PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE **AGENDA DATE: June 25, 2020**

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

PROJECT TYPE: CUP #19-0033 (Ian Dibelka) SUPERVISOR. DIST #2

LOCATION: 132 W. HIGHWAY 98 APN: 033-360-038

OCOTILLO, CA PARCEL SIZE: Approx 19.75 acres

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

ZONE (existing) R-1/L-40 (Single Family Residential/Limited 40 acre parcel) ZONE N/A

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

PLANNING COMMISSION DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 06/25/2020

INITIAL STUDY: #20-0011

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ Addendum to FEIR

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	(See Attached)	

REQUESTED ACTION:

SEE ATTACHED

☐ NEGATIVE DECLARATION
☐ MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For:

(CUP #19-0033)
Ian Dibelka

Prepared By:

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

(June 2020)

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SECTION 1
INTRODUCTION

A. PURPOSED

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

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

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

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

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

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

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

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

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.

2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".

4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

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

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

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

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated

information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. Environmental Checklist

1. **Project Title**: Ian Dibelka Residence Conditional Use Permit #19-0033 (Water Well)
2. **Lead Agency**: Imperial County Planning & Development Services Department
3. **Contact person and phone number**: Patricia Valenzuela, Planner, IV (442)265-1736, ext.1749
4. **Address**: 801 Main Street, El Centro CA, 92243
5. **E-mail**: patriciavalenzuela@co.imperial.ca.us, CA

6. **Project location**: 132 West Highway 98, Ocotillo
7. **Project sponsor's name and address**: Ian Dibelka, 25234 Guatay Rd, Descanso, CA 91916
8. **General Plan designation**: Ocotillo/Nomirage Community Plan Area
9. **Zoning**: R-1L-40 (Single Family Residential/Limited 40 acre parcels)

10. **Description of project**: The applicant proposed to drill and operate a residential water well extracting up to 1-acre foot of water per year

11. **Surrounding land uses and setting**: The project is surrounded by flat desert terrain.

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

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?

Native American Tribes and members of the Native American Heritage Commission (NAHC) were invited to participate in the "Request for Review and Comment" as part of the Initial Study review process. In addition, letters requesting consultation pursuant to AB 52 were also sent at the beginning of the preparation of this Initial Study, along with a request to NAHC for Sacred Files Search. The consultation period for AB 52 ended on February 28, 2020.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐	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.

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

EEC VOTES	YES	NO	ABSENT
PUBLIC WORKS	☐	☐	☐
ENVIRONMENTAL HEALTH SVCS	☐	☐	☐
OFFICE EMERGENCY SERVICES	☐	☐	☐
APCD	☐	☐	☐
AG	☐	☐	☐
SHERIFF DEPARTMENT	☐	☐	☐
ICPDS	☐	☐	☐

Jim Minnick, Director of Planning/EEC Chairman

Date:

PROJECT SUMMARY

A. **Project Location**: 132 West Highway 98, Ocotillo, CA

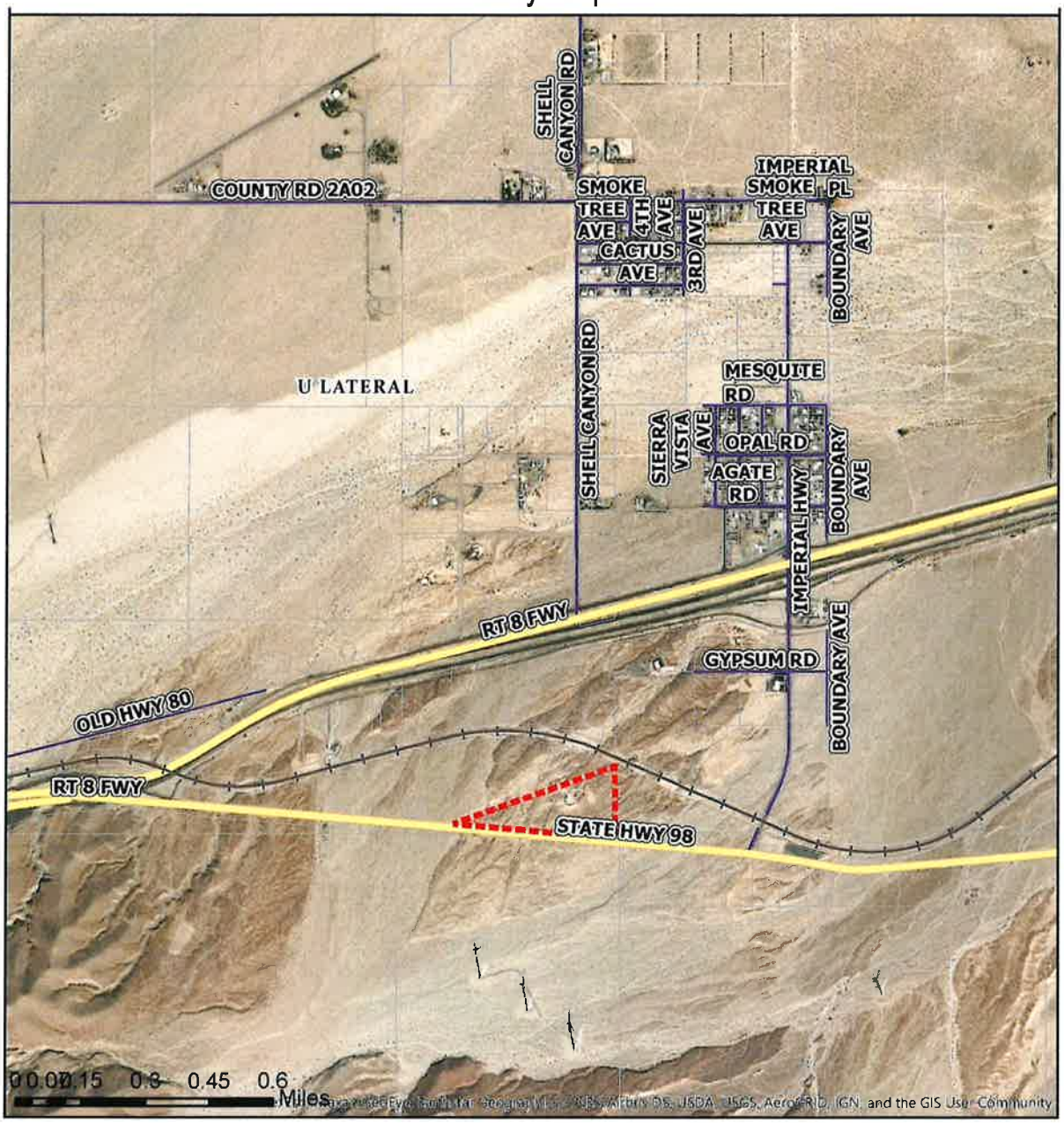
B. **Project Summary**: The applicant proposed to drill and operate a residential water well extracting up to 1-acre foot of water per year

C. **Environmental Setting**: Project is located on flat desert terrain.

D. **Analysis**: The zoning and land use designations of the project site and surrounding area would not change as a result of the proposed project. As such, the proposed project would not conflict with the Imperial County General Plan and Zoning Ordinance. Therefore, the adoption of the CEQA Initial Study for this project would be consistent with the applicable County and State ordinances and regulations.

E. **General Plan Consistency**: In addition to the analysis stated above, the project application can be found to be consistent, with the adoption of the CEQA Initial Study for the proposed project.

Exhibit "A"
Vicinity Map



IAN DIBELKA
CONDITIONAL USE PERMIT #19-0033
INITIAL STUDY #20-0011
APN 033-360-038-000

HIGHWAYS
PARCELS
POJECT LOCATION

N

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

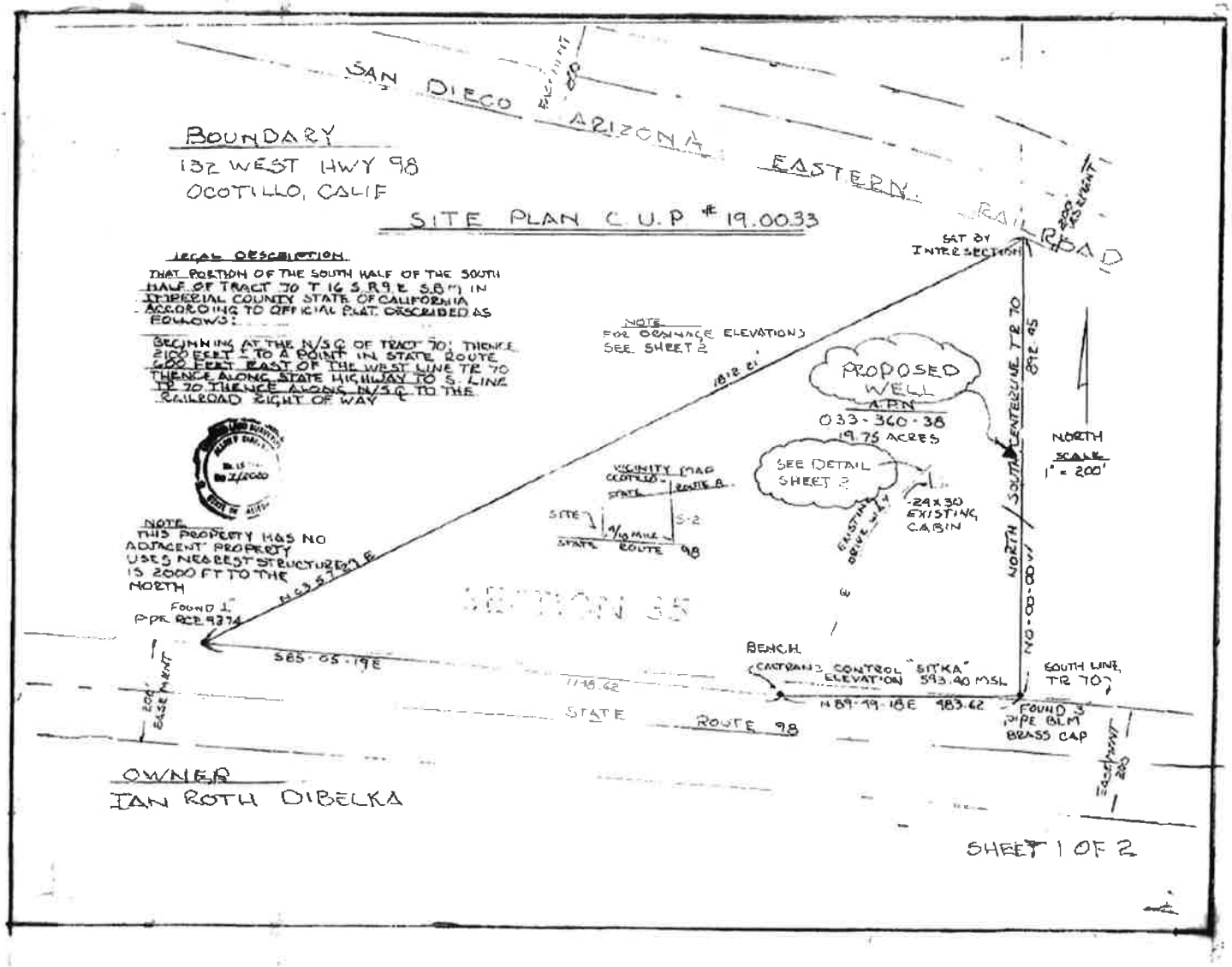
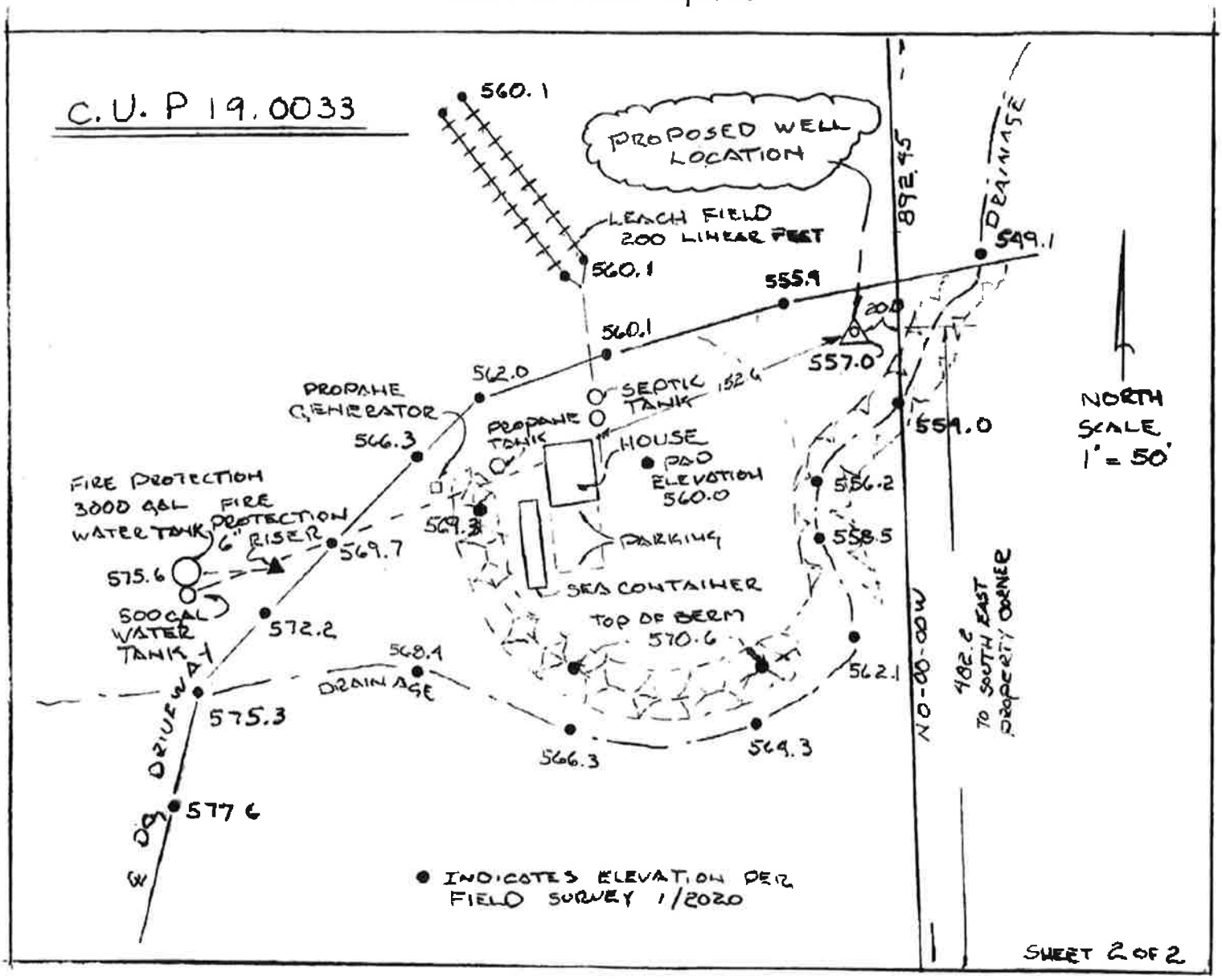


Exhibit "B"
Site Plan/Tract Map/etc.



EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance

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

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 existing residence is off Highway 98, which is not considered a scenic highway. There are no major highways eligible for state scenic highway in the project area. The only visual impacts that can be expected would be the temporary impacts derived from the drilling of the water well; therefore, any impact would be considered less than significant impact.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

b) There are no scenic resources in the project area; therefore, no impacts are expected.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒

c) The project consists of the construction and operation of a residential water well for an existing residence and would not conflict with the existing zoning or other regulations governing scenic quality. Therefore, no degradation of the visual character is expected; therefore, no impact is expected

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

d) As stated above, the water well will supply water for an existing residence, and would not create a new source of light or glared. Therefore, any impacts would be less than significant.

II. *AGRICULTURE AND FOREST RESOURCES*

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

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

a) The drilling and operation of the proposed water well site lies within desert residential vacant land and will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the Imperial County Important Farmland 2008 Map. No impacts are anticipated

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒

b) The proposed water well site is not under a Williamson Act Contract, and will not conflict with existing zoning for agricultural use. No impacts are anticipated.

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 water well site lies within open space and will not conflict with existing zoning or cause rezoning of forest land, timberland or timberland production. No impacts are anticipated

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

d) The proposed project site is within open space and will not result in loss of forestland to non-forest use. No impacts are anticipated.

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 water well is located in desert residential vacant land and will not result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use. No impacts are anticipated.

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 drilling and operation of the proposed water well shall conform to the requirements of the Imperial County Air Pollution Control District (ICAPCD). The ICAPCD has jurisdiction over air quality for the project site. The Air District requires that the project proponent adhere to regulation VIII-Fugitive Dust during the construction of the well. In addition, depending on the type of equipment that is used (drill rig or diesel engine) to drill the well, the equipment used must be in compliance with the California Air Resources Board (CARB) Rules and Regulations for Air Toxic Control Measures (ATCM) or the In-Use Off Road Equipment rule. Therefore, the project impact would be 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 stated above the project would be required to conform to the requirements of the ICAPCD. Therefore, by adherence to ICAPCD requirements, the project impacts would be less than significant.

c) Expose sensitive receptors to substantial pollutants concentrations?	☐	☐	☒	☐

c) The drilling and operation of the proposed water well will not result in a cumulative net increase of any criteria pollutant for which the project is non-attainment. However the proposed improvements will result in temporary emissions during construction, but adherence to the ICAPCD requirements would maintain any impacts to a level less that significant

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

d) The proposed project has no nearby receptors and should not expose receptors to pollutants during construction; however as stated above, implementation of ICAPCD Regulation VIII will reduce any potential 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?	☐	☐	☒	☐

a) After reviewing the Imperial County General Plan's Conservation and Open Space Element[1] Figure 1 "Sensitive Habitats", it was found that the project site is not within a sensitive habitat. Figure 2.2-3 "Sensitive Species", shows that the project site is within the "Flat-Tailed Horned Lizard Species Distribution Model". Figure 2.2-4 "Agency-Designated Habitats" identifies the area as being within the "Flat-Tailed Horned Lizard Species Distribution Model". However, the project site is disturbed with an existing residence and the area being disturbed for the drilling of the water well is minimal, and any impacts should be reduced to less than significant.

1 IC General Plan Conservation and Open Space Element Figure 1 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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) As mentioned above in a), the site is located within open space land and may have an effect on any riparian habitat or other sensitive natural community identified in local or regional plan, policies, and regulation or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services. Due to the existing residence and disturbance, plus the minimal area to be disturbed by the construction of the water well any impacts are considered less than significant.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

c) The proposed water well will be located within the proposed project boundary and will not cause a substantial adverse effect on federal protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No impacts are anticipated.

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 is not located on a migratory bird designated area. The new proposed water well will not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife, corridors or impede the use of native wildlife nursery sites. No impacts are anticipated.

e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

e) The proposed project is located within desert residential area and it does not conflict with any local policy or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impacts are anticipated

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) There are no Conservation Plans within the project area; therefore, no impacts are expected.

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

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

a) The proposed project is located within the DRECP Native American Element as shown in the "Know Areas of Native American Cultural Sensitivity" Figure 2.3-3, in the Conservation and Open Space Element of the Imperial County General Plan. However, the project area is a disturbed residential site, which proposes to drill a residential water well. Any impacts are anticipated to be less than significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐

b) A standard "Request for review and comment" and letters pursuant to AB52 were sent to tribe members requesting consultation for this project. A Sacred Lands Search request was also sent to Native American Heritage Commission (NAHC). Our office has not received a response; therefore, less than significant impacts are expected.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

c) The proposed project consists of the drilling and operation of a residential water well and not disturb any human remains including those interred outside of dedicated cemeteries; therefore, no impacts are expected.

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

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 will utilize a minimal amount of electrical power for the water well pump, so no unnecessary consumption of energy is anticipated. Any impacts are considered less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ☐ ☐ ☐ ☒

b) The proposed project will not obstruct a state or local plan and therefore, no impacts are expected.

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

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

a) According to the State of California Special Studies Zones Fault Activity Map (2010)[2], the proposed project is not located within a known fault. All construction shall be performed in accordance with the latest California Uniform Building Code (Section 1626 through 1635), which requires development to incorporate the most stringent earthquake resistant measures. Adherence with said codes would cause for less than significant impacts.

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) As per the statement above, the area is not near any known faults and the scope of work does not include any habitable structures; therefore, less than significant impacts are expected.

2) Strong Seismic ground shaking? ☐ ☐ ☒ ☐

2) Imperial County is subject to seismic ground shaking so it is possible for the project to be impacted in the event of ground shaking; however, since there are no known faults nearby, any impacts should be less than significant.

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

3) According to the Department of Conservation Regulatory Maps, the project site is not within the designated Tsunami areas; therefore, no impacts are expected

4) Landslides? ☐ ☐ ☐ ☒

4) Also using the Department of Conservation Regulatory Maps, it was found that the site is not located within a landslide hazard zone; therefore, no impacts are expected

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

b) The project consists of the drilling of a residential water well, which is on disturbed land. The approval of the project would not result in soil erosion since the improvements have considered drainage patterns and grading. Adherence to the approved plans for the improvements shall cause any impacts 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 conditions for landslides, lateral spreading, subsidence, liquefaction or collapse are not present; therefore, no impacts are expected to occur.

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

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

d) The project site has been previously disturbed with a residence and it has not been classified as expansive soil. No habitable structures are being proposed; therefore, less than significant impacts are expected

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 septic tanks are being proposed for the drilling of the water well; therefore, no impacts are expected

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

f) The site has been previously disturbed and no paleontological resources have been previously identified. Compliance with the California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98 in the event of unexpected finding will lessen impacts to less than significant levels

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

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

a) The drilling and operation of the proposed water well would be required to conform to the requirements of the Imperial County Air Pollution Control District (ICAPCD). The ICAPCD has jurisdiction over air quality for the project site. The Air District requires that the project adhere to regulation VIII- Fugitive Dust during the construction of the well. In addition (depending on the type of equipment that is used-drill rig or diesel engine- to create the well), equipment used must be in compliance with the California Air Resources Board (CARB) Rules and Regulations for Air Toxic Control Measures (ATCM) or the In-Use Off Road Equipment rule. Therefore, the project impact would be less than significant.

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

b) The proposed project does not appear to conflict with any applicable plan or policy or regulation adopted for the purpose of reducing emission of greenhouse gases. No Impacts are anticipated.

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) No hazardous materials are included in the scope of work of the project, and there are no nearby residents in the immediate vicinity of the site; therefore, less than significant 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) As stated above, no hazardous materials are included in the proposed project; therefore, no impacts are expected

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

c) There are no school within one-quarter mile of the project; therefore, 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) After looking at the EnvironStor Database[3] for the project site, it was found that it was not included in the database; therefore, no impacts are expected to occur

[3] EnviroStor Database http://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Sacramento&tour=True

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒

e) The project site is not within an airport area according to the Imperial County Airport Land Use Compatibility Plan (ALUC Plan); therefore, no impacts are expected to occur.

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

f) The project is the drilling and operation of a water well and is not expected to interfere with the emergency response plan; therefore, no impact is expected.

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

g) The project is not in an area that is considered "wildland; therefore, no impacts are expected

h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows?	☐	☐	☐	☒

h) No structures are proposed; therefore, no structures will impede or redirect flood flows. No impacts are anticipated.

i) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows	☐	☐	☐	☒

The proposed project is the construction of a water well that will have no significant risk of loss or injury or death involving flooding, including flooding as a result of the failure of a levee or dam. No impacts are anticipated

j) Inundation by Seiche, tsunami, or mudflow.	☐	☐	☐	☒

j) The project is not located in an area inundated by seiche, tsunami, or mudfow, therefore, no impact expected

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) No hazardous waste or material are anticipated to be used or handled for the proposed water well during operation and use thereof, no impacts are anticipated

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

b) The proposed project is the drilling and operation of a water well from a sole source aquafer in Ocotillo, CA. Per the Imperial County Ocotillo/Nomirage Community Plan, new water wells in Ocotillo are allowed to draw up to one (1) acre foot of water per residential parcel. Additionally, the water wells in Ocotillo are monitored for quality and quantity. Therefore, any impacts on groundwater should 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) The site has been previously disturbed with the construction of the existing residence. There are no streams or rivers within the project area and the construction of the water will would leave a small pervious, area. Therefore, any impacts are expected to be less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒

d) It is anticipated that the drilling and subsequent operation of the proposed water well would not alter the existing drainage of any existing streams or rivers. No impacts are anticipated.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐

e) It is anticipated that the drilling and subsequent operation of the proposed water well would not contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff substantially degrade water quality. Employment of Best Management Practices (BMP's) would reduce the impact of project activities on surrounding water quality to a level less than significant.

f) Otherwise substantially degrade water quality?	☐	☐	☒	☐

f) It is anticipated that the drilling and subsequent operation of the proposed water well would not substantially degrade water quality. Employment of Best Management Practice (BMP's) would reduce the impact of project activities on surrounding water quality to a level less than significant.

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

a) Physically divide an established community?	☐	☐	☐	☒

a) The proposed project is for a new domestic water well; the new proposed water well will be located within the project boundary and will not physically divide or establish the community. Therefore, there is no impact.

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

b) **The drilling and subsequent operation of the proposed water well are consistent with the intent of the County's General Plan and the County's Codified Land Use Ordinance. The subject property is designated as "Desert Residential- Ocotillo Community Area" by the General Plan, Land Use Element and is zoned R-1 L-40 "Low Density Residential Limited 40 Acres" by the County's Codified Land Use Ordinance. The proposed water well is, therefore, consistent with the County's General Plan and the Land Use Ordinance Division 2, Section 90203.01 "Conditional Use Permit" defined; this allows for the construction of this well when approved by the County Planning Commission. Therefore, there is no impact.**

c) Conflict with anyy applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

c) The proposed project site is not located within a habitat conservation plan or natural community conservation plan area. Therefore there is no impact.

XII. *MINERAL RESOURCES Would the project:*

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

a) The project site area is not located in or near any existing mineral resource areas as shown on the Imperial County Conservation and Open Space Element, Figure 8 "Existing Mineral Resources"[4]; therefore, no impacts are expected.

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

b) As previously stated, the proposed project would not result in the loss of locally-important mineral resources as identified

[4] Imperial County Conservation and Open Space Element Figure 8 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

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

in the Imperial County General Plan Conservation and Open Space Element, Figure 8 "Existing Mineral Resources". No impacts are expected to occur.

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

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

a) The proposed project is expected to temporarily increase noise levels during the construction phase. The activities are expected to occur within business hours, and the noise levels are not expected to exceed the thresholds established in the Imperial County General Plan "Noise Element". The applicant and contractor shall make sure the construction and earthmoving activities do not exceed the Construction Noise Standards of 75 dB Leq, when averaged over an eight (8) hour period, and measured at the nearest sensitive receptor. Adherence to the "Noise Element" standards would bring the impacts to a less than significant level.

b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

b) As previously stated, temporary noise levels and vibration could result from the construction phase, but these noise levels would have to be maintained within the County's allowed threshold to avoid nuisances regarding excessive groundborne vibration. Adherence to the "Noise Element" standards would bring any potential impacts to a less than significant levels.

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 project site is not located within 2 miles of an airport; 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 project is not expected to cause for unplanned growth, but to provide safe passage for local commuters; therefore, no impacts are expected

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

b) Since no housing is being proposed as part of the project; no impacts are expected to occur

XV. ***PUBLIC SERVICES***

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

The project would not cause for the need of any provisions or cause for alterations involving governmental facilities. It would not substantially affect any type of public service, except cause a temporary increase in traffic during the construction phase of the project. Less than significant impacts are to be expected

1) Fire Protection?	☐	☐	☐	☒

1) The Fire Department was consulted and requested to provide comments on this project, but no comments were received. No impacts are expected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
2) Police Protection?	☐	☐	☐	☒
2) No impacts are anticipated regarding an increase in services as a consequence of the approval of this project; therefore, no impacts are expected.				
3) Schools?	☐	☐	☐	☒
3) There are no schools in the vicinity of the project. No impacts are anticipated regarding increase in school services.				
4) Parks?	☐	☐	☐	☒
4) There are no parks within the vicinity of the project site; therefore, no impacts are expected.				
5) Other Public Facilities?	☐	☐	☒	☐
5) No other public facilities are anticipated to be affected by the proposed project; therefore, less than significant 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) There are no neighborhood or regional parks nearby the proposed project; therefore, no impacts are expected.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒
b)) The project does not include recreational facilities; therefore, no impacts are expected.				

XVII. *TRANSPORTATION* *Would the project:*

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
a) The proposed project would not conflict with any circulation system during its construction phase. The approval of the proposed project would not conflict with bicycle and pedestrian facilities, therefore, no impact is expected.				
b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
b) CEQA 15064.3 (b) is vehicle miles traveled (VMT), which Imperial County will not implement until July 1, 2020. This project area has adequate traffic flow and is rated A, therefore, any impacts from traffic would be less than significant				
c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
c) The existing water well project will be designed per state standards and shall not increase hazards due to design features; therefore, no impacts are expected to occur.				
d) Result in inadequate emergency access?	☐	☐	☐	☒
d) The project is surrounded by desert vacant land and it not expected to result in an inadequate emergency access. Therefore, no impacts are expected.				

XVIII. *TRIBAL CULTURAL RESOURCES*

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

a) The Imperial County General Plan's Conservation and Open Space Element Figure 2 "Known Areas of Native American

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

Cultural Sensitivity Map"[5] shows that the project is not within a Native American Cultural Sensitivity area. A standard "Request for review and comment" and letters pursuant to AB52 were sent to tribe members requesting consultation for this project. A Sacred Lands Search request was also sent to Native American Heritage Commission (NAHC). Our office has not received any response; therefore, no 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 define in Public Resources Code Section 5020.1(k), or	☐	☐	☒	☐

(i) The proposed site does not appear to be eligible under Public Resources Code Section 21074 or 5020.1 (k); therefore, less than significant impacts are to be expected.

(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☐	☒	☐

(ii) The Native American Heritage Commission Sacred Lands was contacted for a record search for the area of potential project effect (APE) but our office has not received a response; therefore, less than significant impacts are expected.

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 construction and operation of a water well project will not create a need for wastewater treatment or storm water drainage . Therefore, any impacts are expected 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 project allows the applicant to extract up to 1 acre foot of water per year. Based on the Ocotillo Nomirage Community Plan which limits the applicant to one acre foot of water per year will not require a substantial amount of water. Any inpacts should be less than

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) There will be no wastewater as part of the operational phase of the project. The construction of the project could have wastewater but the amount could not be substantial to alter the surrounding areas; therefore, 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) No solid waste are expected from the proposed project other than the debris from the construction activities. All work shall be done per State and Local codes (i.e. all waste shall be taken to a County approved landfill). Compliance with said codes would lessen potential impacts to less than significant levels

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

e) As previously mentioned, all solid waste shall be taken to a County approved landfill. Compliance with said codes would lessen potential impacts to less than significant levels

[5] Imperial County General Plan Conservation and Open Space Element Fig 6 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

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

XX. *WILDFIRE*

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

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

a) The project site is located within a Local Responsibility Area (LRA) classified as "Moderate" according to the Fire Hazard Severity Zone Map.[6] Zones are classified based on a combination of how a fire will behave and the probability of flames and embers threatening buildings, as well of the likelihood of the area burning. Since the proposed project consists of an unmanned structure with no sensitive receptors in its immediate vicinity, less than significant impacts are expected

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) Since the project area is not within a "high fire hazard severity zone", less than significant impacts are to be expected.

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) No additional infrastructure will be required that may exacerbate fire risks; therefore, 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 project is not within a downstream area or an area with landslides; therefore, no impacts are expected

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

[6] FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/fhszl06_1_map.13.pdf

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

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

V. REFERENCES

1. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015
2, Imperial County Land Use Ordinance

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: Ian Dibelka Residence Conditional Use Permit Water Well #19-0033

Project Applicant: Ian Dibelka

Project Location: 132 West Highway 98, Ocotillo

Description of Project: Construct and operate a residential water well extracting up to 1-acre foot of water per year.

VII. FINDINGS

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

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

☐ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

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

NOTICE

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

Date of Determination Jim Minnick, Director of Planning & Development Services

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

Applicant Signature Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

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Patricia Valenzuela

From: Quechan Historic Preservation Officer <historicpreservation@quechantribe.com>
Sent: Friday, February 7, 2020 2:40 PM
To: Patricia Valenzuela
Subject: Dibelka Ian Conditional Use Permit #19-0033

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

This email is to serve as notification that we have no comments on this project.

Thank you,
H. Jill McCormick, M.A.

Quechan Indian Tribe
Historic Preservation Officer
P.O. Box 1899
Yuma, AZ 85366-1899
Office: 760-572-2423
Cell: 928-261-0254
E-mail: historicpreservation@quechantribe.com

COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.
Director

RECEIVED STEVEN MUNDAY, M.P.H., M.S.
Health Officer

February 12, 2020 12 2020

Patricia Valenzuela, Planner IV IMPERIAL COUNTY
IC Planning & Development Services pLANNING & DEVELOPMENT SERVICES
801 Main Street
El Centro, CA 92243

Subject: Environmental Health Comments for Proposed Conditional Use Permit #19-0033

Dear Ms. Valenzuela:

The Imperial County Division of Environmental Health (DEH) is providing the comments below in response to the request for review and comments for Conditional Use Permit #19-0033. The project as described is adding a domestic water well to draw up to 1 acre foot of water per year at 132 W. Highway 98, Ocotillo CA. The property is also described as Assessor's Parcel Number 033-360-038-000.

Please consider the following comments for the proposed project.

1. The well shall be drilled by a California licensed C-57 contractor and constructed with a minimum 20' cement sanitary seal.
2. The property owner must submit a Water Potability Review Application with Environmental Health to ensure the well meets applicable potable water standards.
3. The well must be connected to and utilized as the primary source of potable water for the residence.
4. The property owner must rescind the (January 15, 2014) Potable Water Agreement currently on file with the Imperial County Recorder's Office.

As currently proposed, the location ofthe water well meets the required setbacks to the existing septic system. However, if the well location were to change, a revised site plan (to scale) showing the new location and setbacks, must be submitted to DEH prior to our approval.

If you have any questions, please do not hesitate to contact me at 442-265-1888.

Sincerely,
Mario Salinas

Mario Salinas
Environmental Compliance Specialist I

Division of Environmental Health, 797 Main Street, Suite B, El Centro, CA 92243
(442) 265-1888 (442) 265-1903 Fax icphd.org

February 20, 2020

Ms. Patricia Valenzuela
Planner IV
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Water Well for Residential Home in Ocotillo,, CA (CUP Application No. 19-0033)

Dear Ms. Valenzuela:

On February 11, 2020, the Imperial Irrigation District received from the Imperial County Planning & Development Services Dept. a request for agency comments on Conditional Use Permit application no. 20-0033. The applicant, Ian Roth Dibelka, is proposing a water well (1 acre-foot/year) for residential home use at 132 West Hwy. 98, Ocotillo, California (APN 033-360-038).

The Imperial Irrigation District has reviewed the information and has the following comments:

1. For electrical service to the home or the water well, the applicant should be advised to contact Ernie Benitez, IID Customer Project Development Planner, at (760) 482-3405 or e-mail Mr. Lopez at eibenitez@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at http://www.iid.com/home/showdocument?id=12923), the applicant will be required to submit a complete set of approved plans (including CAD files), project schedule, estimated in-service date, one-line diagram of facility, electrical loads, panel size, voltage, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to the project.

2. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and

instructions are available at http://www.iid.com/departments/real-estate. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

3. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent**.

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

Respectfully,

Donald Vargas
Compliance Administrator II

150 SOUTH NINTH STREET
EL CENTRO, CA 92243-2850

TELEPHONE: (442) 265-1800
FAX: (442) 265-1799

AIR POLLUTION CONTROL DISTRICT

February 20, 2020

RECEIVED
FEB 19 2020
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

SUBJECT: CUP 19-0033—Residential Vacation Home, Ian Roth Dibelka

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") would like to thank you for the opportunity to review the application by Ian Roth Dibelka for Conditional Use Permit (CUP) #19-0033 for a new Water Well ("Project") at a residential/vacation home located at 132 West Highway 98 in Ocotillo, California (APN 033-360-038).

Upon review, the Air District reminds the applicant that all earthmoving and construction activities must adhere to Regulation VIII which is designed to mitigate fugitive dust (PM10) during construction activities. Additionally, if any generators above 50 horsepower are used on site either during construction or operation, the applicant needs to secure the proper permit from the Air District's Engineering and Permitting Division.

The Air District's rule book can be accessed via the internet at http://www.co.imperial.ca.us/AirPollution. Click on "Rules & Regulations" under "Resources" on the left side of the page. Should you have questions, please call our office at (442) 265-1800.

Sincerely,

Curtis Blondell
Curtis Blondell
Environmental Coordinator

Reviewed by,
Monica Soucier
APC Division Manager

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

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CONDITIONAL USE PERMIT

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

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

1. PROPERTY OWNER'S NAME: IAN DIBELKA		EMAIL ADDRESS: DILLFAB80@GMAIL.COM	
2. MAILING ADDRESS (Street / P O Box, City, State): P.O. BOX 121, OCOTILLO, CA.		ZIP CODE: 92259	PHONE NUMBER: 619-414-2850
3. APPLICANT'S NAME: IAN DIBELKA		EMAIL ADDRESS: - SAME -	
4. MAILING ADDRESS (Street / P O Box, City, State): - SAME -		ZIP CODE	PHONE NUMBER
4. ENGINEER'S NAME	CA. LICENSE NO.	EMAIL ADDRESS	
5. MAILING ADDRESS (Street / P O Box, City, State)		ZIP CODE	PHONE NUMBER

6. ASSESSOR'S PARCEL NO.: 033-360-038	SIZE OF PROPERTY (in acres or square foot): 19.75 ACRES	ZONING (existing)
7. PROPERTY (site) ADDRESS: 132 WEST HWY 98, OCOTILLO. CA. 92259		
8. GENERAL LOCATION (i.e. city, town, cross street): HWY 98. OCOTILLO		
9. LEGAL DESCRIPTION		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail): RESIDENTIAL / VACATION HOME
Water well to draw up to 1 acre foot of water per year.
11. DESCRIBE CURRENT USE OF PROPERTY: RESIDENTIAL
12. DESCRIBE PROPOSED SEWER SYSTEM: EXST SEPTIC SYSTEM
13. DESCRIBE PROPOSED WATER SYSTEM: WATER WELL
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM: existing fire hydrant hookup
15. IS PROPOSED USE A BUSINESS? ☐ Yes ☒ No — IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

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

IAN R. DIBELKA — Print Name — 12-17-19 — Date
Signature
Print Name — Date
Signature

REQUIRED SUPPORT DOCUMENTS

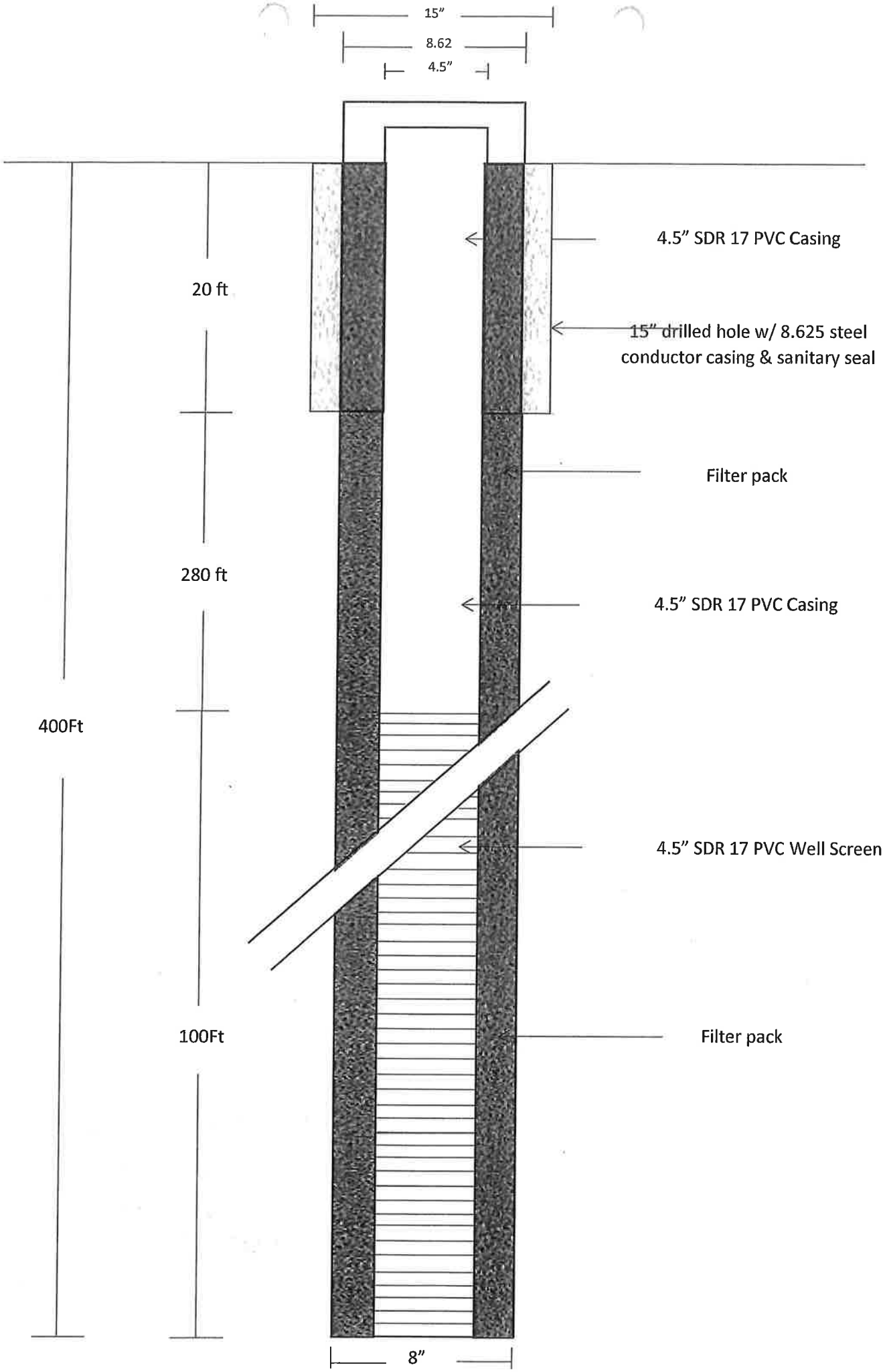
A. SITE PLAN
B. FEE $
C. OTHER Pictures
D. OTHER

APPLICATION RECEIVED BY:	Mariela Mann (Mail)	DATE	12/26/19	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY:	RN	DATE	6/5/2020	☐ P. W.
APPLICATION REJECTED BY:		DATE		☐ E. H. S.
TENTATIVE HEARING BY:		DATE		☐ A. P. C. D.
FINAL ACTION: ☐ APPROVED ☐ DENIED		DATE		☐ O. E. S.

CUP # 19-0033

FAIN
DRILLING AND PUMP CO., INC.
760.749.0701
12029 Old Castle Rd. Valley Center, Ca. 92082

Attached is the proposed well design. Theanticipated use of the well @ 132 W. Hwy 80, Ocotillo, ca. is light residential. The property owner comes out and stays occasionally and needs water to support the dwelling. The planned draw from the well will be around 10 gpm to a 5K storage tank. It is anticipated that the customer will use less than 10,000 gallons annually.


15"
8.62
4.5"
4.5" SDR 17 PVC Casing
20 ft
15" drilled hole w/ 8.625 steel conductor casing & sanitary seal
Filter pack
280 ft
4.5" SDR 17 PVC Casing
400Ft
4.5" SDR 17 PVC Well Screen
100Ft
Filter pack
8"