-130-018, with legal description POR PAR 5 COC OF NW4 & S2 SEC 9 12-13 480AC and APN: 020-130-019, legally described as POR PAR 5 COC OF NE4 SEC 9 12-13 160AC. Both parcels are located in an unincorporated area of the County of Imperial.

Description of Project: The parcel map consists of four (4) separate legal parcels and are assessed as two APNs being 020-130-018 and 020-130-019. Which are approximately 430 acres and 160 acres respectively. The reason behind the proposed parcel map is to separate the existing separately farmed fields into six (6) legal parcels. Per Subdivision Map Act Section 66426 (d) allowing more than four parcels on a Parcel Map.

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.

7-11-2024

Date of Determination

For 
Jim Minnick, Director of Planning & Development Services

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


Applicant Signature

7-11-24
Date

EEC ORIGINAL PKG

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

RY\XX\IS\AllUsers\APN\020\130\018\PM02511\EEC\IS24-0008 Kudu Inc.docx

COMMENT LETTERS

EEC ORIGINAL PKG



COUNTY OF
IMPERIAL

DEPARTMENT OF
PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

Tel: (442) 245-1818
Fax: (442) 245-1858

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CountyDpw/](https://twitter.com/CountyDpw/)

Public Works works for the Public



June 6, 2024

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

RECEIVED

By Imperial County Planning & Development Services at 8:45 am, Jun 07, 2024

Attention: Rocio Yee, Planner I

SUBJECT: PM 2511 Kudu, Inc.
Located at 949 Lindsey Rd, Calipatria, CA 92233
APN's 020-130-018 & 020-130-019

Dear Mr. Minnick:

This letter is in response to your submittal received on May 8, 2024, for the above-mentioned project. The applicant is proposing to separate the existing four separately farmed fields that are assessed as two parcel numbers into six legal parcels.

Department staff has reviewed the package information and the following comments:

1. Applicant shall furnish a Drainage and Grading Plan to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. Said plan shall be completed per the Engineering Design Guidelines Manual for the Preparation and Checking of Street Improvement, Drainage, and Grading Plans within Imperial County. The Drainage and Grading Plan shall be submitted to this department for review and approval. The developer shall implement the approved plan. Employment of the appropriate Best Management Practices (BMP's) shall be included.
2. Any activity and/or work within Imperial County right-of-way shall be completed under a permit issued by this Department (encroachment permit) as per Chapter 12.12 - EXCAVATIONS ON OR NEAR A PUBLIC ROAD of the Imperial County Ordinance.
3. All permanent structures shall be located outside of the ultimate County Right-of-Way.
4. The Permittee will be required to repair any damages caused to County roads by construction traffic during construction and maintain them in safe conditions.
5. Should any structures be developed in the future, street improvements will be required as per Imperial County Ordinance: 12.10.020 - Street improvement requirements.
6. The applicant shall provide an Irrevocable Offer of Dedication (IOD) or dedicate the required portion for sufficient right of way for future development of **Lindsey Road**, being

An Equal Opportunity / Affirmative Action Employer

EEC ORIGINAL PKG

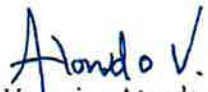
classified as **Minor Collector – Local Collector - two (2) lanes**, requiring **seventy (70)** feet of right of way, being **thirty - five (35)** feet from the existing centerline. It is required that sufficient right of way be provided to meet this road classification. (As directed by **Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan**).

7. The applicant shall provide an Irrevocable Offer of Dedication (IOD) or dedicate the required portion for sufficient right of way for future development of **Young Rd**, being classified as **Local Roads / Residential - two (2) lanes**, requiring **sixty (60)** feet of right of way, being **thirty (30)** feet from the existing centerline. It is required that sufficient right of way be provided to meet this road classification. (As directed by **Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan**).
8. The applicant shall provide an Irrevocable Offer of Dedication (IOD) or dedicate the required portion for sufficient right of way for future development of **Severe Rd**, being classified as **Local Roads / Residential - two (2) lanes**, requiring **sixty (60)** feet of right of way, being **thirty (30)** feet from the existing centerline. It is required that sufficient right of way be provided to meet this road classification. (As directed by **Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan**).
9. The applicant shall provide an Irrevocable Offer of Dedication (IOD) or dedicate the required portion for sufficient right of way for future development of **Gentry Rd**, being classified as **Major Collector - Collector with four (4) lanes**, requiring **eighty-four (84)** feet of right of way, being **forty-two (42)** feet from the existing centerline. It is required that sufficient right of way be provided to meet this road classification. (As directed by **Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan**).
10. Provide a Parcel Map prepared by a California Licensed Land Surveyor or Civil Engineer and submit to the Department of Public Works, for review and recordation. The Engineer must be licensed in the category required by the California Business & Professions Code.
11. Provide tax certificate from the Tax Collector's Office prior to recordation of the Parcel Map.
12. The Parcel Map shall be based upon a field survey. The basis of bearings for the Parcel Map shall be derived from the current epoch of the California Coordinate System (CCS), North America Datum of 1983 (NAD83). The survey shall show connections to a minimum of two (2) Continuously Operating Reference Stations (CORS) of the California Real Time Network (CRTN). NAD 83 coordinates shall be established for every monument shown on the Parcel map.
13. Each parcel created or affected by this map shall abut a maintained road and/or have legal and physical access to a public road.

Respectfully,

John A. Gay, PE
Director of Public Works

By:

A handwritten signature in blue ink that reads "Atondo V." with a checkmark-like flourish at the end.

Veronica Atondo, PE, PLS
Deputy Director of Public Works - Engineering

EEC ORIGINAL PKG

AIR POLLUTION CONTROL DISTRICT



May 22, 2024

RECEIVED

By Imperial County Planning & Development Services at 8:01 am, May 22, 2024

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

SUBJECT: Parcel Map 02511 – Kudu, Inc.

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) would like to thank you for the opportunity to review and comment on Parcel Map (PM) 02511 (Project). The project proposes separating four existing agricultural fields identified as Assessor's Parcels Numbers (APN) 020-130-018 and 020-130-019, which are approximately 480 acres and 160 acres respectively. The project proposes 6 agricultural parcels of 160.60, 159.92, 81.04, 79.44, 79.82, and 80.25 acres.

The Air District reminds the applicant that the project and all developments must comply with all Air District Rules & Regulations and would emphasize Regulation VIII – Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20 % visual opacity.

Finally, the Air District requests a copy of the finalized map for its records.

For convenience, all Air District rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have any questions or concerns please feel free to contact the Air District by calling our office at (442) 265-1800.

Respectfully,

Ismael Garcia
Environmental Coordinator

Reviewed by,
Monica Soucier
APC Division Manager

PM02511
APPLICATION

EEC ORIGINAL PKG

MINOR SUBDIVISION

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 Kudu, Inc.		EMAIL ADDRESS hjelm@icloud.com	
2. MAILING ADDRESS 696 N. 8th Street Brawley, CA 92227		ZIP CODE	PHONE NUMBER 760-344-9900
3. ENGINEER'S NAME Taylor Preece		CAL. LICENSE NO. PLS 9436	
4. MAILING ADDRESS P.O. Box 2216 El Centro, CA 92244		EMAIL ADDRESS taylor@presurvinc.com	PHONE NUMBER 760-587-6572
5. PROPERTY (site) ADDRESS NA		LOCATION Vail Lat. 4-A Del. 451, 452, 453, Vail Lat 4 Del. 409, 410, 411, 412	
6. ASSESSOR'S PARCEL NO. 020-130-018 & 020-130-019		SIZE OF PROPERTY (in acres or square foot) 641.07 Ac.	
7. LEGAL DESCRIPTION (attach separate sheet if necessary) See attached PTR			
8. EXPLAIN PURPOSE/REASON FOR MINOR SUBDIVISION Subdivision Map Act Section 66426(d) allowing more than four parcels on a Parcel Map. To separate separately farmed fields into legal parcels.			

9. Proposed DIVISION of the above specified land is as follows:				
PARCEL	SIZE in acres or sq. feet	EXISTING USE	PROPOSED USE	ZONE
1 or A	See attached sheet for all six proposed parcels			
2 or B				
3 or C				
4 or D				

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

10. DESCRIBE PROPOSED SEWER SYSTEM(s)	NA
11. DESCRIBE PROPOSED WATER SYSTEM	NA
12. DESCRIBE PROPOSED ACCESS TO SUBDIVIDED LOTS	See attached project description
13. IS THIS PARCEL PLANNED TO BE ANNEXED?	IF YES, TO WHAT CITY or DISTRICT?
☐ Yes ☒ No	

I HEREBY APPLY FOR PERMISSION TO DIVIDE THE ABOVE SPECIFIED PROPERTY THAT I ☒ OWN ☐ CONTROL, AS PER ATTACHED INFORMATION, AND PER THE MAP ACT AND PER THE SUBDIVISION ORDINANCE.

I, CERTIFY THAT THE ABOVE INFORMATION, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

Howard Elmore

Print Name (owner)

Signature (owner)

Taylor Preece

Print Name (agent)

Signature (Agent)

03-25-2024

Date

3-28-24

Date

REQUIRED SUPPORT DOCUMENTS

- A. TENTATIVE MAP
- B. PRELIMINARY TITLE REPORT (6 months or newer)
- C. FEE
- D. OTHER

Special Note:

An notarized owners affidavit is required if application is signed by Agent.

APPLICATION RECEIVED BY:

APPLICATION DEEMED COMPLETE BY:

APPLICATION REJECTED BY:

TENTATIVE HEARING BY:

FINAL ACTION: ☐ APPROVED

☐ DENIED

DATE

DATE

DATE

DATE

DATE

3/28/24

REVIEW / APPROVAL BY

OTHER DEPT'S required

☐ P W

☐ E H S

☐ A P C D

☐ O E S

☐

☐

PM#

07511

EEC ORIGINAL PKG

Parcel Map

Kudu Section 9, T.12S., R.13E., S.B.M.

Project Description

The Parcel Map consists of four separate legal parcels and are assessed as two Assessor Parcel Numbers, being 020-130-018 and 020-130-019. The first parcel is located at the Southeast quadrant of Lindsey Road and Severe Road, the second parcel is located at the Northeast quadrant of Young Road and Severe Road, the third parcel is located at the Northwest quadrant of Young and Gentry Road, and the fourth parcel is located at the Southwest quadrant of Gentry and Lindsey Road in Imperial County, California.

The subject properties are described as being: The Northwest Quarter of Section 9, T.12S., R.13E., S.B.M. containing 160.24 Acres, the Southwest Quarter of Section 9, T.12S., R.13E., S.B.M. containing 160.27 Acres, the Southeast Quarter of Section 9, T.12S., R.13E., S.B.M. containing 160.29 Acres, and the Northeast Quarter of Section 9, T.12S., R.13E., S.B.M. containing 160.27 Acres.

The reasoning behind the proposed parcel map is to separate the existing separately farmed fields into legal parcels.

Proposed Parcel 1 will have legal and physical access from Lindsey Road, will continue to receive water from the Vail Lateral 4-A Delivery #453, and will continue to drain to the Vail 5 Drain. There is no proposed development on Parcel 1 or any changes in water delivery.

Proposed Parcel 2 will have legal and physical access from Severe Road and Young Road, will continue to receive water from the Vail Lateral 4-A Delivery #451 and #452, and will continue to drain to the Vail 5 Drain. There is no proposed development on Parcel 2 or any changes in water delivery.

Proposed Parcel 3 will have legal and physical access from Lindsey Road and Gentry Road, will continue to receive water from the Vail Lateral 4 Delivery #412, and will continue to drain to the Vail 4-A Drain. There is no proposed development on Parcel 3 or any changes in water delivery.

Proposed Parcel 4 will have legal and physical access from Gentry Road, will continue to receive water from the Vail Lateral 4 Delivery #411, and will continue to drain to the Vail 4-A Drain. There is no proposed development on Parcel 4 or any changes in water delivery.

Proposed Parcel 5 will have legal and physical access from Gentry Road, will continue to receive water from the Vail Lateral 4 Delivery #410, and will continue to drain to the Vail 4-A Drain. There is no proposed development on Parcel 5 or any changes in water delivery.

Proposed Parcel 6 will have legal and physical access from Gentry Road and Young Road, will continue to receive water from the Vail Lateral 4 Delivery #409, and will continue to drain to the Vail 4-A Drain. There is no proposed development on Parcel 6 or any changes in water delivery.

Parcel Map
Kudu Section 9, T.12S., R.13E., S.B.M.

Proposed Parcels

<u>PARCEL</u>	<u>SIZE</u>	<u>EX. USE</u>	<u>PROPOSED USE</u>	<u>ZONE</u>
Parcel 1	160.60 Acres	Ag. Field	Ag. Field	A-3-G
Parcel 2	159.92 Acres	Ag. Field	Ag. Field	A-3-G
Parcel 3	81.04 Acres	Ag. Field	Ag. Field	A-3-G
Parcel 4	79.44 Acres	Ag. Field	Ag. Field	A-3-G
Parcel 5	79.82 Acres	Ag. Field	Ag. Field	A-3-G
Parcel 6	80.25 Acres	Ag. Field	Ag. Field	A-3-G

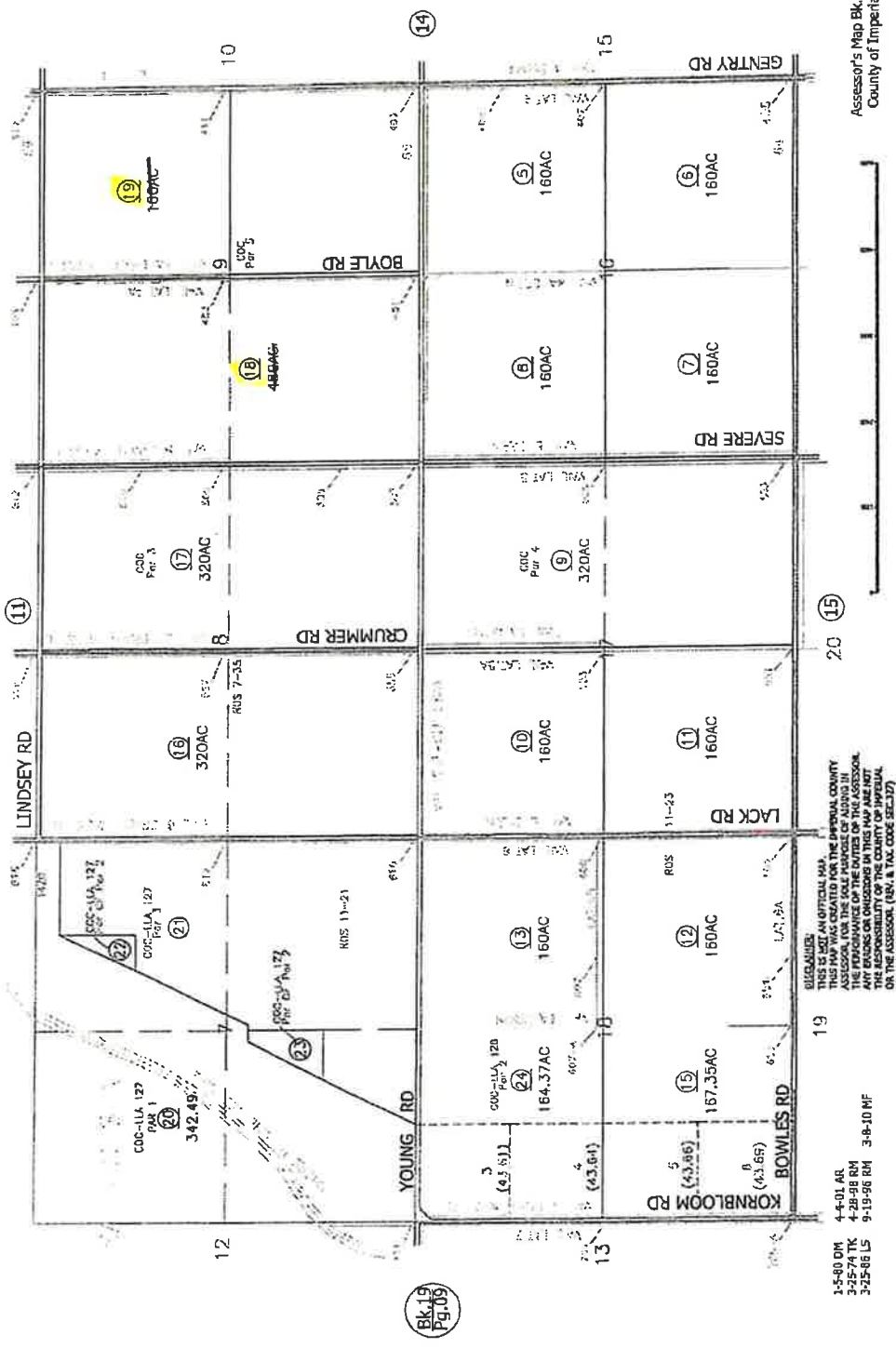
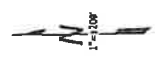
February 29, 2024

EEC ORIGINAL PKG

20-13

Tax Area Code
58-000

SEC. 7,8,9,16,17,18, T. 12S., R. 13E.



Assessor's Map Bk.20-Pg.13
County of Imperial, Calif.

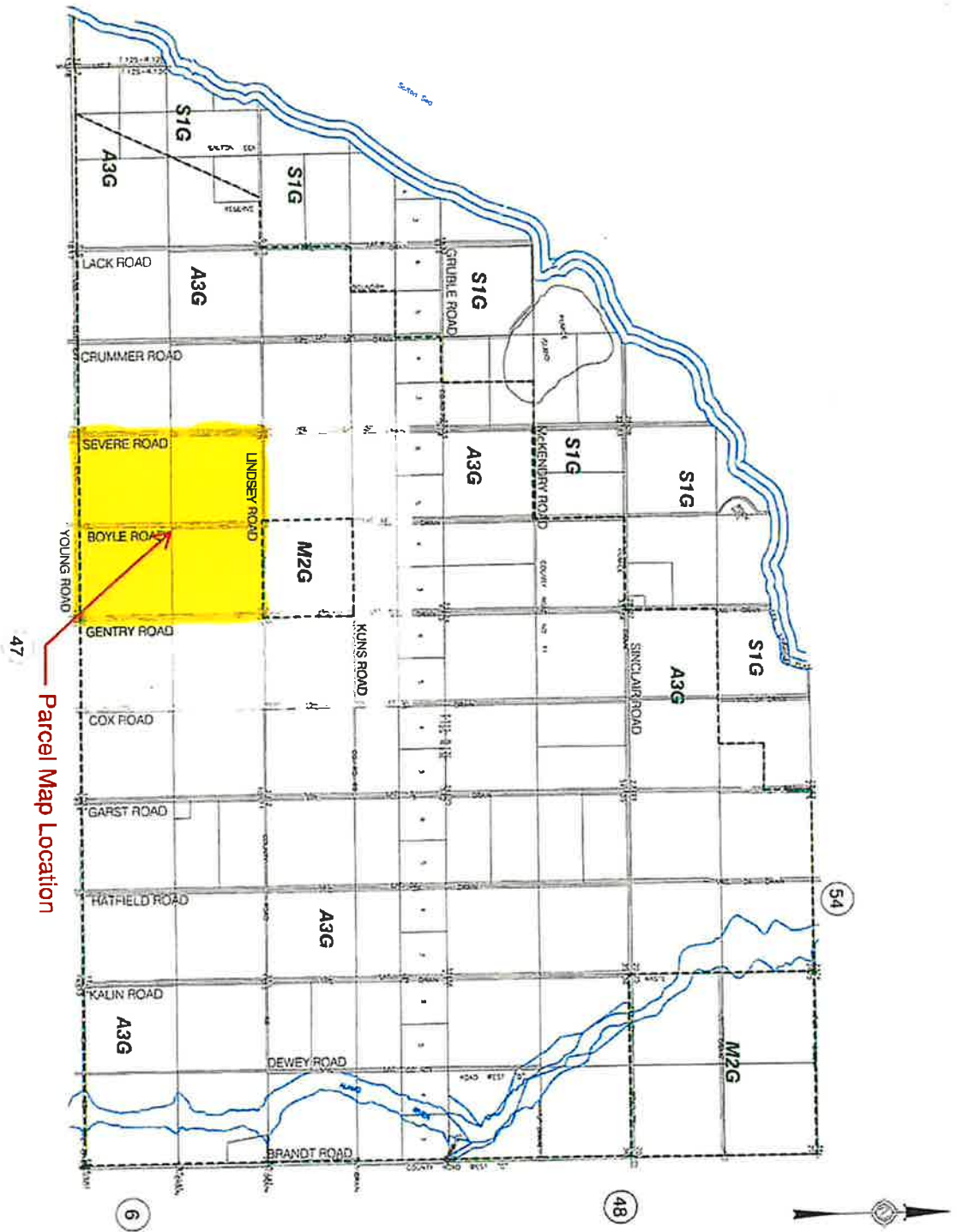
NOTED
THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY
ASSESSOR FOR THE SOLE PURPOSE OF AIDING IN
THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.
THE ASSessor DOES NOT WARRANT THE ACCURACY
OR THE RESPONSIBILITY OF THE COUNTY OF IMPERIAL
ON THE ASSESSOR (REV. 8 TAX CODE SEC.127)

1-5-80 DM
2-25-78 TK
3-25-68 LS
4-4-01 AR
4-28-98 RM
9-13-98 RM 3-8-10 MF

Bk.19
Pg.09

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

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NOTE: Efforts have been made to insure zoning accuracy; however, this map may be revised at any time. Therefore this map is generally accurate, for zoning information only! Neither the County of Imperial nor the Planning/Building Department are responsible for erroneous information or improper use of this map.
Adapted by M. O. # 11(f) on Jan. 27, 1998 effective July 1, 1998.

Director _____

Revision Dates:

NORTHEND SCHOOL AREA

Title 9 Division 25 Section 92553.00

**MAP
53**

Imperial County Planning/Building Department

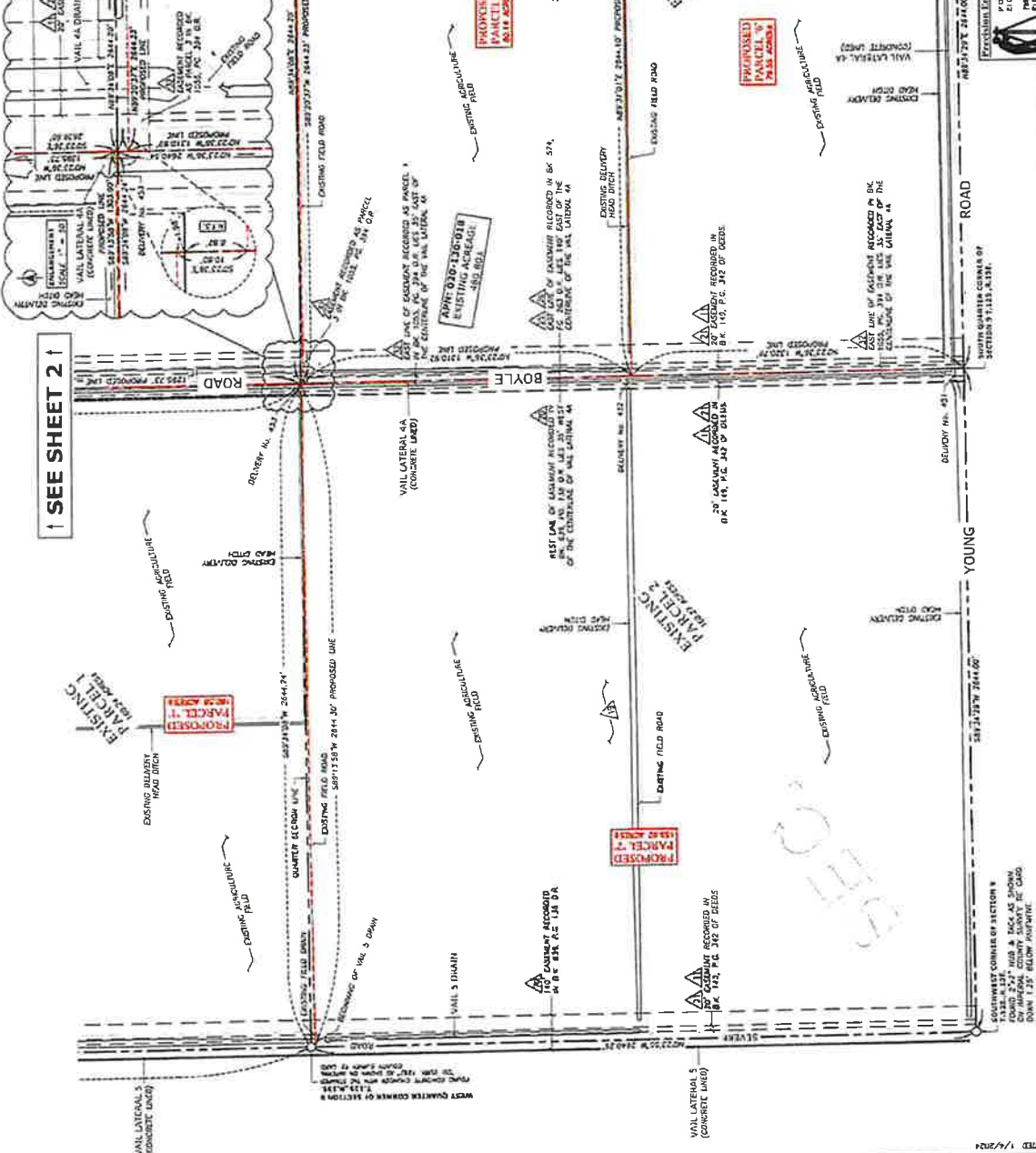
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TENTATIVE PARCEL MAP NO. 1

SECTION 9, TOWNSHIP 12 SOUTH, RANGE 13 EAST, S.B.M.

10' GRADIENT

SEE SHEET 2



EXISTING PARCEL 1 EXISTING PARCEL 2 EXISTING PARCEL 3 EXISTING PARCEL 4 EXISTING PARCEL 5 EXISTING PARCEL 6 EXISTING PARCEL 7 EXISTING PARCEL 8 EXISTING PARCEL 9 EXISTING PARCEL 10 EXISTING PARCEL 11 EXISTING PARCEL 12 EXISTING PARCEL 13 EXISTING PARCEL 14 EXISTING PARCEL 15 EXISTING PARCEL 16 EXISTING PARCEL 17 EXISTING PARCEL 18 EXISTING PARCEL 19 EXISTING PARCEL 20 EXISTING PARCEL 21 EXISTING PARCEL 22 EXISTING PARCEL 23 EXISTING PARCEL 24 EXISTING PARCEL 25 EXISTING PARCEL 26 EXISTING PARCEL 27 EXISTING PARCEL 28 EXISTING PARCEL 29 EXISTING PARCEL 30 EXISTING PARCEL 31 EXISTING PARCEL 32 EXISTING PARCEL 33 EXISTING PARCEL 34 EXISTING PARCEL 35 EXISTING PARCEL 36 EXISTING PARCEL 37 EXISTING PARCEL 38 EXISTING PARCEL 39 EXISTING PARCEL 40 EXISTING PARCEL 41 EXISTING PARCEL 42 EXISTING PARCEL 43 EXISTING PARCEL 44 EXISTING PARCEL 45 EXISTING PARCEL 46 EXISTING PARCEL 47 EXISTING PARCEL 48 EXISTING PARCEL 49 EXISTING PARCEL 50 EXISTING PARCEL 51 EXISTING PARCEL 52 EXISTING PARCEL 53 EXISTING PARCEL 54 EXISTING PARCEL 55 EXISTING PARCEL 56 EXISTING PARCEL 57 EXISTING PARCEL 58 EXISTING PARCEL 59 EXISTING PARCEL 60 EXISTING PARCEL 61 EXISTING PARCEL 62 EXISTING PARCEL 63 EXISTING PARCEL 64 EXISTING PARCEL 65 EXISTING PARCEL 66 EXISTING PARCEL 67 EXISTING PARCEL 68 EXISTING PARCEL 69 EXISTING PARCEL 70 EXISTING PARCEL 71 EXISTING PARCEL 72 EXISTING PARCEL 73 EXISTING PARCEL 74 EXISTING PARCEL 75 EXISTING PARCEL 76 EXISTING PARCEL 77 EXISTING PARCEL 78 EXISTING PARCEL 79 EXISTING PARCEL 80 EXISTING PARCEL 81 EXISTING PARCEL 82 EXISTING PARCEL 83 EXISTING PARCEL 84 EXISTING PARCEL 85 EXISTING PARCEL 86 EXISTING PARCEL 87 EXISTING PARCEL 88 EXISTING PARCEL 89 EXISTING PARCEL 90 EXISTING PARCEL 91 EXISTING PARCEL 92 EXISTING PARCEL 93 EXISTING PARCEL 94 EXISTING PARCEL 95 EXISTING PARCEL 96 EXISTING PARCEL 97 EXISTING PARCEL 98 EXISTING PARCEL 99 EXISTING PARCEL 100	PROPOSED PARCEL 1 PROPOSED PARCEL 2 PROPOSED PARCEL 3 PROPOSED PARCEL 4 PROPOSED PARCEL 5 PROPOSED PARCEL 6 PROPOSED PARCEL 7 PROPOSED PARCEL 8 PROPOSED PARCEL 9 PROPOSED PARCEL 10 PROPOSED PARCEL 11 PROPOSED PARCEL 12 PROPOSED PARCEL 13 PROPOSED PARCEL 14 PROPOSED PARCEL 15 PROPOSED PARCEL 16 PROPOSED PARCEL 17 PROPOSED PARCEL 18 PROPOSED PARCEL 19 PROPOSED PARCEL 20 PROPOSED PARCEL 21 PROPOSED PARCEL 22 PROPOSED PARCEL 23 PROPOSED PARCEL 24 PROPOSED PARCEL 25 PROPOSED PARCEL 26 PROPOSED PARCEL 27 PROPOSED PARCEL 28 PROPOSED PARCEL 29 PROPOSED PARCEL 30 PROPOSED PARCEL 31 PROPOSED PARCEL 32 PROPOSED PARCEL 33 PROPOSED PARCEL 34 PROPOSED PARCEL 35 PROPOSED PARCEL 36 PROPOSED PARCEL 37 PROPOSED PARCEL 38 PROPOSED PARCEL 39 PROPOSED PARCEL 40 PROPOSED PARCEL 41 PROPOSED PARCEL 42 PROPOSED PARCEL 43 PROPOSED PARCEL 44 PROPOSED PARCEL 45 PROPOSED PARCEL 46 PROPOSED PARCEL 47 PROPOSED PARCEL 48 PROPOSED PARCEL 49 PROPOSED PARCEL 50 PROPOSED PARCEL 51 PROPOSED PARCEL 52 PROPOSED PARCEL 53 PROPOSED PARCEL 54 PROPOSED PARCEL 55 PROPOSED PARCEL 56 PROPOSED PARCEL 57 PROPOSED PARCEL 58 PROPOSED PARCEL 59 PROPOSED PARCEL 60 PROPOSED PARCEL 61 PROPOSED PARCEL 62 PROPOSED PARCEL 63 PROPOSED PARCEL 64 PROPOSED PARCEL 65 PROPOSED PARCEL 66 PROPOSED PARCEL 67 PROPOSED PARCEL 68 PROPOSED PARCEL 69 PROPOSED PARCEL 70 PROPOSED PARCEL 71 PROPOSED PARCEL 72 PROPOSED PARCEL 73 PROPOSED PARCEL 74 PROPOSED PARCEL 75 PROPOSED PARCEL 76 PROPOSED PARCEL 77 PROPOSED PARCEL 78 PROPOSED PARCEL 79 PROPOSED PARCEL 80 PROPOSED PARCEL 81 PROPOSED PARCEL 82 PROPOSED PARCEL 83 PROPOSED PARCEL 84 PROPOSED PARCEL 85 PROPOSED PARCEL 86 PROPOSED PARCEL 87 PROPOSED PARCEL 88 PROPOSED PARCEL 89 PROPOSED PARCEL 90 PROPOSED PARCEL 91 PROPOSED PARCEL 92 PROPOSED PARCEL 93 PROPOSED PARCEL 94 PROPOSED PARCEL 95 PROPOSED PARCEL 96 PROPOSED PARCEL 97 PROPOSED PARCEL 98 PROPOSED PARCEL 99 PROPOSED PARCEL 100
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EEC ORIGINAL PKG



IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

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

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

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

Executed at Brawley California on 3-25-24 2024

APPLICANT

Name: Kudu, Inc
Howard Elmore

By [Signature]

Title President

Mailing Address:

696 N 8th Street
Brawley, CA 92227

REAL PARTY IN INTEREST (If different from Applicant)

Name _____

By _____

Title _____

Mailing Address:

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

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

EEC ORIGINAL PKG



Jim Minnick
DIRECTOR

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

7500.00

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

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

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

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

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY:

Howard Elmore

DATE: 03-25-2024

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