

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE: September 11, 2024

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 9:00 AM/ No. 3

PROJECT TYPE: CUP #24-0002 - CALTRANS SUPERVISORY DISTRICT #5

LOCATION: Sand Hills Safety Roadside Rest Area APN: N/A

Winterhaven, CA 92283 PARCEL SIZE: N/A

GENERAL PLAN (existing) Open Space/Recreation GENERAL PLAN (proposed) N/A

ZONE (existing) N/A ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/11/2024

INITIAL STUDY: #24-0013

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

REQUESTED ACTION:

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

1. ADOPT THE NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED AT THE ENVIRONMENTAL EVALUATION COMMITTEE HEARING HELD ON JULY 11, 2024; AND,
2. APPROVE THE ATTACHED RESOLUTIONS AND SUPPORTING FINDINGS, APPROVING CONDITIONAL USE PERMIT #24-0002, SUBJECT TO ALL THE CONDITIONS, AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CUP CONTRACT UPON RECEIPT FROM THE PERMITTEE.

Planning & Development Services

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

(Jim Minnick, Director)

S:\AllUsers\APN\056\220\16\CUP24-0002\PC\CUP24-0002 PROJECT REP.docx

STAFF REPORT
Planning Commission
September 11, 2024

Project Name: Caltrans Water Well
Conditional Use Permit #24-0002

Applicant/Owner: David Webb Inc.
Sand Hills Rest Area
Winterhaven, CA, 92283

Project Location:

The proposed project is located entirely within the Interstate Right of Way, positioned between Interstate 8 and Kumeyaay Highway, commonly referred to as Sand Hills Rest Area, located on Interstate 8, Exit 156, approximately 20 miles west of the Arizona State Boarder, in the unincorporated area of the County of Imperial, State of California (Supervisory District #5).

Project Summary:

The proposed project site is located on the Right of Way between the I-8 Freeway & Kumeyaay Highway surrounded by Bureau of Land Management (BLM) land on the North, South, East and West of the property. The applicant is proposing to construct and operate a new commercial water well, which is intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The consumption from the new well is expected to be approximately one-half (1/2) acre feet per year.

Land Use Analysis:

Per Imperial County's General Plan, the land use designation for this project is Recreation/ Open Space per Zoning Map #70 of the Imperial County Title 9 Land Use Ordinance and is on BLM land. Per County's Land Use Ordinance (Title 9), Division 21- "Water Well Regulations", water wells are allowed with an approved Conditional Use Permit (CUP) under Division 2, Chapter 3.- Land Use Permit (Conditional Use Permit). The proposed project is consistent with the County's General Plan, County's Land Use Ordinances (Title 9).

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Sand Hills Rest Area	ROW	Recreation (Open Space)
North	Vacant	BLM (Bureau of Land Management)	Recreation (Open Space)
South	Vacant	BLM (Bureau of Land Management)	Recreation (Open Space)
East	Vacant	BLM (Bureau of Land Management)	Recreation (Open Space)
West	Vacant	BLM (Bureau of Land Management)	Recreation (Open Space)

Environmental Determination:

On July 11, 2024, the Environmental Evaluation Committee (EEC) determined that Conditional Use Permit (CUP) #24-0002 for the replacement of a new commercial water well would not have a significant effect on the environment and made determination for a Negative Declaration (ND). The EEC Committee consists of a seven (7) member panel, integrated by the Director of Environmental Health Services, Imperial County Fire Chief, Agricultural Commissioner, Air Pollution Control Officer, Director of the Department of Public Works, Imperial County Sheriff, and the Director of Planning and Development Services.

On July 11, 2024, the Notice of Intent for the Negative Declaration was filed with the Imperial County Clerk-Recorder, posted and circulated for a 25-day comment period from July 26, 2024, to August 11, 2024. Comments received were made part of this package.

Staff Recommendation:

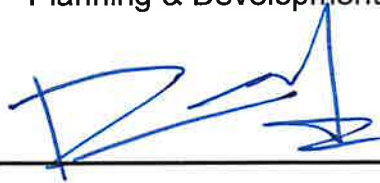
It is recommended that you conduct a public hearing and hear all the opponents and proponents of the proposed project. Staff would then recommend that you take the following action:

1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended at the

Environmental Evaluation Committee (EEC) hearing on July 11, 2024; and,

2. Adopt the attached Resolution(s) and supporting finding, approving Conditional Use Permit (CUP) #24-0002 subjected to all the conditions, and authorize the Planning & Development Services Director to sign the CUP upon receipt from the applicant.

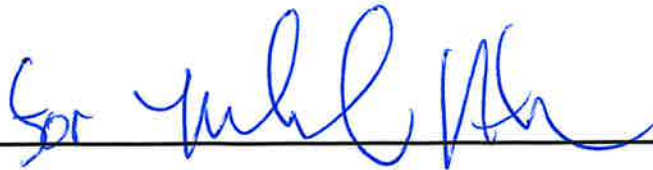
PREPARED BY: Rocio Yee, Planner I
Planning & Development Services



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



APPROVED BY: Jim Minnick, Director
Planning & Development Services



- ATTACHMENTS:**
- A. Vicinity Map
 - B. Site Plan
 - C. CEQA Resolutions
 - D. Planning Commission Resolutions
 - E. CUP #24-0002- Conditions of Approval
 - F. EEC Original Package
 - G. Comment Letters

ATTACHMENT "A"
VICINITY MAP

PROJECT LOCATION MAP



**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
CALTRANS
CUP #24-0002
ADJACENT TO APN 056-220-016-000**

 Project Location
 Parcels



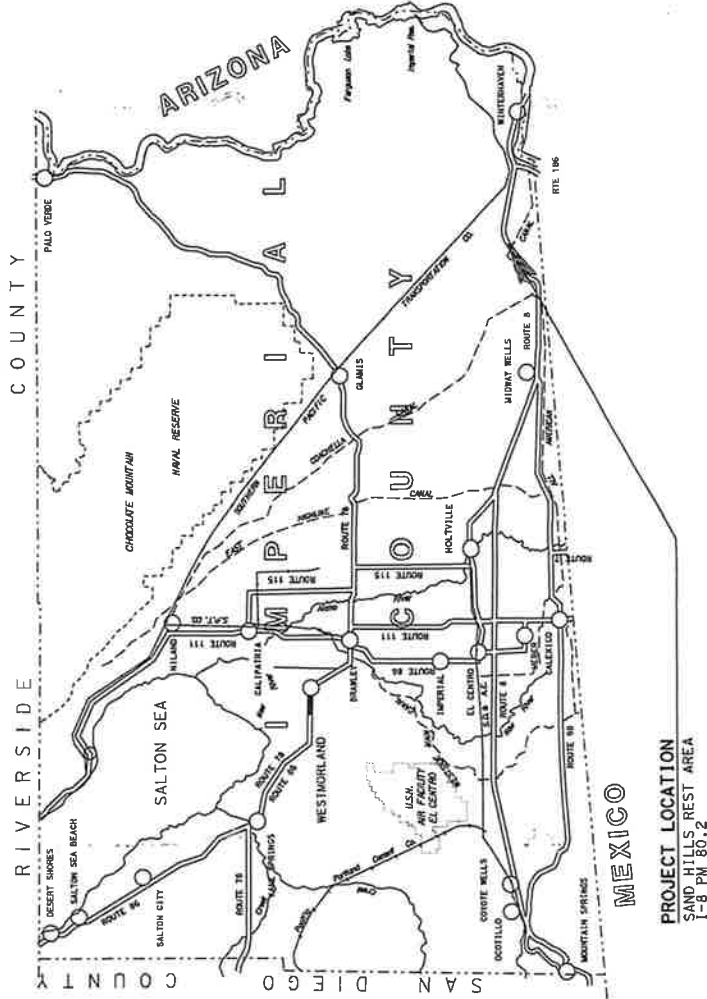
ATTACHMENT "B"
SITE PLAN

INDEX OF PLANS
 1 TITLE SHEET
 2 LAYOUT

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PLANS FOR CONSTRUCTION ON
 STATE FACILITY

IN IMPERIAL COUNTY ALONG ROUTE 8
 AT THE SAND HILLS SRRA

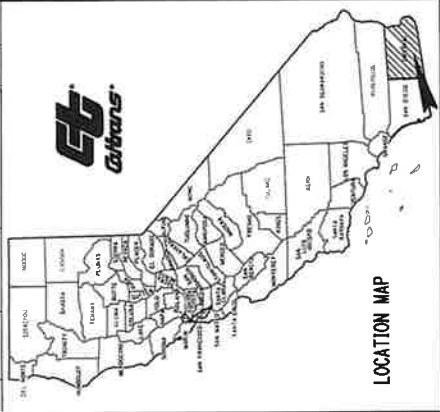
TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2023



DIST	COUNTY	ROUTE	TOTAL SHEETS	SHEET NO.	TOTAL SHEETS
11	IMP	008	80-2	1	2



LOCATION MAP



PROJECT MANAGER	DEREK A. CARPENTER
PROJECT ENGINEER	JAROD WHITNEY

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

BORDER LAST REVISED 9/30/2018 CALTRANS WEB SITE IS: [HTTP://WWW.DOT.CA.GOV/](http://WWW.DOT.CA.GOV/)

RELATIVE BORDER SCALE 1" = 15' IN INCHES
 USERNAME => s165324
 DON FILE => 1124000230001.dgn

NO SCALE

PROJECT LOCATION
 SAND HILLS REST AREA
 7-8 IN 80-2

REGISTERED PROFESSIONAL ENGINEER
 PECK
 LICENSE NO. CEB8244
 EXPIRES 09-30-24
 CIVIL
 STATE OF CALIFORNIA
 DEPARTMENT OF INDUSTRIAL RELATIONS

01-30-2024
 PLANS APPROVAL DATE
 PROJECT ENGINEER DATE
 REGISTERED CIVIL ENGINEER

01-30-2024
 PLANS APPROVAL DATE
 PROJECT ENGINEER DATE
 REGISTERED CIVIL ENGINEER

THE STATE OF CALIFORNIA, BY ITS REGISTERED PROFESSIONAL ENGINEER, IS RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THESE PLANS SHEET.

CONTRACT No. 11-
 PROJECT ID 1124000232
 UNIT 2767 Mc No. 24-163 EA 11-3AR063 PID 1124000232

DATE PLOTTED 01-30-2024 9:27:10 AM
 01-30-24

DATE PLOTTED	01-30-24
TIME PLOTTED	09:14:43
PROJECT NO.	1124000232
DATE	01-30-2024
PROJECT	MINOR PROJECT
ROUTE	008
COUNTY	IMP
TOTAL SHEETS	2
SHEET NO.	2

REGISTERED CIVIL ENGINEER
 No. C88944
 DATE OF EXPIRATION 09-30-25
 PROFESSIONAL ENGINEER
 CIVIL

PLANS APPROVAL DATE
 01-30-2024

THE STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS

NOTES:
 1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.
 2. DIMENSIONS TO BE VERIFIED IN FIELD.



LAYOUT L-1

NO SCALE

**ATTACHMENT “C”
CEQA RESOLUTIONS**

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” (INITIAL STUDY #24-0013) FOR CONDITIONAL USE PERMIT #24-0002 FOR CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

WHEREAS, on June 28, 2024, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for July 11, 2024; and,

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

WHEREAS, on July 11, 2024, the Environmental Evaluation Committee heard the project and recommended the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit (CUP) #24-0002; and

WHEREAS, the Negative Declaration was circulated for 25 days from July 16, 2024, to August 11, 2024; and,

WHEREAS, the Planning Commission of the County of Imperial has been designated with the responsibility of making recommendation for adoptions and certifications; and

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

The Planning Commission has reviewed the Negative Declaration (ND) prior to approval of Conditional Use Permit (CUP) #24-0002. The Planning Commission finds and determines that the Negative Declaration is adequate and was prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations:

1. That the recital set forth herein are true, correct and valid; and
2. That the Planning Commission has reviewed the Negative Declaration (ND) for Conditional Use Permit (CUP) #24-0002, and considered the information contained in the Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit (CUP) #24-0002; and
3. That the Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Negative Declaration for Conditional Use Permit (CUP) #24-0002.

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

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on September 11, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

ATTACHMENT “D”
PC RESOLUTIONS & FINDINGS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT #24-0002 (CALTRANS) FOR A COMMERCIAL WATER WELL PROJECT

WHEREAS, CALTRANS has submitted an application for Conditional Use Permit #24-0002 for the replacement and operations of a commercial water well; and,

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

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

WHEREAS, on July 11, 2024, the Environmental Evaluation Committee heard the proposed project and recommended the Planning Commission Adopt the Negative Declaration; and,

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on September 11, 2024; and,

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

SECTION 1. The Planning Commission has considered Conditional Use Permit #24-0002 and Conditions of Approval prior to approval; the Planning Commission finds and determines that the Conditional Use Permit and Conditions of Approval are adequate and prepared in accordance with the requirements of the Imperial County General Plan and Land Use Ordinance, and the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning Law and the County of Imperial, the following findings for the approval of Conditional Use Permit #24-0002 have been made:

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

The subject property is designated as "Open Space/Recreational" according to per Imperial County's General Plan Land Use Element, by the Imperial County Land Use Ordinance. The proposed project is therefore, consistent with the County General Plan and Land Use Ordinance, Division 2, Section 90203.01 "Conditional Use Permit" which authorizes Conditional Use Permit when

approved by the County. The proposed project is for the replacement and operation of a commercial water well and is a conditionally permitted use pursuant to County's Land Use Ordinance (Section 92102.00).

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

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

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

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

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

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

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

The proposed use of the proposed water well may utilize up to one-half (1/2) acre-feet of water per year as set out in the project application. This use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

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

The proposed project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to a Condition of Conditional Use Permit #24-0002 and current Federal, State, and Local regulations.

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

The proposed use of the proposed water well is a permitted use subject to the conditions of approval of CUP #24-0002 (Land Use Ordinance, Section 92102.00) and will not grant any special privileges.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #24-0002 subject to the Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on September 11, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTACHMENT “E”

CONDITIONAL USE PERMIT #24-0002

Recorded Requested by and
When Recorded Return To:

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

**AGREEMENT FOR CONDITIONAL USE PERMIT #24-0002
CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
Planning Commission Approved Conditions (/ /2024)
Effective Date (/ /2024)**

Conditional Use Permit #24-0002 was approved by the Imperial County Planning Commission Board of Supervisors and has the Effective Date of ____, 2024. This Conditional Use Permit is by and between CALTRANS. – (hereinafter referred to as “Permittee”), and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as “COUNTY”).

RECITALS

WHEREAS, Permittee is the owner, lessee or successor in interest in certain land in Imperial County for the Sand Hills Safety Roadside Rest Area located at the Right-of-Way in between Kumeyaay Hwy and Interstate 8; and,

WHEREAS, Permittee has applied to the County for the replacement of a dilapidated and unrepairable water well as stated in the project application; and,

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

WHEREAS, the County, after a noticed public hearing, agreed to issue Conditional Use Permit #24-0002 to Permittee, and/or his or her successor-in-interest subject to the following conditions.

GENERAL CONDITIONS:

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

1 **G-1: GENERAL LAWS:**

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

4 **G-2 EFFECTIVE DATE:**

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

9 **G-3: RECORDATION:**

10 CUP #24-0002 shall not be effective until it is recorded at the Imperial County
11 Clerk-Recorder Office and if no appeal has been made after approval from the
12 hearing body. Payment of the recordation fee shall be the responsibility of the
13 Permittee. If this CUP is not recorded within one hundred eighty (180) days from
14 the date of approval the CUP shall be deemed null and void, without notice having
15 to be provided to Permittee. Permittee may submit a written request for a
16 recordation extension for this CUP by filing such a request with the Planning
17 Director at least sixty (60) days prior to the one hundred eighty 180-day expiration.
18 The Director may approve one (1) extension for a period not to exceed one hundred
19 eighty (180) days. An extension may not be granted if the request for an extension
20 is filed after the expiration date. Failure to record this CUP within one (1) year
21 including the granted extension period shall deem this CUP null and void.

17 **G-4: COMMENCEMENT OF WORK:**

18 If the project for which a CUP has been approved has not commenced, or permits
19 for said project have not been issued, within one (1) year from effective date, the
20 CUP shall be null and void. If an applicant cannot initiate or obtain permits for the
21 approved use during the one (1) year, applicant may request a one (1) year
22 extension from the Department. The request for an extension shall be in writing and
23 be submitted with explanation to the Planning & Development Services Department
24 at least sixty days prior to the end of the extended one (1) year period. The Director
25 shall have the authority to extend the initial start-up period, or commencement of
26 work, of a CUP up to two (2) times for a maximum of two (2) years. Should the
27 Permittee desire to continue with the project, a new application shall be submitted,
28 and the entire process would have to begin anew.

24 **G-5: TIME LIMIT:**

25 Unless otherwise specified within the project specific conditions this project shall be
26 limited to a maximum of (3) three years from the recordation date of the CUP. The
27 CUP may be extended for successive three (3) years by the Planning Director upon

1 a finding by the Planning & Development Services Department that the project is in
2 full and complete compliance with all conditions of the CUP and any applicable land
3 use regulation(s) of the County of Imperial. Unless specified otherwise herein, no
4 conditional use permit shall be extended for more than four (4) consecutive periods.
5 If an extension is necessary or requested beyond fifteen (15) years, the Permittee
6 shall file a written request with the Planning Director for a hearing before the
7 Planning Commission. Such request shall include the appropriate extension fee. An
8 extension shall not be granted if the project is in violation of any one or all of the
9 conditions or if there is a history of non-compliance with the project conditions.

10 **G-6 ABANDONMENT:**

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

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

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

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

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

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G-9 CONDITION PRIORITY:

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

G-10 INDEMNIFICATION:

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.

G-11 SEVERABILITY:

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

G-12 COMPLIANCE/REVOICATION:

Upon the determination by the Planning & Development Services Department that the project is or may not be in full compliance with any one or all of the conditions of this CUP, or upon the finding that the project is creating a nuisance as defined by law, the issue shall be brought immediately to the appropriate enforcement agency or to the Planning Commission for hearing to consider appropriate response including but not limited to the revocation of the CUP or to consider possible amendments to the CUP. The hearing shall be held upon due notice having been provided to the Permittee and to the public in accordance with established ordinance/policy.

G-13 NON-COMPLIANCE (ENFORCEMENT & TERMINATION):

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

G-14 COSTS:

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

G-15 REPORT(S):

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

G-16 RESPONSIBLE AGENT

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

1 information (as applicable) required from the Permittee shall also be made available
2 to the County from such other users.

3 **G-17 WATER AND SEWER:**

4 Permittee shall provide water and sewer to Federal, State and County standards.
5 Water and sewer systems shall be approved by the Environmental Health Services
6 and the Planning & Development Services Department. Permittee shall hook up to
7 a public water system or supplier if and when available.

8 **G-18 DEFINITIONS:**

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

14 **G-19 SPECIFICITY:**

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

21 **G-20 HEALTH HAZARD:**

22 If the County Health Officer determines that a significant health hazard exists to the
23 public, the County Health Officer may require appropriate measures, and the
24 Permittee shall implement such measures to mitigate the health hazard. If the
25 hazard to the public is determined to be imminent, such measures may be imposed
26 immediately and may include temporary suspension of the subject operations.
27 However, within forty-five (45) days of any such suspension of operations, the
28 measures imposed by the County Health Officer must be submitted to the Planning
Commission for review and approval. Nothing shall prohibit Permittee from
requesting a special Planning Commission meeting provided Permittee bears all
costs.

G-21 CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the
current Permittee to a new successor Permittee, the successor Permittee shall be
bound by all terms and conditions of this CUP as if said successor was the original
Permittee. Current Permittee shall inform the County Planning & Development
Services Department in writing at least sixty (60) days prior to any such transfer.
Failure of a notice of change of ownership or change of operator shall be grounds
for the immediate revocation of the CUP. In the event of a change, the new
Owner/Operator shall file with the Department, via certified mail, a letter stating that
they are fully aware of all conditions and acknowledge that they will adhere to all.

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G-22 PERMITS OF OTHER AGENCIES INCORPORATED:

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

G-23 MINOR AMENDMENTS:

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

(TOTAL "G" CONDITIONS are 23)

1 **SITE SPECIFIC CONDITIONS**

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

3 This permit allows the Permittee to replace and operate a water well to extract a
4 maximum of one-half (1/2) acre-feet of groundwater annually for recreational use.
5 Exceeding the amount of water specified herein will result in the Planning and
6 Development Services Department taking action to rescind the Conditional Use
Permit for non-compliance.

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

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

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

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

18 **S-4: WELL REPLACEMENT:**

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

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

- 25 1. A description of the exact location of the well; and,
26 2. A detailed log of the well; and,
27 3. A description of the type and depth of casings; and,
28

- 1 4. Details of perforation; and,
- 2 5. The methods used for sealing off surface or contaminated water; and,
- 3 6. Methods for preventing contaminated waters from one aquifer to mix with
another aquifer; and,
- 4 7. Name of person who constructed the well.

5 **S-5: NO SLANT DRILLING:**

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

7

8 **S-6: WELL ABANDONMENT:**

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

11 (Abandonment shall mean as follow)

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

17 **S-7: WELL REMOVAL:**

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

22 **S-8: WELL REGISTRATION:**

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

S-9: PERMITTING:

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

S-10: ARCHEOLOGICAL RESOURCES/HUMAN REMAINS (HSC 7051 & PRC 5097.98)

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

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

S-11: AIR POLLUTION CONTROL DISTRICT:

All construction activities must adhere to the Air District's Regulation VIII which is designed to limit emissions of fugitive dust (PM10) to 20% capacity. The drilling equipment used for the well must meet the California Portable Equipment Registration Program (PERP) certification or apply for a permit from the Air District. Should the project operate combustion equipment the applicant should submit an application for engineering review.¹

(TOTAL "S" CONDITIONS are 11)

¹ I. C. Air Pollution Control District's letter dated August 8, 2024

NOW THEREFORE, County hereby issues Conditional Use Permit #24-0002 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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

PERMITTEE

By: _____
California Department of Transportation
CALTRANS

Date

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

By: _____
James A. Minnick, Director
Planning & Development Services Department

Date

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FOR PERMITTEE NOTARIZATION

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

STATE OF CALIFORNIA COUNTY OF _____ S.S.

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

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

WITNESS my hand and official seal

Signature _____

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

FOR COUNTY NOTARIZATION

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

STATE OF CALIFORNIA COUNTY OF _____ S.S.

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

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

WITNESS my hand and official seal

Signature _____

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

ATTACHMENT “F”
CUP24-0002
SUBMITTAL APPLICATION

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (442) 265-1736

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

1. PROPERTY OWNER'S NAME <i>State of California</i>	EMAIL ADDRESS <i>Dwebbinc@yahoo.com</i>	
2. MAILING ADDRESS (Street / P O Box, City, State) <i>4050 Taylor St. San Diego CA</i>	ZIP CODE <i>92110</i>	PHONE NUMBER <i>760 401-2034</i>
3. APPLICANT'S NAME <i>D. Webb, Inc.</i>	EMAIL ADDRESS <i>Dwebbinc@yahoo.com</i>	
4. MAILING ADDRESS (Street / P O Box, City, State) <i>P.O. Box 1982 YuCCA Valley CA</i>	ZIP CODE <i>92286</i>	PHONE NUMBER <i>760 401-2034</i>
4. ENGINEER'S NAME <i>Derek Carpenter</i>	CA. LICENSE NO. <i>C88944</i>	EMAIL ADDRESS <i>Derek.Carpenter@dot.ca.gov</i>
5. MAILING ADDRESS (Street / P O Box, City, State) <i>4050 Taylor St. San Diego, CA</i>	ZIP CODE <i>92110</i>	PHONE NUMBER <i>619-572-8010</i>
6. ASSESSOR'S PARCEL NO. <i>N/A</i>	SIZE OF PROPERTY (in acres or square foot) <i>N/A</i>	ZONING (existing) <i>N/A</i>
7. PROPERTY (site) ADDRESS <i>I-8 e MP 80.2 ~ 32.73722° N, 114.89085° W</i>		
8. GENERAL LOCATION (i.e. city, town, cross street) <i>Sand Hills State Route Rest Area</i>		
9. LEGAL DESCRIPTION <i>N/A ~ I-8 e MP 80.2</i>		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	<i>Sand Hills State Route Rest Area</i>
11. DESCRIBE CURRENT USE OF PROPERTY	<i>Same ~ Sand Hill Rest Area</i>
12. DESCRIBE PROPOSED SEWER SYSTEM	<i>N/A</i>
13. DESCRIBE PROPOSED WATER SYSTEM	<i>Well</i>
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	<i>N/A</i>
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

REQUIRED SUPPORT DOCUMENTS

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

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

David Webb for Cultroms *2/24/24*
 Print Name _____ Date _____
 Signature _____
 Print Name _____ Date _____
 Signature _____

APPLICATION RECEIVED BY: RY
 APPLICATION DEEMED COMPLETE BY: _____
 APPLICATION REJECTED BY: _____
 TENTATIVE HEARING BY: _____
 FINAL ACTION: APPROVED DENIED

DATE 03/01/24
 DATE _____
 DATE _____
 DATE _____
 DATE _____

REVIEW / APPROVAL BY OTHER DEPT'S required.
 P W
 E H S
 A. P. C. D.
 O. E. S.

CUP #
24-0002

Rocio Yee

From: David Webb <dwebbinc@yahoo.com>
Sent: Monday, March 11, 2024 2:25 PM
To: planninginfo; Rocio Yee
Cc: David Webb
Subject: CUP24-0002 - Project Description

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

The California Department of Transportation, Caltrans, hereby requests the issuance of a Conditional Use Permit for the purpose of drilling, developing and maintaining a new water well at the Sand Hills Safety Roadside Rest Area. The proposed well will be located entirely within the Interstate Right of Way. The new well is intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The new well will serve to ensure the health, safety and sanitary needs of the traveling public throughout the Interstate 8 corridor in Imperial County.

Thank you,
David Webb
D. Webb, Inc.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION		FUNCTIONAL SUPERVISOR		CALCULATED-		DESIGNED BY		REVISED BY		DATE REVISED	
Gibson		D. CARPENTER		J. WHITNEY		J. NELMARK					
MINOR PROJECT											

NOTES:
 1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.
 2. DIMENSIONS TO BE VERIFIED IN FIELD.



LAYOUT
L-1

NO SCALE

DIST	COUNTY	ROUTE	TOTAL PROJECT	SHEET NUMBER
11	IMP	008	80.2	2

REGISTERED CIVIL ENGINEER DATE 01-30-2024
 PLANS APPROVAL DATE 01-30-2024
 THE STATE OF CALIFORNIA CIVIL ENGINEERS
 ONE ACCREDITED FOR COMPETENCY OF ISSUED
 COPIES OF THIS PLAN SHEET

District EA Number 11-3A8064 RQS Number _____

1. This Agreement is entered into between the State Agency and the Contractor named below:
 STATE AGENCY'S NAME: **California Department of Transportation (Caltrans)**

CONTRACTOR'S NAME
 D. Webb, Inc

2. The term of this Agreement is: 01/22/2024 through 01/22/2025 3. The maximum amount of
 Estimate of Working Days: 60 Working Days this Agreement is: \$ 380,000.00

4. Contractor agrees to furnish all labor, equipment and materials, proof of license, and insurance to perform emergency work described below:

County	Imperial
Route(s)	8
Post Mile(s)	80.2
Scope of Work	Replace water well system at the Sand Hills Safety Roadside Rest Area.
<input type="checkbox"/> Additional Pages Attached	

5. The parties agree to comply with the terms and conditions of the following documents, which are by this reference made a part of the Agreement

- Caltrans EFA Terms and Conditions Can be viewed at: <https://dot.ca.gov/programs/procurement-and-contracts/contractor-resources>
- Contractors Certification Clause (CCC) 04/2017 Can be viewed at: <https://www.dgs.ca.gov/OIS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>
- List of Labor Compliance Offices Can be viewed at: <https://dot.ca.gov/programs/construction/labor-compliance>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

6. CONTRACTOR

CONTRACTOR'S NAME

D. Webb, Inc.

BY (Authorized Signature)

[Signature]

DATE SIGNED

1-22-24

PRINTED NAME AND TITLE OF PERSON SIGNING

David Webb - President

BUSINESS PHONE NUMBER

(760) 401-2034

ADDRESS

P.O. Box 1982 Yucca Valley CA 92286

SB/DVBE No Yes, Certification No. *1752812*

DIR Registration No. *100015969*

CSLB License No. *794667*

Federal Identification Number (FEIN) *75-2983069*

Email *Dwebb@yucca-valley.com*

- Required Attachments STD 204 Iran Contracting Act (if \$1 Million or over) ADM-2046 Payment Bond Insurance Certificates ADM-4015
- CA Civil Rights Laws Certification (if \$100,000 or over) ADM-3023 ADM-4012 Darfur Contracting Act Certification ADM-0227F

7. CALTRANS

DIVISION NAME

Maintenance - Lands & Buildings

DISTRICT NUMBER

11

BY (Contract Manager Signature)

[Signature]

DATE SIGNED

1-22-24

PRINTED CALTRANS CONTRACT MANAGER NAME

Jodi Nelmark

BUSINESS PHONE NUMBER

(619) 857-4332

ADDRESS

4050 Taylor Street MS 221, San Diego, CA 92110

Does this service utilize Environmental Preference Purchasing? YES NO

8. FUNDING

SOURCE UNIT	PROJECT ID	PHASE	OBJECT CODE	AMOUNT	FISCAL YEAR
2767	1124000232	4	040	\$380,000.00	23/24
AGENCY BILLING CODE	FUND TITLE	BUDGET ITEM	FUND CHAPTER	STATUTE	FUND SOURCE
060121					

I CERTIFY upon my own knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

PRINTED NAME	ACCOUNTING OFFICER SIGNATURE	DATE SIGNED	PHONE NUMBER
			()

9. DPAC

BY (Contract Officer Signature)

DATE SIGNED

PRINTED CONTRACT OFFICER NAME

BUSINESS PHONE NUMBER

()

EMERGENCY FORCE ACCOUNT CONTRACT REQUIREMENTS (State and Federal)

1. The Contractor agrees to provide all labor, materials, tools, equipment and incidentals necessary to perform work described in Section 4 of the ADM-4043 EFA Agreement in accordance with the documents referenced in Section 5 of this Agreement. Contractor will not be paid for any work unless and until Caltrans Division of Procurement and Contracts has approved the Agreement.
2. Contractor agrees to perform not less than 50 percent of the total contract cost with its own company/organization.
3. A Disabled Veteran Business Enterprise (state funded Agreements) or Disadvantaged Business Enterprise (Federal-funded Agreements) Participation Goal of up to 5 percent is encouraged for the work to be performed.
4. Contractor will perform the work on a "time and materials" basis in accordance with the terms and conditions contained in Section 9-1.04 "Force Account" of the 2023 Standard Specifications except the markup rates on labor, materials and equipment rental in Sections 9-1.04B "Labor," 9-1.04C "Materials" and 9-1.04D "Equipment Rental" which are superseded as follows:
 Prime Contractor: 21 percent markup applied to direct costs for labor, materials and equipment rental. Non-Specialist Subcontractor: 21 percent markup applied to direct costs for labor, materials and equipment rental. Specialist Subcontractor: No markup. In addition to these markups, a 10 percent markup will be added to the total cost of the work performed by specialist and non-specialist Subcontractors. This markup will be full compensation to the Contractor for administration and oversight of work performed by Subcontractors.
5. Contractor must pay prevailing wages in compliance with Section 7, "Legal Relations and Responsibility to the Public," of the 2023 Standard Specifications. Upon request, Contractor must provide certified copies of payroll records.
6. Caltrans may alter, cancel, reduce or change the Scope of Work described in Section 4 of the ADM-4043 EFA Agreement.
7. Except as otherwise provided, all work must be performed in accordance with the 2023 Standard Specifications. The terms of this Agreement shall supersede any conflicting provisions of the 2023 Standard Specifications. All references to Engineer shall mean the Contract Manager under this Agreement.
8. Contractor must hold an appropriate license issued by the California Contractors State License Board. If the work requires a specially class license, such license must be issued to and held by Contractor or the Subcontractor performing such work. Contractor shall ensure all Subcontractors have appropriate licenses for the work being performed under this Agreement.
9. Contractor must furnish a payment bond, as described in Section 3-1.05, "Contract Bonds" of the 2018 Standard Specifications equal to 100 percent of the project cost and maintain the original payment bond until full payment is rendered to the Contractor. A performance bond will not be required.
10. Caltrans reserves the right to terminate the work contemplated under this Agreement prior to the fully executed Agreement. Total compensation for Contractor's work performed and accepted by Caltrans will be pursuant to Section 8-1.14E, "Payment Adjustment for Termination," of the 2023 Standard Specifications.
11. Contractor must maintain the following insurance during the work performed under this Agreement:
 - A. Workers' Compensation Insurance. Limits of:
 1. \$1,000,000 for each accident for bodily injury by accident
 2. \$1,000,000 policy limit for bodily injury by disease
 3. \$1,000,000 for each employee for bodily injury by disease
 - B. General Liability and Umbrella or Excess Liability insurance. Coverage for premises, operations, mobile equipment, explosion, collapse, underground hazards, personal injury, contractual-liability and broad form property damage (including completed operations) with the following minimum limits:
Contracts ≤ \$1 million: \$1 million for each occurrence; \$2 million aggregate for products and completed operation; \$2 million general aggregate; and \$5 million umbrella or excess liability.
Contracts > \$1 million and ≤ \$10 million: \$1 million for each occurrence; \$2 million aggregate for products and completed operation; \$2 million general aggregate; and \$10 million umbrella or excess liability.
Contracts > \$10 million and ≤ \$25 million: \$2 million for each occurrence; \$2 million aggregate for products and completed operation; \$4 million general aggregate; and \$15 million umbrella or excess liability.
Contracts > \$25 million: \$2 million for each occurrence; \$2 million aggregate for products and completed operation; \$4 million general aggregate; and \$25 million umbrella or excess liability.
 - C. Automobile insurance for owned, hired and non-owned vehicles. Minimum of \$1 million combined single-limits for each accident resulting in bodily injury and/or property damage and the Umbrella or Excess coverage in Section B above.

Limits	Contracts ≤ \$1 million	Contracts > \$1 million and ≤ \$10 million	Contracts > \$10 million and ≤ \$25 million	Contracts > \$25 million
each occurrence	\$1 million	\$1 million	\$2 million	\$2 million
aggregate for products and completed operation	\$2 million	\$2 million	\$2 million	\$2 million
general aggregate	\$2 million	\$2 million	\$4 million	\$4 million
umbrella or excess liability	\$5 million	\$10 million	\$15 million	\$25 million

12. Contractor shall pursue completion of the work with diligence and without undue delay. The working days estimated in Section 2 of the ADM-4043 EFA are an approximation, and the estimate is not an express nor implied promise regarding the actual contract duration. Contractor is expected to complete the work as soon as reasonably possible.

EMERGENCY FORCE ACCOUNT CONTRACT REQUIREMENTS (State and Federal) Continued

13. Section 9-1.05, "Extra Work Performed by Specialists," of the 2023 Standard Specifications will not apply to the work. Contractor and all Subcontractors retained before or after contract execution, must itemize all labor, material, and equipment rental costs, and will not be deemed specialists unless Contractor or available Subcontractors on site are not capable of performing the specialty work and it is not the special service industry's established practice to provide cost itemization. The Engineer may approve for non-itemized specialist billing work required to be performed at an off-site manufacturing plant or machine shop. To obtain approval as a specialist, Contractor must obtain the Engineer's prior written approval for all specialty work and in such case, Caltrans will accept the non-itemized invoices for specialty work performed, at current market rates. If approval is not granted before any specialty work begins, Contractor or Subcontractor must itemize labor, material, and equipment rental costs as required by Section 9-1.04, "Force Account," of the 2018 Standard Specifications.
14. Contractor shall comply with all applicable Federal and state labor laws pertaining to prevailing and minimum wage rates.
15. Contractor shall defend, indemnify, and save harmless Caltrans, including its officers, directors, employees, and agents from any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, losses or liabilities, in law or in equity arising out of or in connection with Contractor's work under this Agreement for bodily injury, sickness, disease, emotional injury or death and property damage in accordance with the provisions of Section 7-1.05, "Indemnification" of the 2018 Standard Specifications.
16. Contractor or Subcontractor shall not be awarded a public works contract unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code section 1725.5. The contract is subject to compliance monitoring and enforcement by the DIR. Reference <http://www.dir.ca.gov/Public-Works/SB854.html> for additional information.
17. Contractor must post job site notices as required by Title 8 California Code of Regulations §16451(d).

CONTRACTOR INSTRUCTIONS

1. Contractor shall thoroughly review:
 - Scope of Work
 - Caltrans EFA Terms and Conditions (<https://dot.ca.gov/programs/procurement-and-contracts/contractor-resources>)
 - Contractors Certification Clause (CCC) 04/2017 (<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>)
 - List of Labor Compliance Offices (<https://dot.ca.gov/programs/construction/labor-compliance>)
2. Contractor shall ensure it meets all licenses, registrations, certifications requirements (including, but not limited to, Small Business/Disabled Veteran Business Enterprise (SB/DVBE) Certification, Disadvantaged Business Enterprise (DBE) Certification, Department of Industrial Relations registration, and Contractors State License Board required license) and can provide required insurance coverages and endorsements, and payment bond.
3. Contractor shall sign and submit ADM-4043 EFA to Caltrans Contract Manager or designee.
4. Work may start once the Contractor and Caltrans Contract Manager or designee have signed the ADM-4043 EFA and Contractor has received notification by the Contract Manager to proceed.
5. Contractor shall submit all required documents listed below to the Contract Manager or designee as soon as possible for execution of the Agreement and payment of invoices:
 - Payment Bond
 - Insurance Certificate
 - Payee Data Record (STD 204)
 - Iran Contracting Act (if \$1 million or over)
 - Statistical Data Sheet (ADM-3023)
 - Emergency Construction Contract Requirements (ADM-4012)
 - Small Business Questionnaire (ADM-2046)
 - Certified DVBE Summary (ADM-4015)
 - Disadvantage Business Enterprise (DBE) Information (ADM-0227F)
 - CA Civil Rights Laws Certification (if \$100,000 or over)
 - Darfur Contracting Act Certification

Documents are available for review and print at:
<https://dot.ca.gov/programs/procurement-and-contracts/efa-elb-contract-information>

CALTRANS CONTRACT MANAGER INSTRUCTIONS

1. ADM-4043 EFA

- Caltrans Contract Manager Completes District EA#, RQS#, and Sections 1,2,3,4,5 and 7
Submits ADM-4043 EFA forms and applicable attachments to DPAC using:
EFA-ELB.Contract.Submittal@dot.ca.gov
- Contractor Completes Section 6 and provides all applicable attachments
- District/Division Resource Manager District Director's Approval (above \$333,000) or Director's Order with approvals/signatures
- DPAC Conflict of Interest and Confidentiality Statement Certification (ADM-3080)

2. ADM-4043 EFA DOCUMENT CHECKLIST

Complete this checklist to confirm the items in the ADM-4043 EFA package.

- Completed and signed form ADM-4043 EFA (Sections 1, 2, 3, 4, 5, 6, 7 and 8)
- All required documents listed in Section 6 of ADM-4043 EFA
- District Director's Approval or Director's Order with approvals/signatures (\$333,000 or less)
- Conflict of Interest (if dollar amount is \$100,000 or over)
- Contract Manager Training Certificate

3. ADM-2009 ORIGINAL PAYMENT BOND

It is the responsibility of the Contract Manager to collect and maintain in their files the 'original' Payment Bond submitted to them by the Contractor when awarded the contract. The Contract Manager must keep the 'original' payment bond in their files until final payment for services has been received and confirmed by the Contractor. The Contract Manager must provide the Division of Procurement and Contracts (DPAC) with a scanned copy of the bond with the contract request and must provide the original payment bond to DPAC upon request.

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 San Diego California on 2/24, 2024

APPLICANT

Name: D. Webb, Inc.

By David Webb 

Title President


Mailing Address:

P.O. Box 1982
Yuma Valley CA 92286

REAL PARTY IN INTEREST

(If different from Applicant)

Name David Webb for Cultros

By David Webb 

Title Agent

Mailing Address:

P.O. Box 1982
Yuma Valley CA 92286

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

S:\FORMS_LISTS\General Indemnification FORM 041516.doc



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

Jim Minnick
DIRECTOR

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

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

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

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

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY: _____

DATE: _____

2/24/24

**ATTACHMENT “H”
EEC PACKAGE**

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE
FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA DATE: July 11, 2024
AGENDA TIME: 1:30PM / No. 2

PROJECT TYPE: CUP #24-0002 CALTRANS SUPERVISOR DIST # 5

LOCATION: Sand Hills Safety Roadside Rest Area APN: N/A

Winterhaven, CA 92283 PARCEL SIZE: N/A

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

ZONE (existing) S-2 (Open Space Preservation) BLM, I-8 ROW ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: 07-11-2024

INITIAL STUDY: #24-0013

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

CEO

REQUESTED ACTION:

See attached.

Planning & Development Services

801 MAIN ST., EL CENTRO, CA, 92243 760-482-4236

RYATIS:\AllUsers\APN\056122016\CUP24-0002\EEEC\CUP24-0002 PROJECT REPORT.docx

EEC ORIGINAL PKG

NEGATIVE DECLARATION
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Conditional Use Permit #24-0002
Initial Study #24-0013
California Department of Transportation (CALTRANS)**



Prepared By:

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

July 2024

EEC ORIGINAL PKG

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit #24-0002 (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

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

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a 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 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:** Conditional Use Permit (CUP) #24-0002 / Initial Study #24-0013
California Department of Transportation (CALTRANS)
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:** Sand Hills Safety Roadside Rest Area, within the Interstate Right of Way between Hwy 8 & Kumeyaay Hwy
7. **Project sponsor's name and address:** David Webb Inc.
P.O. Box 1982 Yucca Valley CA. 92286
8. **General Plan designation:** Recreation
9. **Zoning:** S-2 (Open Space Preservation) BLM, Within I-8 Right of Way (ROW)
10. **Description of project:** The California Department of Transportation, Caltrans, hereby requests the issuance of a Conditional Use Permit for the purpose of drilling, developing and maintaining a new water well at the Sand Hills Safety Roadside Rest Area. The proposed well will be located entirely within the Interstate Right of Way. The new well is intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The new well will serve to ensure the health, safety and sanitary needs of the traveling public throughout the Interstate 8 corridor in Imperial County and the consumption from the new well is expected to be approximately 1/2 of an acre foot per year.
11. **Surrounding land uses and setting:** The project site in the Sand Hills Safety Roadside Rest Area, that is located within the right of way, between Fwy 8 & Kumeyaay Hwy. Surrounding land on North, South, East and West are vacant Land under BLM (Bureau of Land Management).
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Planning Commission, Imperial County Air Pollution Control District, Imperial County Environmental Health Services, and Imperial County Fire Department.

13. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The AB 52 Notice of Opportunity to consult was mailed via certified mail to the Quechan Indian Tribe and Campo Band of Mission Indian Tribes on April 3, 2024, for their review and comment; no comments were received to this date.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

for [Signature]

 Jim Minnick, Director of Planning/EEC Chairman

11-11-2024

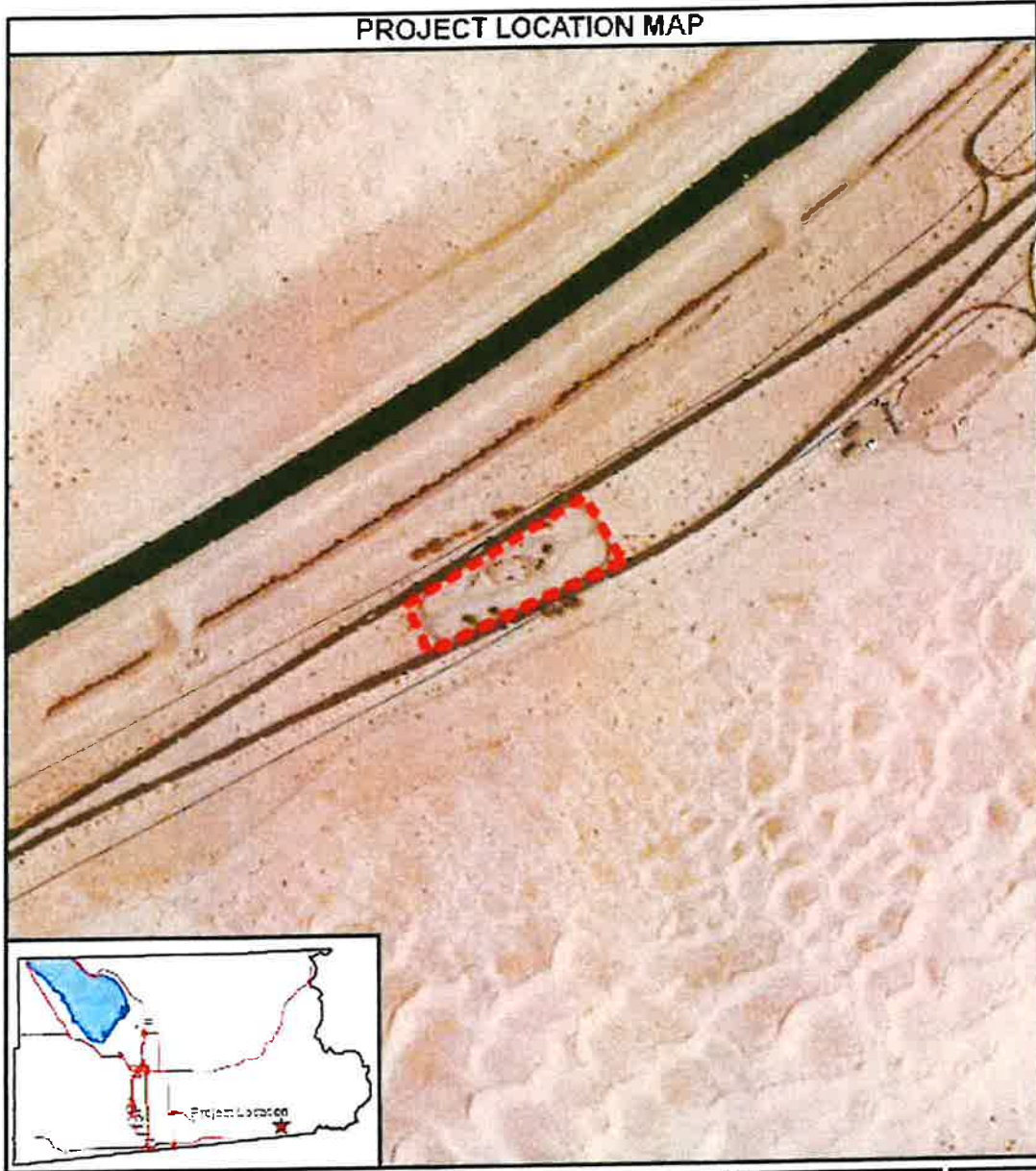
 Date:

EEC ORIGINAL PKG

PROJECT SUMMARY

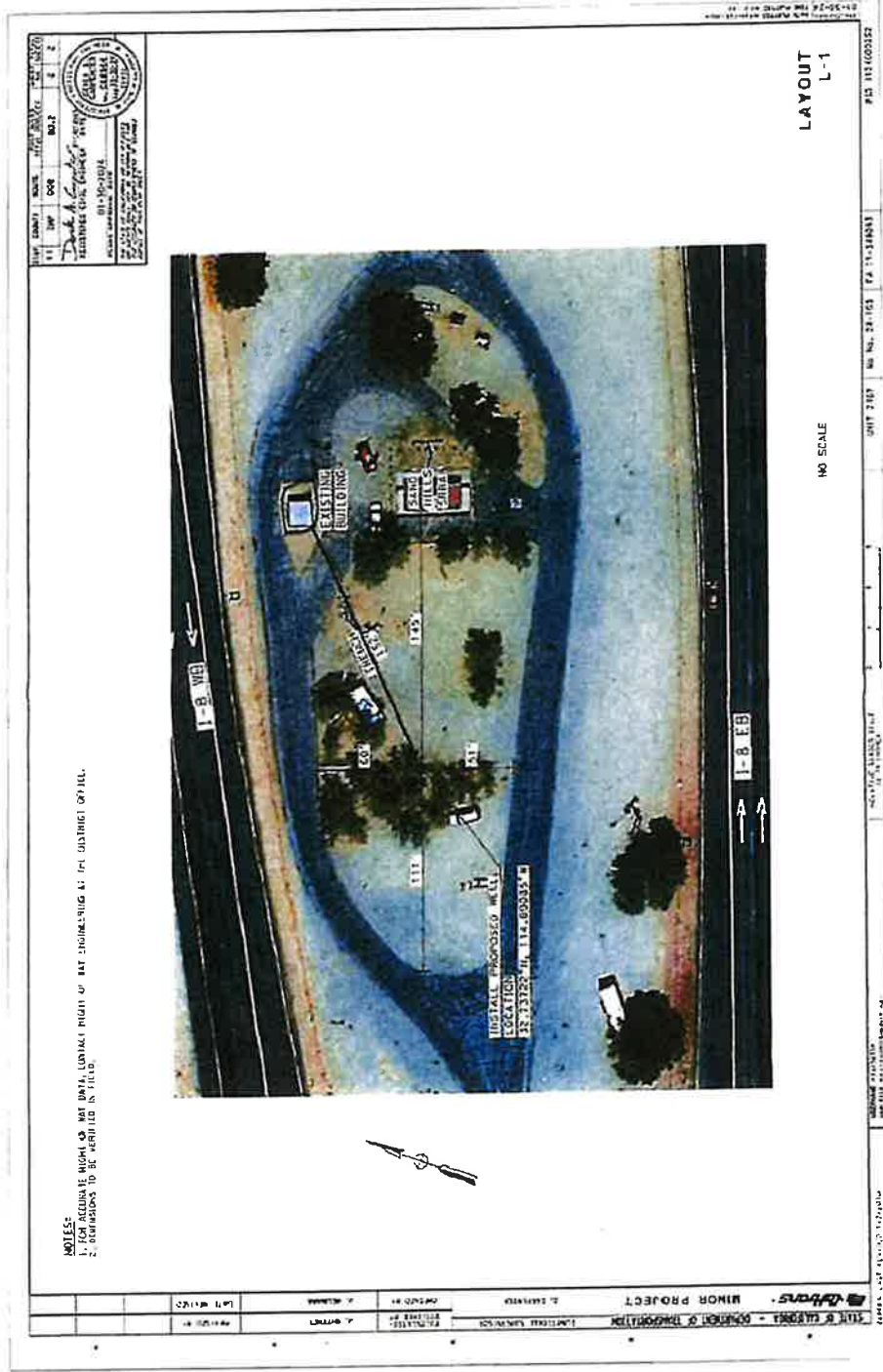
- A. Project Location:** The project site is situated entirely within the Interstate Right of Way, positioned between Route Freeway 8 and Kumeyaay Highway, commonly referred to as Sand Hills Rest Area, located on California I-8, exit 156 about 20 miles west of the Arizona State Line.
- B. Project Summary:** The California Department of Transportation, Caltrans, hereby requests the issuance of a Conditional Use Permit for the purpose of drilling, developing and maintaining a new water well at the Sand Hills Safety Roadside Rest Area. The proposed well will be located entirely within the Interstate Right of Way. The new well is intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The new well will serve to ensure health, safety and sanitary needs (ie. Restrooms) of the traveling public throughout the Interstate 8 corridor in Imperial County. The expected usage from the new well is anticipated to match the existing water well, around 1/2 acre-foot per year, with no planned increase in water extraction.
- C. Environmental Setting:** The proposed project is located within the Interstate Right of Way, between highways, surrounded by BLM land zone within land designated as Recreation/Open Space. The existing Rest Area is located near the Imperial Valley desert sand dunes, requiring no vegetation or land grading adjustments, thus maintaining its natural environmental setting.
- D. Analysis:** The proposed project is for the replacement of an existing, dilapidated and unrepairable water well that it has been used for Recreational uses over the years, e.g. Rest Area, and is it currently in use. The construction of the water well replacement will comply with California Well standards and will be subject to Division 21 (Water Well Regulations) and Division 22 (Groundwater Ordinance) of the Imperial County Land Use Ordinances (Title 9).
- E. General Plan Consistency:** The project is located within an area designated as Recreational/Open Space according to the General Plan, and the parcel is zoned S-2 (Open Space Preservation), BLM (Bureau of Land Management). The project could be considered consistent with the General Plan and the County Land Use Ordinance upon the approval of the proposed CUP.

Exhibit "A"
Vicinity Map



	<p>STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION CALTRANS CUP #24-0002 ADJACENT TO APN 056-220-016-000</p>		<p>N</p> 
---	---	---	--

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



EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

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

- a) Have a substantial adverse effect on a scenic vista or scenic highway?
a) The proposed project will be located west of the Townsite of Winterhaven between Kumeyaay Hwy and Freeway 8; however, the proposed facility is not located within the vicinity of a scenic highway. It is not designated as a scenic highway in the Imperial County General Plan Circulation and Scenic Highways Element (Imperial County 2008) nor is it identified on the California Scenic Highway Mapping System (Caltrans 2016). No scenic vistas or areas with high visual quality would be adversely affected by the development of the proposed projects. Any potential impacts would appear to be less than significant.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
b) The proposed project is not near a state scenic highway; therefore, it will not damage scenic resources including trees, outcropping, and historical buildings within a state scenic highway. No impact is expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
c) The proposed project is consistent with current zoning and land uses in the surrounding parcels with an approved conditional use permit. The site is zoned for recreation uses and has been previously impacted by those uses. Therefore, a less than significant impact is expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
d) The proposed project is for the replacement and operations of a commercial water well to supply a rest area. It is not expected that a new source of substantial light or glare would adversely affect day or nighttime views in the area. No impacts are expected

II. AGRICULTURE AND FOREST RESOURCES

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

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
a) The proposed project site is listed as "Area Not Mapped" located outside the survey boundary per the California Farmland Mapping & Monitoring Program: Imperial County Important Farmland 2018 Map³. Therefore, the proposed project will not convert any type of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impacts are expected.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
b) The County of Imperial has no current active Williamson Act contracts; therefore, the proposed project is not expected to conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impacts are expected.

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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 site is not zoned for, nor does it contain forest land or timber land. As such, the project would not impact forest or timberlands. No impact is expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? d) As previously stated under item (II)(c) above, 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? e) There is no existing farmland or forestland on or in the immediate vicinity. Development of the proposed project would not result in the loss or conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

iii. **AIR QUALITY**

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

a) Conflict with or obstruct implementation of the applicable air quality plan? a) The proposed project is for the replacement, construction and operations of a commercial water well to supply the rest area, and it is not expected to conflict with or obstruct implementation of the applicable air quality plan. Additionally, the consumption from the new well is expected to be approximately 1/2 of an acre foot per year. Per Imperial County Air Pollution Control District's comment letter²⁵ dated April 16, 2024, all construction activities must adhere to Regulation VIII, which is a collection of rules, designed to limit emissions of fugitive dust to 20% opacity. To be compliant with Air District rules, the drilling equipment used to construct the water well must meet the California Portable Equipment Registration Program (PERP) certifications or apply for certification from Air District. Adherence and compliance to ACPD's rules and regulations will bring any impacts to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? b) As previously stated under item (III)(a) above, the water well construction shall comply with the rules and regulations of the Imperial County Air Pollution Control District, therefore, it is not expected that the proposed project would substantially contribute to an existing or projected air quality violation. Therefore, any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutants concentrations? c) The proposed project is not expected to expose sensitive receptors to substantial pollutants concentrations during the construction of the commercial water well. However, any exposure would be temporary and would be lessened by adhering to Air Pollution Control District's rules and regulations. Compliance with APCD's requirements would bring any impacts to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? d) The proposed project is not expected to expose sensitive receptors to substantial pollutants concentrations. Furthermore, with the continued adherence to the ICACPD requirements as shown above, any impacts would remain at a level less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
a) The proposed project location is within a recreation zone area, already impacted by past general commercial and recreational uses. According to the Imperial County General Plan's Conservation and Open Space Element⁵, Figure 1 "Sensitive Habitat Map⁴," the project is not located within a sensitive habitat area. Additionally, in accordance to Figure 2 "Sensitive Species Map^{6b}," the project is located within the Flat-tailed Horned Lizard Species Distribution Model area. However, the proposed project does not expect to have any substantial physical changes to the environment as the proposed construction is to take place below ground level. Consequently, it does not appear to have a substantially adverse effect, either directly or through habitat modification, or to any species identified as a candidate, sensitive, or of special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service. Any future developments on site, the applicant shall contact ICPDS; therefore, any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
b) According to the Imperial County General Plan's Conservation and Open Space Element⁵, the project site is not within a sensitive or riparian habitat, or on other sensitive natural community. Additionally, the proposed water well is expected to be replaced for a new water well and is expected to be approximately 1/2 of an acre foot per year; therefore, it does not appear to have a substantial effect in local regional plans, policies, and regulations with respect to sensitive natural communities or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
c) According to the National Wetlands Inventory: Surface Waters and Wetlands Map⁷, the proposed project is not located within a riparian habitat, and which will not cause a substantial adverse effect on federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
d) The proposed project site is a replacement of a dilapidated and unrepairable well that currently exists at this location. As previously stated on item (IV)(b) above, the project site is not located within a Sensitive Habitat; therefore, it would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?
e) The proposed project does not conflict with any local policy or ordinance protecting biological resources, such as tree preservation policies or ordinances. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
f) The proposed project site is not located within a designated sensitive area according to the Imperial County General Plan's Conservation and Open Space Element⁵, 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
a) The proposed project site was previously used for general recreational uses, which is located within disturbed land the replacement of the water well will reach a depth of 350 feet, positioned centrally within the Rest Area to optimize functionality. The project will not appear to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 (Determining the Significance of Impacts to Archaeological and Historical Resources); Therefore, any impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
b) As mentioned under item a) above, the proposed is located on previously disturbed land and it is not likely that any historical, archaeological or human remains will be discovered. Therefore, any impacts would be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?
c) As mentioned under item a) above, the proposed project and facility is located on disturbed land zoned for commercial and recreation type uses and is not expected to directly or indirectly destroy a unique paleontological resource or unique geologic feature. Therefore, a less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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 intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The new well will serve to ensure the health, safety and sanitary needs of the traveling public throughout the Interstate 8 corridor in Imperial County. Therefore, it will not result in potentially significant environmental impact due to wasteful, insufficient, or unnecessary consumption of energy resources, during the project construction or operation. Any developments would require compliance with the latest edition of the California Building Code and a new building permit application with the Imperial County Planning and Development Services Department was already issued as an emergency permit. Therefore, a less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
b) As previously stated on item (VI)(a) above, the proposed project is for the replacement of an existing water well to supply the existing Rest Area with no changes to the existing zoning. Any developments would require compliance with the latest energy efficiency and renewable energy standards and regulations. Therefore, the proposed project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Directly or Indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:
a) The construction and replacement of the proposed water well does not appear to conflict with the geology and soil of adjacent parcels in the area. Any developments on the parcel will be subject to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

1) The proposed project is not located or near a known fault. The Quadrangle Official Map Effective January 1, 1990, does not indicate any active faults in or near the project area. The Algodones Fault is approximately 5 miles west of the proposed project site. Therefore, a less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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2) Strong Seismic ground shaking? 2) As previously stated on item (VII)(a)(1) above, the proposed project is located approximately five (5) a mile away west of the Algodones Fault, indicating seismic ground shaking is expected. An emergency building permit was issued for the construction of the water well with adherence to the latest edition of the California Building Code. The permit review didn't bring any mitigation measures, therefore less than significant impacts were expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction and seiche/tsunami? 3) The proposed project site is not located in a seiche/tsunami area per the California Tsunami Data Maps ¹³ . Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides? 4) According to Imperial County General Plan's Seismic and Public Safety Element ¹⁴ , "Landslide Activity Map ^{14a} ," Figure 2, the proposed project is located within a moderate landslide activity area. The topography within the proposed project site is generally flat. However, any developments on the parcel will be subject to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Construction of the water well replacement will comply with California Well standards and will be subjected to Division 21 (Water Well Regulations) and Division 22 (Groundwater Ordinance) of the Imperial County Land Use Ordinances (Title 9). A drill log will also be required from a California licensed well driller contractor during drilling operations. Therefore, less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? b) According to Imperial County General Plan's Seismic and Public Safety Element ¹⁴ , "Erosion Activity Map ^{14b} ," Figure 3, the proposed project is not located within an area of substantial soil erosion. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? c) The proposed project site is not located on a geological unit that would become unstable or collapse as a result of the proposed water well construction. Any construction will be subject to compliance with the latest edition of the California Building Code as well as going through a ministerial building permit review. Adherence and compliance to these standards and regulations would bring any impacts to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? d) The proposed project is not located on an expansive soil area. However, as previously stated on section (VII)(c), any new developments will require adherence and compliance to the California Building Code, standards and regulations, as well as to go through a ministerial building permit review which would bring any impacts to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? e) The proposed project is for the construction and replacement of a new water well to supply the Sand Hills Rest Area. The applicant and the water well driller shall ensure that the selected well drilling location maintains the appropriate setbacks from the approved septic system, which according to Title 8, Section 8.80.100 of Imperial County Ordinance, shall be located a minimum of 100 feet from the disposal area (leach lines) and 50 feet from the septic tank. Once the well is installed, the applicant will be required to conduct a water potability test to ensure the water meets potable standards. EHS has no comments at this time. Adherence and compliance with Imperial County Public Health Department, Division of Environmental Health standards and regulations would bring any impacts to less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? f) The proposed project is for the construction and replacement of a water well to supply The Sand Hills Rest Area. The proposed project does not appear to directly or indirectly destroy a unique paleontological resource or site of unique geologic feature on site as there are no known unique resources or features on site or records of. Additionally, an emergency permit for the construction of the water well was issued and no paleontological resources were found, therefore no impacts are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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expected.				
VIII. GREENHOUSE GAS EMISSION Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? a) The proposed replacement of the water well is located in an already disturbed land; therefore, the action is not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Additionally, as previously stated on item (III)(a) above, adherence and compliance to ACPD's rules and regulations will bring any impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The facility site was previously utilized for recreational uses. Therefore, less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 residential water well is not expected to create a significant hazard to the public or environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment as no hazardous materials are anticipated as part of the project. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? c) The proposed project does not anticipate the emitting of hazardous emissions, or the handling of hazardous or acutely hazardous materials, substance, or waste as previously stated on items (IX)(a) and (IX)(b) above; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? d) The proposed project is not located on a site included on a list of hazardous materials sites according to California Department of Toxic Substances Control EnviroStor¹⁶; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? e) The proposed project is not located within an airport land use plan per Imperial County Airport Land Use Compatibility Maps¹⁷; therefore, any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? f) The proposed replacement of the water well would not interfere with an adopted emergency response plan or emergency evacuation plan. The applicant will meet any requirements requested by the Fire/OES Department. No impacts are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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<p>expected.</p> <p>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? g) The proposed project site is located within an unincorporated Local Responsibility Area classified as LRA "Unzoned" per Cal Fire Draft Fire Hazard Severity Zones in LRA for Imperial County. Therefore, it is not expected that it would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impact is expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. HYDROLOGY AND WATER QUALITY Would the project:				
<p>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? a) The proposed project is for the replacement of an existing and dilapidated water well to supply Sand Hills Rest Area with a projected annual water extraction of half an acre foot per year (1/2) and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Any impacts are expected to be less than significant</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? b) As previously stated on item (X)(a) above, the proposed replacement of the water well anticipates an annual water extraction of half an acre foot per year (1/2) and does not expect to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Any impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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) Since the proposed project is located in an existing Rest Area, 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 or a stream or river or through the addition of impervious surfaces. Any impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>(i) result in substantial erosion or siltation on- or off-site; (i) According to Imperial County General Plan's Seismic and Public Safety Element¹⁴, "Erosion Activity Map^{14b}," Figure 3, the proposed project site is not located within an area of substantial soil erosion or siltation on- or off-site. Therefore, any impacts are expected to be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (ii) The proposed water well replacement 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 Department of Public Works rules and regulations would bring any impacts to less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or; (iii) The proposed project does not anticipate creating or contributing runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As previously stated on items (X)(c) and (X)(c)(ii) above, any proposed grading will require drainage review and approval from the Imperial County Public Works Department. Compliance with Imperial County Public Works Department standards would ensure that any runoff water impacts would be reduced to less than significant levels.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>(iv) impede or redirect flood flows? (iv) The proposed project is for the construction and operation of a water well replacement to supply the existing Sand Hills Rest Area and is not expected to impede or redirect flood flows. According to the Federal Emergency Management Agency (FEMA) Flood Map Service Center¹⁹, Flood Insurance Rate Map, the proposed project site is located within "Zone X" of flood map 06025C2200C, effective September 26, 2008. Therefore, compliance with ICDPW's standards regarding drainage would</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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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 recreational use in the area; therefore, impacts related to risk release of pollutants due to project inundation are considered to be low. Additionally, as previously stated on item (X)(c)(iv) above, the proposed project site is located within "Zone X" of flood map 06025C2200C. Compliance with ICDPW's standards would contribute to lowering any impacts to less than significant.
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?
e) The proposed project is for the annual extraction of half an acre-foot (1/2) of water from a proposed water well, which is not expected to conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. As previously stated on item (X)(c) above, the proposed project would require a grading letter approved by the Imperial County Public Works Department. Any impacts are expected to be less than significant.

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

- a) Physically divide an established community?
a) The proposed project is for the construction and replacement of the existing dilapidated and unrepairable water well at this location to supply the Sand Hills Rest Area, which would not physically divide an established community; therefore, it does not anticipate changing the existing land use designation and zoning established. No land use nor planning impacts are expected.
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?
b) The proposed project is consistent with the intent of the County General Plan, and the County's Land Use Ordinance. The project is not located in or conflicts with habitat conservation or natural community conservations area or plans. The proposed project is located in the Winterhaven area zoned for recreational uses and will not physically divide an established community. Therefore, less than significant 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 Element⁶, "Existing Mineral Resources Map^{6a}" Figure 8. No impacts are expected.
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
b) The proposed commercial water well will not result in the loss of availability of locally important mineral resources recovery site delineated on a local general plan, specific plan or other land use plan. No impacts are expected.

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

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
a) The proposed project is to replace the existing well. Construction activities are not expected to exceed applicable noise standards noises or expected to significantly increase the ambient noise level in the vicinity, due to their temporary nature. Therefore, a less than significant impacts are expected.
- b) Generation of excessive groundborne vibration or groundborne noise levels?
b) The proposed project is to replace the existing well; it is not expected to generate any excessive ground-borne vibration or noise. Therefore, a less than significant impact is expected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- 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?
 Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- c) **The proposed project is to replace the existing well; it is not within the vicinity of a private airstrip or an airport. No impact is 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)?
 Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- a) **The proposed project is to replace the existing dilapidated water well and does not appear to induce substantial population growth in the area, either directly or indirectly; therefore, no impact is expected.**
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
 Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- b) **The proposed project is to replace the existing dilapidated water well and it's located within a Recreational area. Therefore, it will not displace substantial numbers of exiting housing, necessitating the construction of replacement housing elsewhere; no impact is expected**

XV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- a) **The proposed project is to replace an existing water well and will not physically impact any local government facilities or require for a new or altered government facility for any possible required services for proposed water well; therefore, no impact is expected.**
- 1) Fire Protection? Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- 1) **An approved water supply capable of supplying the required fire flow consisting of underground pressure mains and hydrants was provided for the project; the issuance of an emergency building permit was completed for the construction and operation of a water well replacement to serve the existing Sand Hills Rest Area and the property in general, which will assist in the fire protection of the site. No impact is expected.**
- 2) Police Protection? Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- 2) **The project site is currently a Rest Area. The proposed water will not have an impact on police protection. Both the California Highway Patrol and sheriff's office have active patrol in the area as well. No impact is expected.**
- 3) Schools? Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- 3) **The project would not result in an increase in population or housing and would not require additional school services. The project site is not near any schools. No impact is expected.**
- 4) Parks? Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- 4) **The project would not result in an increase in population or housing and would not increase demand/use for local parks. No impact is expected.**
- 5) Other Public Facilities? Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)
- 5) **The project would not appear to put an increased burden on off-site public services, including existing fire, police, school and other governmental services. Therefore, no impact is expected.**

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
a) The proposed project is for the construction and operation of a water well replacement, to supply the existing Sand Hills Rest Area. Subsequently, the proposed water well would not increase the use of the existing neighborhood and regional parks or other recreational facilities; therefore, any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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) As mentioned above in XVI a); the proposed project is for the construction and operation of a water well replacement of an existing Rest Area and would not appear to include an expansion of recreational facilities; therefore, any impact is expected to be less than Significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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 replace the existing dilapidated water well; the applicant will comply with all applicable conditions and regulations with the County's circulation plan, land use ordinance, and transportation planning. No impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
b) The proposed project is for a water well replacement in an existing Rest Area. Therefore, it does not appear to impact any public transit, bicycle or pedestrian facility. No impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 project site is on a previously constructed site, Sand Hills Rest Area, and it is compatible with the Imperial County General Plan Land Use Designation. The new water well site design is not expected to increase hazards; therefore, no impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access?
d) All on-site traffic areas exist with at least all-weather access for fire protection vehicles. The proposed water well will not affect the existing emergency access. No impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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 construction and operation a water well replacement to serve the existing Sand Hills Rest Area, and the property in general is located on an existing disturbed site; the impacts appear to be less than significant for tribal cultural resources as defined in Public Resources Code Section 21074. Therefore, a less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
(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) The project would not appear to cause an adverse change in the significance of a tribal cultural resource. The property site has previously been impacted by general recreational uses allowed in the current zone. AB 52 letters have been sent out to the Quechan Tribe and Campo Band of Mission Indians for consultations. The County hasn't received any responses of the tribes, therefore, a less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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 impacted by the proposed water well replacement. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 project proposes to construct and operate a water well replacement to serve the existing Rest Area and the property in general. The property would utilize an onsite water well and septic system for water and sewer. No impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
b) The project proposes to construct and operate a water well replacement to serve the existing Sand Hills Rest Area, supplying the restrooms and the property in general. The applicant shall be required to pay all applicable fees and improvements associated with developing their project. No impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
c) The proposed project is to replace the existing water well; no change to the onsite wastewater treatment is proposed. No impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
d) The proposed project is to replace the existing water well; the project does not propose to increase the generation of solid waste. No impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
e) All proposed projects within the County shall contract with a licensed waste hauler for waste generated by the facility. Therefore, a less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <p>a) As previously stated on item (IX)(g) – “Hazards and Hazardous Materials” above, per Cal Fire “Fire Hazard Severity Zones in State Responsibility Areas – Imperial County¹⁸¹” adopted November 7, 2007, the proposed project site is located in an unincorporated Local Responsibility Area (LRA) adjacent to a Moderate Fire Hazard Severity Zone (MFHSZ) on the west. The proposed project is to construct and operate a replacement of a water well, that action does not appear to adversely affect either the existing operations on the property or impact infrastructure. Compliance with Imperial County Fire Department’s standards would bring any impacts to less than significant.</p> | | | | |
| b) | Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <p>b) As previously stated on item (XX)(a) above, the proposed project is a water well replacement to an already disturbed land, since the water well is underground no exacerbating wildfire risks are expected; therefore, no impacts are expected.</p> | | | | |
| c) | Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <p>c) The proposed project is to construct and operate a replacement of a water well, that action does not appear to adversely affect either the existing operations on the property or impact infrastructure. Therefore, a less than significant impact is expected.</p> | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <p>d) The project is located on flat and moderately sloped desert terrain. The proposed project is to construct and operate a replacement water well, that action does not appear to adversely affect the existing drainage. Therefore, a less than significant impact is expected.</p> | | | | |

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 Gov’t. 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.

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

IV. PERSONS AND ORGANIZATIONS CONSULTED

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

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planning Division Manager
- 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

- Quechan Indian Tribe
- Campo Band of Mission Indians Tribe
- Imperial Irrigation District (IID)
- City of Needles

(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 State Scenic Highway System Map
<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>
3. California Farmland Mapping & Monitoring Program: Imperial County Important Farmland Map 2018
<https://maps.conservation.ca.gov/DLRP/CIFF/>
4. Ocotillo/Nomirage Community Area Plan
<https://www.icpds.com/assets/planning/community-plans/ocotillo-nomirage-community-area-plan.pdf>
5. Imperial County Air Pollution Control District comment letter dated September 26, 2022
6. Imperial County General Plan: Conservation and Open Space Element
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
 - a) Figure 1: Sensitive Habitat Map
 - b) Figure 2: Sensitive Species Map
 - c) Figure 5: Areas of Heighten Historic Period Sensitivity Map
 - d) Figure 6: Known Areas of Native American Cultural Sensitivity Map
 - e) Figure 8: Existing Mineral Resources Map
7. National Wetlands Inventory: Surface Waters and Wetlands Map
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
8. Quechan Indian Tribe comment email dated September 13, 2022
9. Imperial Irrigation District comment letter dated September 27, 2022
10. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones
<https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C-110.920388%2C6.00>
11. California Department of Conservation: Fault Activity Map
<https://maps.conservation.ca.gov/cqs/fam/>
12. United States Geological Survey's Quaternary Faults Map
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>
13. California Tsunami Data Maps
<https://www.conservation.ca.gov/cqs/tsunami/maps>
14. Imperial County General Plan: Seismic and Public Safety Element
<https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>
 - a) Figure 2: Landslide Activity Map
 - b) Figure 3: Erosion Activity Map
15. Imperial County Division of Environmental Health comment email dated October 19, 2022
16. California Department of Toxic Substances Control: EnviroStor
<https://www.envirostor.dtsc.ca.gov/public/>
17. Imperial County Airport Land Use Compatibility Maps
<https://www.icpds.com/planning/maps/airport-land-use-compatibility-maps>
18. Cal Fire: Fire Hazard Severity Zones Maps – Imperial County
https://osim.fire.ca.gov/media/6680/lhszs_map13.pdf
19. Federal Emergency Management Agency (FEMA) Flood Map Service Center: Flood Insurance Rate Map
<https://msc.fema.gov/portal/search?AddressQuery=851%20pitzer%20road%20heber%20ca#searchresultsanchor>
20. Imperial County General Plan: Noise Element
<https://www.icpds.com/assets/planning/noise-element-2015.pdf>
21. California Historic Resources: Imperial County
<https://ohp.parks.ca.gov/ListedResources/?view=ccounty&criteria=13>
22. Imperial Valley Desert Museum comment letter dated October 28, 2022
23. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
24. County Executive Office (CEO) Comment letter received April 11, 2024
25. Air Pollution Control District (APCD) comment letter received April 16, 2024.

NEGATIVE DECLARATION – County of Imperial

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

Project Name: Conditional Use Permit (CUP) #24-0002 / Initial Study #24-0013
California Department of Transportation (CALTRANS)

Project Applicant: State of California Department of Transportation (CALTRANS)

Project Location: Sand Hills Safety Roadside Rest Area, the project site is situated entirely within the Interstate Right of Way, positioned between Route Freeway 8 and Kumeyaay Highway, commonly referred to as Sand Hills Rest Area, located on California I-8, exit 156 about 20 miles west of the Arizona State Line.

Description of Project: The California Department of Transportation, Caltrans, hereby requests the issuance of a Conditional Use Permit for the purpose of drilling, developing and maintaining a new water well at the Sand Hills Safety Roadside Rest Area. The proposed well will be located entirely within the Interstate Right of Way. The new well is intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The new well will serve to ensure the health, safety and sanitary needs of the traveling public throughout the Interstate 8 corridor in Imperial County and the consumption from the new well is expected to be approximately 1/2 of an acre foot per year.

VI. 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.

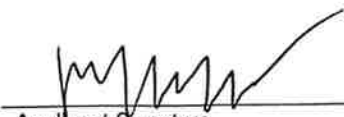
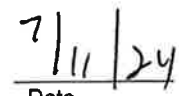
If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services 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 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

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)

COMMENT LETTERS

EEC ORIGINAL PKG


COUNTY EXECUTIVE OFFICE

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



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

April 11, 2024

TO: Rocio Yee, Planning and Development Services Department
FROM: Rosa Lopez-Solis, Executive Office 
SUBJECT: Comments – Caltrans - APN 056-220-016-000

The County of Imperial Executive Office is commenting on Caltrans - APN 056-220-016-000 project. The Executive Office would like to inform the developer of conditions and responsibilities should the applicant seek a Conditional Use Permit (CUP). The conditions commence prior to the approval of an initial grading permit and subsequently continue throughout the permitting process. This includes, but not limited to:

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

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

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

EEC ORIGINAL PKG

AIR POLLUTION CONTROL DISTRICT



April 16, 2024

RECEIVED

By Imperial County Planning & Development Services at 9:30 am, Apr 17, 2024

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

SUBJECT: Conditional Use Permit 24-0002 Sand Hills Safety Roadside Rest Area Water Well
- Caltrans

Dear Mr. Minnick,

The Imperial County Air Pollution Control Districts (Air District) thanks you for the opportunity to comment on the Conditional Use Permit (CUP) 24-0002 (Project). The project would allow the drilling, development, and operation of a new water well to replace an existing unrepairable well located at the Sand Hills Safety Roadside Rest Area along Interstate 8 and adjacent to Assessor's Parcel Number 056-220-016.

The Air District reminds the applicant the project must comply with all Air District rules and regulations and the Air District would emphasize Regulation VIII – Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity. To be compliant with Air District rules the drilling equipment used for the well must meet the California Portable Equipment Registration Program (PERP) certifications or apply for a permit directly from the Air District. Should the project operate using combustion equipment such as a generator, it may be subject to Air District permitting requirement and the applicant must submit an application for engineering review of the project to the Air District.

The Air District requests a copy of the draft CUP prior to recording for review.

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

Respectfully,

CUP#24-0002
APPLICATION

EEC ORIGINAL PKG

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (442) 265-1736

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

1. PROPERTY OWNER'S NAME <i>State of California</i>	EMAIL ADDRESS <i>Dwebbinc@yahoo.com</i>	
2. MAILING ADDRESS (Street / P O Box, City, State) <i>4050 Taylor St. San Diego CA</i>	ZIP CODE <i>92110</i>	PHONE NUMBER <i>760 401-2034</i>
3. APPLICANT'S NAME <i>D. Webb, Inc.</i>	EMAIL ADDRESS <i>Dwebbinc@yahoo.com</i>	
4. MAILING ADDRESS (Street / P O Box, City, State) <i>P.O. Box 1982 Yuba Valley CA</i>	ZIP CODE <i>92286</i>	PHONE NUMBER <i>760 401-2034</i>
4. ENGINEER'S NAME <i>Derek Carpenter</i>	CA. LICENSE NO. <i>C88944</i>	EMAIL ADDRESS <i>Derek.Carpenter@dot.ca.gov</i>
5. MAILING ADDRESS (Street / P O Box, City, State) <i>4050 Taylor St. San Diego, CA</i>	ZIP CODE <i>92110</i>	PHONE NUMBER <i>619-572-8010</i>
6. ASSESSOR'S PARCEL NO. <i>N/A</i>	SIZE OF PROPERTY (in acres or square foot) <i>N/A</i>	ZONING (existing) <i>N/A</i>
7. PROPERTY (site) ADDRESS <i>I-8 @ MP 80.2 ~ 32.73722° N, 114.89085° W</i>		
8. GENERAL LOCATION (i.e. city, town, cross street) <i>Sand Hills State Route Rest Area</i>		
9. LEGAL DESCRIPTION <i>N/A ~ I-8 @ MP 80.2</i>		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	<i>Sand Hills State Route Rest Area</i>
11. DESCRIBE CURRENT USE OF PROPERTY	<i>Slump ~ Sand Hill Rest Area</i>
12. DESCRIBE PROPOSED SEWER SYSTEM	<i>N/A</i>
13. DESCRIBE PROPOSED WATER SYSTEM	<i>Well</i>
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	<i>N/A</i>
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE?

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

David Webb for Customs *2/24/24*
 Print Name _____ Date _____
 Signature _____
 Print Name _____ Date _____
 Signature _____

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY: _____ <i>RY</i>	DATE <i>03/01/24</i>	REVIEW / APPROVAL BY OTHER DEPT'S required
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P W
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E H S
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> G. E. S.

CUP #
24-0002

EEC ORIGINAL PKG

Rocio Yee

From: David Webb <dwebbinc@yahoo.com>
Sent: Monday, March 11, 2024 2:25 PM
To: planninginfo; Rocio Yee
Cc: David Webb
Subject: CUP24-0002 - Project Description

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

The California Department of Transportation, Caltrans, hereby requests the issuance of a Conditional Use Permit for the purpose of drilling, developing and maintaining a new water well at the Sand Hills Safety Roadside Rest Area. The proposed well will be located entirely within the Interstate Right of Way. The new well is intended to replace the existing dilapidated and unreparable well that currently exists at this location. The new well will serve to ensure the health, safety and sanitary needs of the traveling public throughout the Interstate 8 corridor in Imperial County.

Thank you,
David Webb
D. Webb, Inc.

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 San Diego California on 2/24, 2024

APPLICANT

Name: D. Webb, Inc.

By David Webb

Title President

Mailing Address:

P.O. Box 1982
Yuma Valley CA 92286

REAL PARTY IN INTEREST (If different from Applicant)

Name David Webb for Cultivos

By David Webb

Title Agent

Mailing Address:

P.O. Box 1982
Yuma Valley CA 92286

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

S:\FORMS_LISTS\General Indemnification FORM 041516.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1738 FAX: (442) 265-1735 E-MAIL: planning@co.imperial.ca.us

EEC ORIGINAL PKG



Jim Minnick
DIRECTOR

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

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

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

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

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

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY: _____

DATE: _____

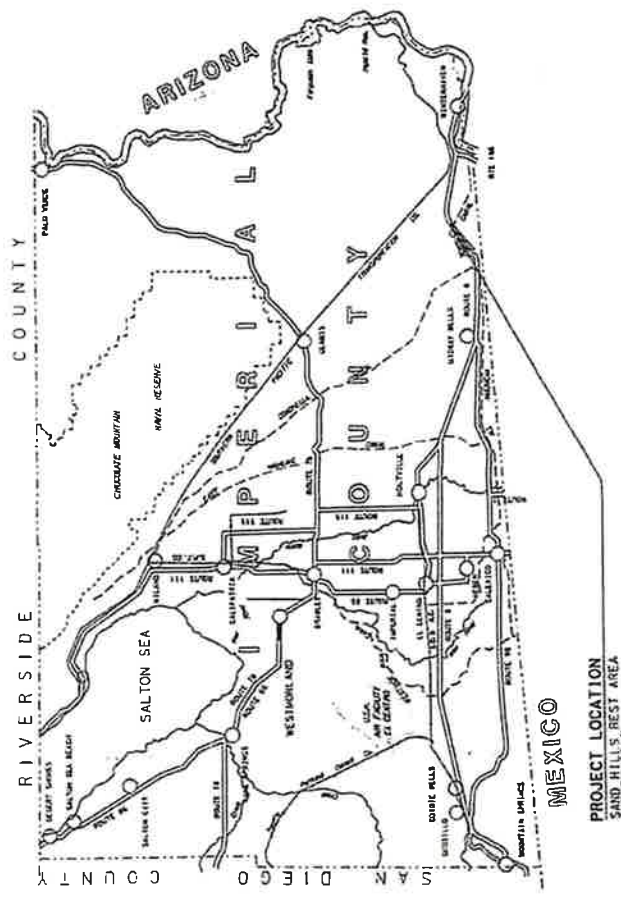
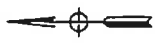
2/24/24

EEC ORIGINAL PKG

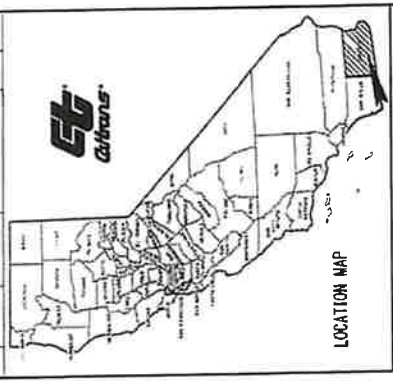
INDEX OF PLANS
 1 TITLE SHEET
 2 LAYOUT

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PLANS FOR CONSTRUCTION ON
 STATE FACILITY
 IN IMPERIAL COUNTY ALONG ROUTE 8
 AT THE SAND HILLS SRRA

TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2023



STATE	COUNTY	ROUTE	DOB	PROJECT NO.
11	IMP	80-2		1 2



DESIGNED BY: JASON W. WILSON
 CHECKED BY: GUYTON A. CARPENTER
 DATE: 01-20-2024

CONTRACT NO. 11-
 PROJECT ID 1124000232
 UNIT 2767 MC No. 24-1E3 EA 11-2AR663 PID 1124000232

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE NOTICE TO BIDDERS.

NO SCALE

EEC ORIGINAL PKG

DATE	SCALE	NO.	REVISED	BY
11	IMP	003	001.2	2
David H. Cooper REGISTERED CIVIL ENGINEER DATE: 01-20-2024 EXPIRES: 12-31-2024 FLORIDA PROFESSIONAL SEAL				

NOTES:
 1. FOR ACCURATE RIGHT OF WAY DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.
 2. DIMENSIONS TO BE VERIFIED IN FIELD.



LAYOUT
 L-1

NO SCALE

DESIGNED BY	DATE	REVISION
A. KUMAR	11/11/2023	
CHECKED BY	DATE	REVISION
A. KUMAR	11/11/2023	

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 MINOR PROJECT
 EEC ORIGINAL PKG

PROJECT NUMBER: 774
 UNIT: 2757
 NO. 144, 25-103
 EA: 11-3AB003
 I.D. 1124000232

District EA Number 11-3A8064 RQS Number _____

1. This Agreement is entered into between the State Agency and the Contractor named below:
 STATE AGENCY'S NAME: California Department of Transportation (Caltrans)

CONTRACTOR'S NAME
D. Webb, Inc

2. The term of this Agreement is: 01/22/2024 through 01/22/2025 3. The maximum amount of
 Estimate of Working Days: 60 Working Days this Agreement is: \$ 380,000.00

4. Contractor agrees to furnish all labor, equipment and materials, proof of license, and insurance to perform emergency work described below:

County	Imperial
Route(s)	B
Post Mile(s)	80.2
Scope of Work	Replace water well system at the Sand Hills Safety Roadside Rest Area.
<input type="checkbox"/> Additional Pages Attached	

5. The parties agree to comply with the terms and conditions of the following documents, which are by this reference made a part of the Agreement

- Caltrans EFA Terms and Conditions Can be viewed at: <https://dot.ca.gov/programs/procurement-and-contracts/contractor-resources>
- Contractors Certification Clause (CCC) 04/2017 Can be viewed at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>
- List of Labor Compliance Offices Can be viewed at: <https://dot.ca.gov/programs/construction/labor-compliance>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

6. _____ CONTRACTOR

CONTRACTOR'S NAME D. Webb, Inc.

BY (Authorized Signature) _____ DATE SIGNED 1-22-24

PRINTED NAME AND TITLE OF PERSON SIGNING David Webb - President BUSINESS PHONE NUMBER (760) 401-2034

ADDRESS P.O. Box 1982 Yucca Valley CA 92286

SB/DVBE No Yes, Certification No. 1752812 DIR Registration No. 100015969 CSLB License No. 794667

Federal Identification Number (FEIN) 75-2983069 Email DWebb@yucca-valley.com

Required Attachments STD 204 Iran Contracting Act (if \$1 Million or over) ADM-2046 Payment Bond Insurance Certificates ADM-4015

CA Civil Rights Laws Certification (if \$100,000 or over) ADM-3023 ADM-4012 Darfur Contracting Act Certification ADM-0227F

7. _____ CALTRANS

DIVISION NAME Maintenance - Lands & Buildings DISTRICT NUMBER 11

BY (Contract Manager Signature) _____ DATE SIGNED 1-22-24

PRINTED CALTRANS CONTRACT MANAGER NAME Jodi Nelmark BUSINESS PHONE NUMBER (619) 857-4332

ADDRESS 4050 Taylor Street MS 221, San Diego, CA 92110 Does this service utilize Environmental Preference Purchasing? YES NO

8. _____ FUNDING

SOURCE UNIT	PROJECT ID	PHASE	OBJECT CODE	AMOUNT	FISCAL YEAR
2767	1124000232	4	040	\$380,000.00	23/24

AGENCY BILLING CODE	FUND TITLE	BUDGET ITEM	FUND CHAPTER	STATUTE	FUND SOURCE
060121					

I CERTIFY upon my own knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

PRINTED NAME _____ ACCOUNTING OFFICER SIGNATURE _____ DATE SIGNED _____ PHONE NUMBER ()

9. _____ DPAC

BY (Contract Officer Signature) _____ DATE SIGNED _____

PRINTED CONTRACT OFFICER NAME _____ BUSINESS PHONE NUMBER ()

ADA Notice This document is available in alternative accessible formats. For more information, please contact the Forms Management Unit at (279) 234-2284, TTY 711, in writing at Forms Management Unit, 1120 N Street, MS-89, Sacramento, CA 95814, or by email at Forms.Management.Unit@dot.ca.gov

EEC ORIGINAL PKG

EMERGENCY FORCE ACCOUNT CONTRACT REQUIREMENTS (State and Federal)

1. The Contractor agrees to provide all labor, materials, tools, equipment and incidentals necessary to perform work described in Section 4 of the ADM-4043 EFA Agreement in accordance with the documents referenced in Section 5 of this Agreement. Contractor will not be paid for any work unless and until Caltrans Division of Procurement and Contracts has approved the Agreement.
2. Contractor agrees to perform not less than 50 percent of the total contract cost with its own company/organization.
3. A Disabled Veteran Business Enterprise (state funded Agreements) or Disadvantaged Business Enterprise (Federal-funded Agreements) Participation Goal of up to 5 percent is encouraged for the work to be performed.
4. Contractor will perform the work on a "time and materials" basis in accordance with the terms and conditions contained in Section 9-1.04 "Force Account" of the 2023 Standard Specifications except the markup rates on labor, materials and equipment rental in Sections 9-1.04B "Labor," 9-1.04C "Materials" and 9-1.04D "Equipment Rental" which are superseded as follows:
 Prime Contractor: 21 percent markup applied to direct costs for labor, materials and equipment rental. Non-Specialist Subcontractor: 21 percent markup applied to direct costs for labor, materials and equipment rental. Specialist Subcontractor: No markup. In addition to these markups, a 10 percent markup will be added to the total cost of the work performed by specialist and non-specialist Subcontractors. This markup will be full compensation to the Contractor for administration and oversight of work performed by Subcontractors.
5. Contractor must pay prevailing wages in compliance with Section 7, "Legal Relations and Responsibility to the Public," of the 2023 Standard Specifications. Upon request, Contractor must provide certified copies of payroll records.
6. Caltrans may alter, cancel, reduce or change the Scope of Work described in Section 4 of the ADM-4043 EFA Agreement.
7. Except as otherwise provided, all work must be performed in accordance with the 2023 Standard Specifications. The terms of this Agreement shall supersede any conflicting provisions of the 2023 Standard Specifications. All references to Engineer shall mean the Contract Manager under this Agreement.
8. Contractor must hold an appropriate license issued by the California Contractors State License Board. If the work requires a specialty class license, such license must be issued to and held by Contractor or the Subcontractor performing such work. Contractor shall ensure all Subcontractors have appropriate licenses for the work being performed under this Agreement.
9. Contractor must furnish a payment bond, as described in Section 3-1.05, "Contract Bonds" of the 2018 Standard Specifications equal to 100 percent of the project cost and maintain the original payment bond until full payment is rendered to the Contractor. A performance bond will not be required.
10. Caltrans reserves the right to terminate the work contemplated under this Agreement prior to the fully executed Agreement. Total compensation for Contractor's work performed and accepted by Caltrans will be pursuant to Section 8-1.14E, "Payment Adjustment for Termination," of the 2023 Standard Specifications.
11. Contractor must maintain the following insurance during the work performed under this Agreement:
 - A. Workers' Compensation Insurance. Limits of:
 1. \$1,000,000 for each accident for bodily injury by accident
 2. \$1,000,000 policy limit for bodily injury by disease
 3. \$1,000,000 for each employee for bodily injury by disease
 - B. General Liability and Umbrella or Excess Liability insurance. Coverage for premises, operations, mobile equipment, explosion, collapse, underground hazards, personal injury, contractual-liability and broad form property damage (including completed operations) with the following minimum limits:
 Contracts ≤ \$1 million: \$1 million for each occurrence; \$2 million aggregate for products and completed operation; \$2 million general aggregate; and \$5 million umbrella or excess liability.
 Contracts > \$1 million and ≤ \$10 million: \$1 million for each occurrence; \$2 million aggregate for products and completed operation; \$2 million general aggregate; and \$10 million umbrella or excess liability.
 Contracts > \$10 million and ≤ \$25 million: \$2 million for each occurrence; \$2 million aggregate for products and completed operation; \$4 million general aggregate; and \$15 million umbrella or excess liability.
 Contracts > \$25 million: \$2 million for each occurrence; \$2 million aggregate for products and completed operation; \$4 million general aggregate; and \$25 million umbrella or excess liability.
 - C. Automobile insurance for owned, hired and non-owned vehicles. Minimum of \$1 million combined single-limits for each accident resulting in bodily injury and/or property damage and the Umbrella or Excess coverage in Section B above.

Limits	Contracts ≤\$1 million	Contracts >\$1 million and ≤\$10 million	Contracts >\$10 million and ≤\$25 million	Contracts >\$25 million
each occurrence	\$1 million	\$1 million	\$2 million	\$2 million
aggregate for products and completed operation	\$2 million	\$2 million	\$2 million	\$2 million
general aggregate	\$2 million	\$2 million	\$4 million	\$4 million
umbrella or excess liability	\$5 million	\$10 million	\$15 million	\$25 million

12. Contractor shall pursue completion of the work with diligence and without undue delay. The working days estimated in Section 2 of the ADM-4043 EFA are an approximation, and the estimate is not an express nor implied promise regarding the actual contract duration. Contractor is expected to complete the work as soon as reasonably possible.

EMERGENCY FORCE ACCOUNT CONTRACT REQUIREMENTS (State and Federal) Continued

13. Section 9-1.05, "Extra Work Performed by Specialists," of the 2023 Standard Specifications will not apply to the work. Contractor and all Subcontractors retained before or after contract execution, must itemize all labor, material, and equipment rental costs, and will not be deemed specialists unless Contractor or available Subcontractors on site are not capable of performing the specialty work and it is not the special service industry's established practice to provide cost itemization. The Engineer may approve for non-itemized specialist billing work required to be performed at an off-site manufacturing plant or machine shop. To obtain approval as a specialist, Contractor must obtain the Engineer's prior written approval for all specialty work and in such case, Caltrans will accept the non-itemized invoices for specialty work performed, at current market rates. If approval is not granted before any specialty work begins, Contractor or Subcontractor must itemize labor, material, and equipment rental costs as required by Section 9-1.04, "Force Account," of the 2018 Standard Specifications.
14. Contractor shall comply with all applicable Federal and state labor laws pertaining to prevailing and minimum wage rates.
15. Contractor shall defend, indemnify, and save harmless Caltrans, including its officers, directors, employees, and agents from any and all claims, demands, causes of action, damages, costs, expenses, actual attorneys' fees, losses or liabilities, in law or in equity arising out of or in connection with Contractor's work under this Agreement for bodily injury, sickness, disease, emotional injury or death and property damage in accordance with the provisions of Section 7-1.05, "Indemnification" of the 2018 Standard Specifications.
16. Contractor or Subcontractor shall not be awarded a public works contract unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code section 1725.5. The contract is subject to compliance monitoring and enforcement by the DIR. Reference <http://www.dir.ca.gov/Public-Works/SB854.html> for additional information.
17. Contractor must post job site notices as required by Title 8 California Code of Regulations §16451(d).

CONTRACTOR INSTRUCTIONS

1. Contractor shall thoroughly review:
 - Scope of Work
 - Caltrans EFA Terms and Conditions (<https://dot.ca.gov/programs/procurement-and-contracts/contractor-resources>)
 - Contractors Certification Clause (CCC) 04/2017 (<https://www.dgs.ca.gov/OLSR/Resources/Page-Content/Office-of-Legal-Services-Resources-List/Folder/Standard-Contract-Language>)
 - List of Labor Compliance Offices (<https://dot.ca.gov/programs/construction/labor-compliance>)
2. Contractor shall ensure it meets all licenses, registrations, certifications requirements (including, but not limited to, Small Business/Disabled Veteran Business Enterprise (SB/DVBE) Certification, Disadvantaged Business Enterprise (DBE) Certification, Department of Industrial Relations registration, and Contractors State License Board required license) and can provide required insurance coverages and endorsements, and payment bond.
3. Contractor shall sign and submit ADM-4043 EFA to Caltrans Contract Manager or designee.
4. Work may start once the Contractor and Caltrans Contract Manager or designee have signed the ADM-4043 EFA and Contractor has received notification by the Contract Manager to proceed.
5. Contractor shall submit all required documents listed below to the Contract Manager or designee as soon as possible for execution of the Agreement and payment of invoices:
 - Payment Bond
 - Insurance Certificate
 - Payee Data Record (STD 204)
 - Iran Contracting Act (if \$1 million or over)
 - Statistical Data Sheet (ADM-3023)
 - Emergency Construction Contract Requirements (ADM-4012)
 - Small Business Questionnaire (ADM-2046)
 - Certified DVBE Summary (ADM-4015)
 - Disadvantage Business Enterprise (DBE) Information (ADM-0227F)
 - CA Civil Rights Laws Certification (if \$100,000 or over)
 - Darfur Contracting Act Certification

Documents are available for review and print at:
<https://dot.ca.gov/programs/procurement-and-contracts/efa-efb-contract-information>

CALTRANS CONTRACT MANAGER INSTRUCTIONS

1. ADM-4043 EFA

- **Caltrans Contract Manager** Completes District EA#, RQS#, and Sections 1,2,3,4,5 and 7
Submits ADM-4043 EFA forms and applicable attachments to DPAC using:
EFA-ELB.Contract.Submittal@dot.ca.gov
- **Contractor** Completes Section 6 and provides all applicable attachments
- **District/Division Resource Manager** District Director's Approval (above \$333,000) or Director's Order with approvals/signatures
- **DPAC** Conflict of Interest and Confidentiality Statement Certification (ADM-3080)

2. ADM-4043 EFA DOCUMENT CHECKLIST

Complete this checklist to confirm the items in the ADM-4043 EFA package.

- Completed and signed form ADM-4043 EFA (Sections 1, 2, 3, 4, 5, 6, 7 and 8)
- All required documents listed in Section 6 of ADM-4043 EFA
- District Director's Approval or Director's Order with approvals/signatures (\$333,000 or less)
- Conflict of Interest (if dollar amount is \$100,000 or over)
- Contract Manager Training Certificate

3. ADM-2009 ORIGINAL PAYMENT BOND

It is the responsibility of the Contract Manager to collect and maintain in their files the 'original' Payment Bond submitted to them by the Contractor when awarded the contract. The Contract Manager must keep the 'original' payment bond in their files until final payment for services has been received and confirmed by the Contractor. The Contract Manager must provide the Division of Procurement and Contracts (DPAC) with a scanned copy of the bond with the contract request and must provide the original payment bond to DPAC upon request.

ATTACHMENT "G"
COMMENT LETTERS

AIR POLLUTION CONTROL DISTRICT



RECEIVED

By Imperial County Planning & Development Services at 7:59 am, Aug 15, 2024

August 8, 2024

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

SUBJECT: Notice of Intent for a Negative Declaration for Conditional Use Permit 24-0002 - Caltrans

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) would like to thank you for the opportunity to review and comment the Notice of Intent (NOI) for a Negative Declaration (ND) for Conditional Use Permit 24-0002 (Project). The project would allow the drilling, development, and operation of a new water well to replace an existing unrepairable well located at the Sand Hills Safety Roadside Rest Area along Interstate 8 and adjacent to Assessor's Parcel Number 056-220-016.

The Air District previously provided comments for the project in a letter dated April 16, 2024, and will restate its comments reminding the applicant that the project must comply with all Air District rules and regulations and emphasizes Regulation VIII, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity. The drilling equipment used for the well must meet the California Portable Equipment Registration Program (PERP) certifications or apply for a permit from the Air District. Should the project operate combustion equipment the applicant should submit an application for engineering review. Finally, the Air District requests a copy of the draft CUP prior to recording for review.

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

Respectfully,

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

Ismael Garcia
Environmental Coordinator

Reviewed electronically by,
Monica Soucier
APC Division Manager