

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE January 22, 2025

FROM: PLANNING AND DEVELOPMENT SERVICES

AGENDA TIME 9:00 AM/NO.5

PROJECT TYPE: Grand Vista Ranch LLC
(CUP #24-0003) SUPERVISOR DIST: #4

LOCATION: 4097 US Hwy 86 APN: 040-420-020-000
Brawley, CA 92227 PARCEL SIZE: +/- 13 Acres

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

ZONE (existing) A-2 (General Agriculture) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 01/22/2025

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: 08/22/2024

INITIAL STUDY: #24-0005

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

REQUESTED ACTION:

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

- 1. ADOPT THE MITIGATED NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND**
- 2. APPROVE THE ATTACHED RESOLUTION AND SUPPORTING FINDINGS, FOR CONDITIONAL USE PERMIT (CUP) #24-0003 SUBJECT TO ALL THE CONDITIONS AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CONDITIONAL USE PERMIT UPON RECEIPT FROM THE PERMITTEE.**

STAFF REPORT
Planning Commission Meeting
January 22, 2025

Project Name: **Conditional Use Permit #24-0003**

Applicant: **Grand Vista Ranch, LLC**
4097 Hwy 86 (SR-86)
Brawley, CA 92227

Project Location:

The project is located at 4097 Us Hwy 86, Brawly, Ca 92227. The parcel is identified as Assessor's Parcel Number 040-420-020-000 and is legally described as POR TR 106 14-13/14 16AC SE OF CENTRAL MAIN EXC POR IN HWY 86, S.B.B.M., in the unincorporated area of the County of Imperial.

Project Summary:

The applicant Grand Vista Ranch, LLC proposes a special event center located on approximately 7 acres on the southern portion of an approximately 13 acres parcel that also contains a home and accessory building on the north 6 acres. The project expects to host up to 300 guests per event for up to 59 events per year consisting of weddings, birthday parties, fundraisers and other similar private events. The project proposes holding events in outdoor and indoor settings, with the outdoor events utilizing pop-up shades/tents and indoor events are proposed to be held in 2 proposed barns which are to be phased in based on the success of the initial outdoor event phase. The event center may supply tables, tablecloths, chairs, dishes, utensils, decorations and entertainment as needed. Events will have varying start times but will end at 12 am and clean up after the event is expected to be completed within 2 days following the event. Waste disposal for events will be handled through adequate trashcans, which will be removed by a commercial waste hauler, and wastewater would be handled through portable lavatories which will be pumped out by a licensed septage hauler.

The project site will be fully covered with Bermuda grass including parking and driveways within the event center site to control fugitive dust due to foot and vehicle traffic. Ingress and egress for the events will be from the existing southern driveway on the property, which will be paved to meet current Caltrans standards. The northern driveway is ingress only and to be used only for the existing home on the northern portion of the property.

Land Use Analysis:

The proposed project area is located within the County’s General Plan designation of “Agriculture.” The project site is currently zoned A-2 under the County Land Use Ordinance, Title 9, Division 5, Section 90508.00 and Zone Map #13. The proposed project could be found consistent with the County Land Use Ordinance, specifically, Section 90508.02 “Uses Permitted Only with a Conditional Use Permit” for a “Special Occasion Facility”.

SURROUNDING LAND USES, ZONING AND GENERAL PLAN DESIGNATIONS:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Agricultural field and single-family home and accessory structures	A-2	Agriculture
North	Austin Road, Central Main Canal, Ag field, and single-family home	A-2	Agriculture
South	Agricultural Field	A-2	Agriculture
East	Highway 86 and Agricultural fields	Rancho Los Lagos SPA	Specific Plan Area
West	Austin Road, Central Main Canal, and Agricultural Field	A-2 / A-2-R	Agriculture

Environmental Review:

The proposed project was environmentally assessed and reviewed by the Environmental Evaluation Committee. The Committee consists of a seven (7)-member panel, which are the Director of Environmental Health Services, Imperial County Fire Chief, Agricultural Commissioner, Air Pollution Control Officer, Director of the Department of Public Works, Imperial County Sheriff, and Director of Planning and Development Services. The EEC members have the principal responsibility for reviewing CEQA documents for the County of Imperial. The EEC reviewed the project on August 22, 2024, and recommended a Negative Declaration.

The Negative Declaration was publicly circulated from August 27, 2024, to September 20, 2024, where a comment letter was received from the California Department of Fish and Wildlife recommending mitigation measures that were accepted and added to the

environmental document. The revised Mitigated Negative Declaration was then publicly circulated from November 22, 2024, to December 27, 2024.

Staff Recommendation:

It is recommended that the Planning Commission conduct a public hearing, that you hear all the opponents and proponents of the proposed project. Staff would then recommend that the Planning Commission approve Conditional Use Permit #24-0003, by taking the following actions:

1. Adopt the Mitigated Negative Declaration by finding that the proposed project would not have a significant effect on the environment; and
2. Approve the attached Resolution and supporting findings, for Conditional Use Permit (CUP) #24-0003 subject to all the conditions and authorize the Planning & Development Services Director to sign the Conditional Use Permit upon receipt from the Permittee.

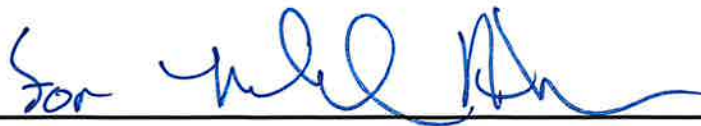
Prepared By: Derek Newland, Planner III



Reviewed By: Michael Abraham, AICP, ICPDS Assistant Director



Approved By: Jim Minnick, Planning & Development Services Director



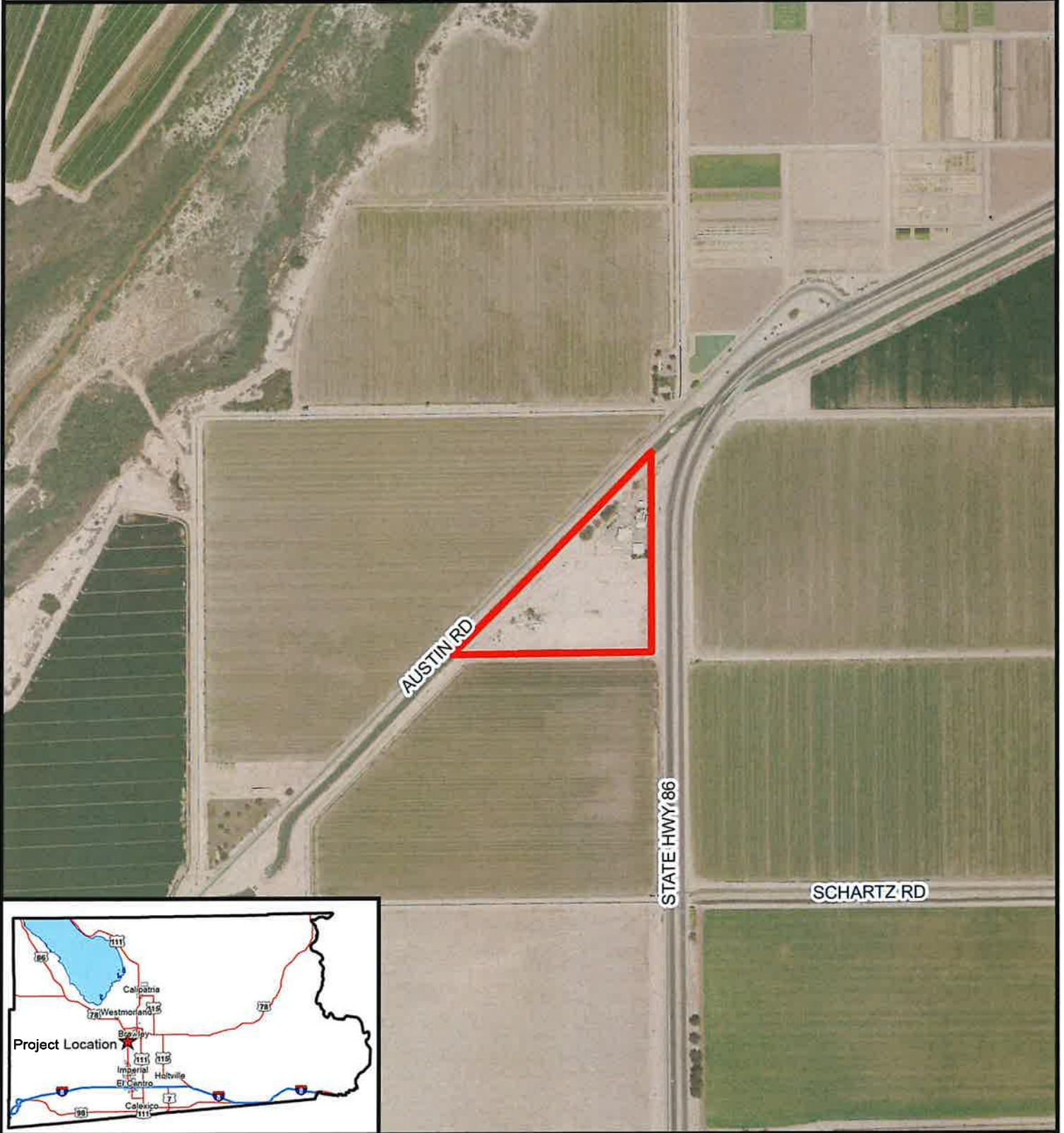
Attachments:

- A. Vicinity Map
- B. Site Plan
- C. CEQA Resolution and MM&RP
- D. Planning Commission Resolution
- E. Conditional Use Permit #24-0003 Agreement
- F. Comment Letters
- G. Environmental Evaluation Committee package

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ATTACHMENT "A"
Vicinity Map

PROJECT LOCATION MAP



Grand Vista Event Center LLC
CUP #24-0003 / IS #24-0005
APN #040-420-020-001

 Project Parcel
 Centerline



ATTACHMENT "B"
Site Plan

S I T E P L A N

4097 US Highway 86

Brawley, CA 92227

Parcel ID: 040-420-020-000

Legal Description: POR Section 1, 11, and 12. T145, R13E, and 105, 106, and 107, RB/14E

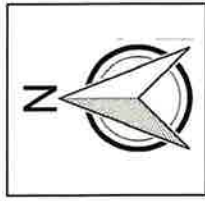
Lot area: 14.85 Acres

Paper Size: 11"x17"

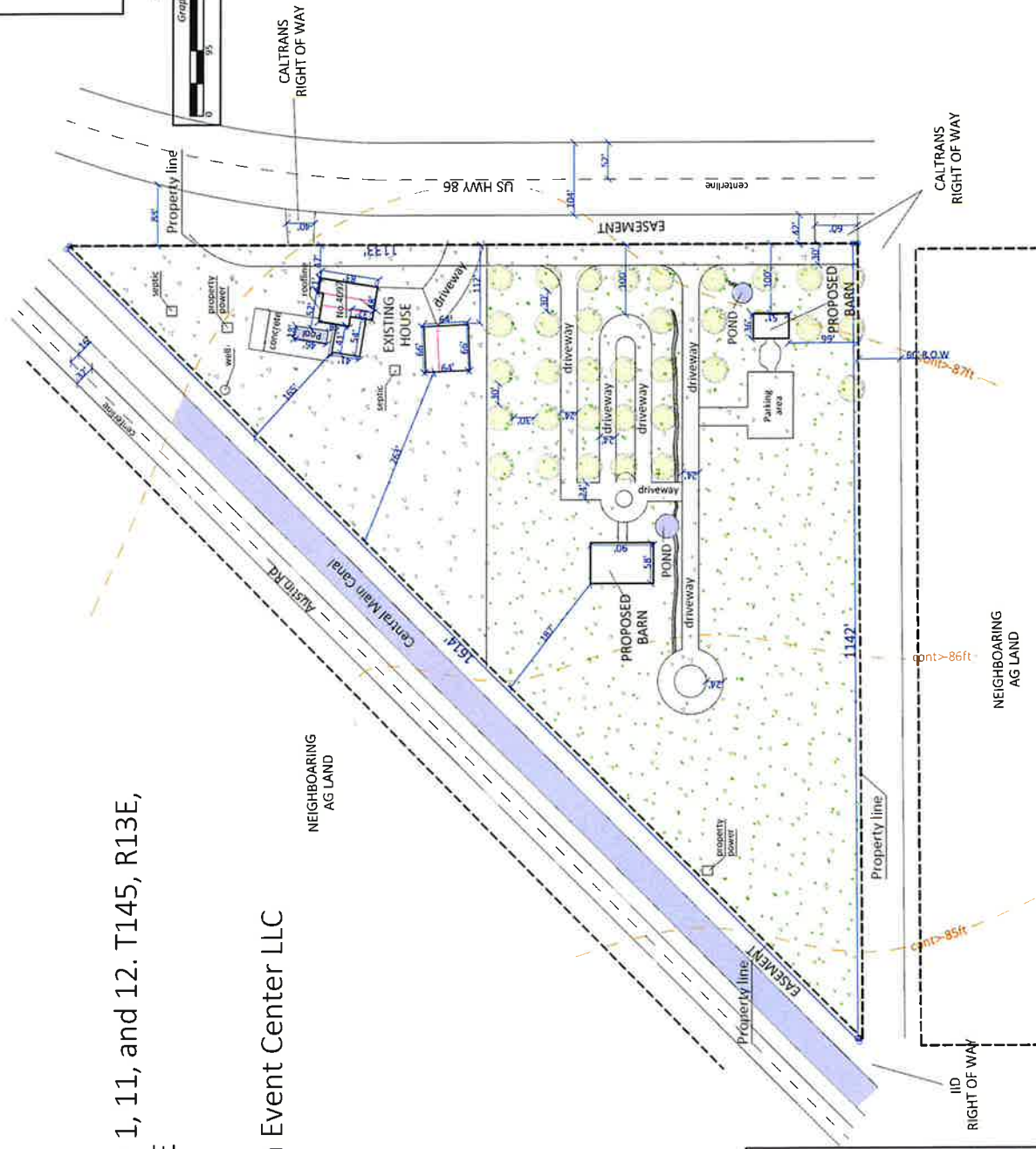
CUP Requested by Grand Vista Event Center LLC

Owner: The Drye Spot, LLC

Prepared by: David Felix



scale 1"=150'



ATTACHMENT "C"
CEQA Resolution
MM&RP

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “MITIGATED NEGATIVE DECLARATION” (INITIAL STUDY #24-0005) FOR CONDITIONAL USE PERMIT #24-0003 (GRAND VISTA RANCH, LLC).

WHEREAS, on August 9, 2024, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for August 22, 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 August 22, 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 #24-0003; and

WHEREAS, the Negative Declaration was circulated for 25 days from August 27, 2024, to September 20, 2024; and,

WHEREAS, on September 26, 2024, a comment letter from the California Department of Fish and Wildlife was received recommending mitigation measures; and,

WHEREAS, the revised **Mitigated Negative Declaration** was circulated for 35 days from November 22, 2024, to December 27, 2024; and,

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

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

The Planning Commission has reviewed the attached Mitigated Negative Declaration (MND) prior to approval of Conditional Use Permit #24-0003. The Planning Commission finds and determines that the Mitigated Negative Declaration is adequate and was prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations:

1. That the recital set forth herein are true, correct and valid; and,

2. That the Planning Commission has reviewed the attached Mitigated Negative Declaration (MND) for Conditional Use Permit #24-0003 and considered the information contained in the Mitigated Negative Declaration together with all comments received during the public review period and prior to approving the Conditional Use Permit; and,
3. That the Mitigated Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, the County of Imperial Planning Commission **DOES HEREBY ADOPT** the Mitigated Negative Declaration for Conditional Use Permit #24-0003.

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

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on January 22, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

MITIGATION, MONITORING AND REPORTING PROGRAM

**MITIGATION MEASURES
PURSUANT TO THE ENVIRONMENTAL EVALUATION COMMITTEE**

January 22, 2025
Grand Vista Ranch LLC
[CUP #24-0003]

(APN 040-420-020-000)

(CEQA – Mitigated Negative Declaration)

MITIGATION MEASURE 1 BIOLOGICAL (a)¹

MM BIO-[A]: Artificial Nighttime Light

During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project proponent shall ensure that lighting for Project activities is shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During project construction and operation.)

BIO-[B]: Assessment of Biological Resources

Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within off-site areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

¹ E & F - California Department of Fish and Wild MND comment letter dated: July 01, 2024

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: Prior to Project construction activities.)

MM BIO-[C]: Nesting Birds

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for all phases of Project construction. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: No more than 3 days prior to vegetation clearing or ground-disturbing activities)

MM BIO-[D]: Focused and Pre-Construction Surveys for Burrowing Owl

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites (occupied site means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site), acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report and shall implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls. If no suitable habitat is available nearby, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval. If Project activities, including burrow exclusion and closure, could result in take of burrowing owl, appropriate CESA authorization (i.e., Incidental

Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities.

For all phases of Project construction, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version).

Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: Focused surveys: Prior to the start of Project-related activities Preconstruction surveys: No less than 14 days prior to start of Project-related activities and within 24 hours prior to ground disturbance.)

MM BIO-[E]: CDFW's Lake and Stream Alteration (LSA) Program

Prior to Project-activities and issuance of any grading permit, the Project Sponsor shall obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project Sponsor shall obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: Prior to Project activities and issuance of any grading permit.)

MM BIO-[F]: Construction Noise

During all Project construction, the County shall restrict use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning) and restrict use of generators except for temporary use in emergencies. Power to sites can be provided by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems. The County shall ensure the use of noise suppression devices such as mufflers or enclosures for generators. Sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During all project construction.)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



December 18, 2024
Sent via e-mail

Derek Newland, Planner III
Imperial County Planning and Development Services
801 Main Street
El Centro, CA 92243
DerekNewland@co.imperial.ca.us

Grand Vista Event Center LLC/Grand Vista Ranch LLC (PROJECT)
MITIGATED NEGATIVE DECLARATION (MND)
SCH# 2024081216

Dear Derek Newland:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from Imperial County (County) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

On September 26, 2024, CDFW submitted comments on the Negative Declaration for the Project. CDFW appreciates the County's circulation of an MND for the Project and inclusion of the mitigation measures that we recommended to reduce potential impacts to biological resources to less than significant.

Since the time of our comment letter sent on September 26, 2024, there has been a change to the conservation status of burrowing owl. On October 10, 2024, the Fish and Game Commission determined that western burrowing owl (*Athene cunicularia hypugaea*) warrants protection as a candidate species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.). During the candidacy period, western burrowing owl will be afforded the same protection as threatened and endangered species under CESA. If Project activities, including burrow exclusion and closure, could result in take of burrowing owl, appropriate CESA authorization (i.e., an Incidental Take Permit per Fish & G. Code § 2081) should be obtained prior to commencement of Project activities.

Given the change in conservation status of burrowing owl, CDFW recommends the following additions (shown in **bold** below) to MM BIO-[D] in the MND to ensure that potential impacts to this species are reduced to less than significant:

MM BIO-[D]: Focused and Pre-Construction Surveys for Burrowing Owl

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites (**occupied site means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site**), acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be


¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report and shall implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls. If no suitable habitat is available nearby, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval. **If Project activities, including burrow exclusion and closure, could result in take of burrowing owl, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities.**

For all phases of Project construction, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version). Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.

CDFW appreciates the opportunity to comment on the MND to assist the County in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Julia Charpek, Environmental Scientist, at 909.354.0937 or Julia.Charpek@wildlife.ca.gov.

Sincerely,

DocuSigned by:

84F02FFEEFD24C8

Kim Freeburn
Environmental Program Manager

ec:

Heather Brashear, Senior Environmental Scientist (Supervisor), CDFW
Heather.Brashear@wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
State.clearinghouse@opr.ca.gov

ATTACHMENT "D"
Planning Commission Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, TO APPROVE CONDITIONAL USE PERMIT #24-0003 FOR GRAND VISTA RANCH, LLC.

WHEREAS, Grand Vista Ranch has submitted an application for Conditional Use Permit #24-0003 for a Special Event Center; 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, on September 26, 2024, a comment letter from the California Department of Fish and Wildlife was received recommending mitigation measures; and,

WHEREAS, the revised **Mitigated Negative Declaration** was circulated for 35 days from November 22, 2024, to December 27, 2024; and,

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

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on January 22, 2025; 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 #24-0003 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 #24-0003 have been made:

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

The project is located on property that is designated as "Agriculture" per Imperial County's General Plan, Land Use Element, and it is currently zoned A-2 (General Agriculture) by the Imperial County Land Use Ordinance. The

proposed project is, therefore, consistent with the County General Plan and Land Use Ordinance, Division 2, Section 90203.01 "Conditional Use Permit" which authorizes a Conditional Use Permit when approved by the County. The proposed Special Event Center is a conditionally permitted use pursuant to County's Land Use Ordinance (Section 90203.01).

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

The Project could be found consistent with the General Plan as the proposed Special Even Center is an allowed use within the A-2 (General Agriculture) zone designation with an approved Conditional Use Permit per the Imperial County Land Use Ordinance, Division 5 §90508.02 "Uses permitted only with a conditional use permit" aaa) Special Occasion Facility.

C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed conditional use according to the procedures of Section 90203.09.

The proposed Special Event Center could be found consistent with the Imperial County Land Use Ordinance as it is an allowed use within the A-2 (General Agriculture) zone with an approved Conditional Use Permit per §90508.02 of Title 9, Division 5.

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 Special Event Center would not result in significant impacts to surrounding properties or residents due to the conditions of approval.

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

The proposed project is conditioned to be consistent with Title 9, Codified Land Use Ordinance of the County of Imperial and CEQA. The proposed project will be subject to Conditions of Conditional Use Permit #24-0003 and current Federal, State, and Local regulations.

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

The proposed Special Event Center is a permitted use subject to the conditions of approval of CUP #24-0003 (Land Use Ordinance, Section 90203.00) and will not grant any special privileges.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #24-0003, subject to the Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on January 22, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

ATTACHMENT "E"
Conditional Use Permit
#24-0003 Agreement

Recorded Requested by and
When Recorded Return To:

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

**AGREEMENT FOR CONDITIONAL USE PERMIT #24-0003
FOR
GRAND VISTA RANCH, LLC
SPECIAL EVENT CENTER
Planning Commission Approved Conditions (01/22/2025)
Effective Date (XX/XX/XXXX)**

Conditional Use Permit #24-0003 was approved by the Imperial County Planning
Commission Board of Supervisors and has the Effective Date of (MONTH DAY YEAR).

This Conditional Use Permit is by and between Grand Vista Ranch LLC. – (hereinafter
referred to as “Permittee”), and the COUNTY OF IMPERIAL, a political subdivision of the
State of California, (hereinafter referred to as “COUNTY”).

RECITALS

WHEREAS, Permittee is the owner, lessee or successor in interest in certain land in
Imperial County located at 4097 US Hwy 86, Brawley, CA 92227, a PORTION OF TRACT
106, T14S, R13E/R14E 16 ACRES SOUTHEAST OF CENTRAL MAIN EXCEPT PORTION
IN HWY 86 S.B.B.M., in an unincorporated area of the County of Imperial. The Assessor’s
Parcel Number is 040-420-020-000; and,

WHEREAS, Permittee has applied to the County for permission to operate a
Special Event Center; and,

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WHEREAS, the County, after a noticed public hearing, agreed to issue Conditional Use Permit #24-0003 to Permittee, and/or his or her successor in interest subject to the following conditions:

GENERAL CONDITIONS:

G-1 GENERAL LAWS:

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

G-2 EFFECTIVE DATE:

The Approved Conditional Use Permit shall not become effective until all of the following occurs: (a.) The passage of ten (10) Calendar days after the decision of Planning Director or Commission; and, (b.) the applicable Conditional Use Permit conditions have been met; and, (c.) the Conditional Use Permit is recorded by the Permittee or its agent with the County Recorder, with the payment of recording fees by applicant or its agent; and, (d.) In the case of a decision by the Board of Supervisors there is no 10-day appeal.

G-3 RECORDATION:

CUP #24-0003 shall as set forth in General Condition "G-2", **not be effective** until it complies with General Condition "G-2," including being recorded by Permittee or its agent at the Imperial County Recorder's Office conditioned on there not being an appeal having been filed after the approval from the hearing body. Payment of the recordation fee shall be the responsibility of the Permittee. If this CUP is not recorded within one hundred eighty (180) days from the date of approval the CUP shall be deemed null and void, without notice having to be provided to Permittee. The permittee may submit a written request for a recordation extension for this CUP by filing such a request with the Planning Director at least sixty (60) days prior to the one hundred eighty 180-day expiration. The Director may approve one (1) extension for a period not to exceed one hundred eighty (180) days. An extension may not be granted if the request for an extension is filed after the expiration date. Failure to record this CUP within one (1) year including the granted extension period shall deem this CUP null and void.

G-4 COMMENCEMENT OF WORK:

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

8 **G-5 TIME LIMIT:**

9 Unless otherwise specified within the project's specific conditions **this CUP shall be**
10 **limited to a maximum of five (5) years from the Effective Date of the CUP.** The
11 CUP may be administratively extended for successive five (5) years by the Planning
12 Director upon a finding by the Planning & development Services Department that
13 the project is in full and complete compliance with all conditions of the CUP and any
14 applicable land use regulation(s) and extension fees of the County of Imperial.
15 Unless specified otherwise herein no CUP shall be extended for more than two (2)
16 consecutive periods. If an extension is necessary or requested beyond fifteen (15)
17 years, Permittee shall file a written request with the Planning Director for a hearing
18 before the Planning Commission. Such request shall include the appropriate
19 extension fee. **An extension of this CUP shall not be granted if the project is in**
20 **violation of any one or all of the conditions or if there is a history of non-**
21 **compliance with the project conditions.**

17 **G-6 ABANDONMENT:**

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

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

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

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

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

12 **G-9 CONDITION PRIORITY:**

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

15 **G-10 INDEMNIFICATION:**

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

27 If any claim, action, or proceeding is brought against the County, its agents, officers,
28 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

1 action. The County, its agents, attorneys and employees (including consultants)
2 shall fully cooperate in the defense of that action.

3 2. The County shall have the final determination on how to best defend the case
4 and will consult with applicant regularly regarding status and the plan for defense.
5 The County will also consult and discuss with applicant the counsel to be used by
6 County to defend it, either with in-house counsel, or by retaining outside counsel
7 provided that the County shall have the final decision on the counsel retained to
8 defend it. The applicant shall be fully responsible for all costs incurred. The
9 applicant shall be entitled to provide his or her own counsel to defend the case
10 and said independent counsel shall work with County Counsel to provide a joint
11 defense.

12 **G-11 INSURANCE:**

13 The Permittee shall take out and maintain workers compensation insurance as
14 required by the State of California. The Permittee shall also secure liability
15 insurance and such other insurance as required by state and/or federal law. A
16 Certificate of Insurance is to be provided to the Planning and Development Services
17 Department by the insurance carrier and said insurance and certificate shall be kept
18 current for the life of the project. Certificates of Insurance shall be sent directly to
19 the Planning and Development Services Department by the insurance carrier and
20 shall name the Department as a recipient of both renewal and cancellation notices.

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

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

26 **G-13 SEVERABILITY:**

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

G-14 PROVISION TO RUN WITH LAND:

The provisions of this CUP are to run with the land/project and shall bind the current
and future owner(s) successor(s) of interest; assignee(s) and/or transferee(s) of
said CUP. **The permittee shall not without prior notification to the Planning &
Development Services Department assign, sell, or transfer, or grant control of
CUP or any right or privilege therein.** The Permittee shall provide a minimum of
60 days written notice prior to such proposed transfer becoming effective. The

1 permitted use identified herein is limited for use upon this parcel described herein
2 and may not be transferred to another parcel.

3 **G-15 COMPLIANCE/REVOICATION:**

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

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

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

21 **G-17 COSTS:**

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

G-18 REPORT(S)

The 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-19 RESPONSIBLE AGENT

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

G-20 WATER AND SEWER:

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

G-21 DEFINITIONS:

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

G-22 SPECIFICITY:

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

G-23 HEALTH HAZARD:

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

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G-24 CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this CUP as if said successor was the original Permittee. The 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.

G-25 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. The permittee shall provide the County, upon request, copies and amendments of all such permits.

G-26 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 26)

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PROJECT SPECIFIC CONDITIONS:

S-1 PROJECT DESCRIPTION:

This permit authorizes the Permittee to operate a Special Event Center on the southern 7 acres of the parcel. The project may host up to 300 guests per event with up to 59 events per year. Types of allowed events are weddings, birthday parties, fundraisers, and other similar events. Events may be held outside as well as inside the 2 barns as proposed within the project description and site plan. An event schedule will be provided to the Imperial County Planning and Development Services department sixty (60) days prior to the event. Event start times may vary, but all events will end no later than 12 am.

The Special Event Center may supply tables, tablecloths, chairs, dishes, utensils, decorations, and entertainment as needed.

The Special Event Center may allow caterers. See Environmental Health Division Conditions: **S-9**

An adequate number of trashcans will be provided during events to prevent excess refuse from escaping the event area and effecting neighboring properties. Cleanup for events will be completed within two (2) days after the event. Additional time may be granted by the Imperial County Planning and Development Services Director, upon receipt of a written request with explanation why additional time is needed.

S-2 PARKING:

All designated parking and driveways within the Special Event Center site will be covered with Bermuda grass as described in the project description.

S-3 ACCESS TO SITE:

Access to the Special Event Center shall be from the southern access point along US Hwy 86. The northern ingress point along US Hwy 86 is not for Special Event Center access and is to be used only for access to the existing residence.

S-4 LIGHT & GLARE:

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

S-5 LATEST CODES GOVERN:

All on-site structures shall be designed and built to comply with the latest edition of the applicable codes.

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S-6 CALTRANS:1

- A.** Permittee will obtain all required Caltrans encroachment permit(s).
- B.** All driveway/roadway connections shall comply with the latest Caltrans Highway Design standards. Driveways shall be paved according to Caltrans latest standard plans and specifications. See Highway Design Manual (HDM) Topic 205.4 for additional information.
- C.** Sight distance exhibits will be required to submit for review for driveways and minor street connections inside Caltrans' Right-of-Way (R/W). Provide sight distance exhibits for the driveway connection for review.
- D.** Permittee will provide a Hydrology and Hydraulics study for any work done within the Caltrans right-of-way.
- E.** A Traffic Control Plan is to be submitted to Caltrans District 11, including SR-86 at least 30 days prior to the start of any construction.

S-7 PUBLIC WORKS:2

Developer (Permittee) shall furnish a Drainage and Grading Plan to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to offsite properties. Said plan shall be completed per the Engineering Design Guidelines Manual for the Preparation and Checking of Street Improvement, Drainage, and Grading Plans within Imperial County. The Drainage and Grading Plan shall be submitted to the Imperial County Department of Public Works (ICDPW) for review and approval. The developer shall implement the approved plan. Employment of the appropriate Best Management Practices (BMP's) shall be included (Per Imperial County Code of Ordinances, Chapter 12.10.020 B).

S-8 AIR POLLUTION CONTROL DISTRICT:3

- A.** The Permittee will comply with all Air District rules and regulations and would emphasize Regulation VIII – Fugitive Dust Rules.
- B.** The Permittee shall contact the Air District to obtain any required Air Permits.

1 Caltrans comment letter dated July 18, 2024, December 12, 2024

2 Imperial County Department of Public Works comment letter dated May 01, 2024

3 Air Pollution Control District comment letters dated: April 16, 2024, September 03, 2024 and December 20, 2024

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S-9 IMPERIAL COUNTY DIVISION OF ENVIRONMENTAL HEALTH (DEH):4

- A. Portable lavatories shall be serviced by a locally licensed septage hauler and shall be installed in a manner that prevents them from tipping over or spilling waste onto the ground.
- B. The applicant shall contract with a locally licensed commercial waste hauler
- C. A mosquito abatement plan shall be submitted in the event an on-site stormwater basin is constructed onsite.
- D. All food and liquor vendors/caterers are required to hold current Imperial County Retail Food permits.
- E. Food preparation, serving, or utensil washing conducted on site by the Permittee and Special Event Center for events will require that the Permittee obtain a retail food facility permit.
- F. The Permittee is to operate the facility in a manner that would not involve the facility preparing, serving, storing food, drinks, or utensil washing. Should the Permittee elect to prepare food onsite, or wash equipment, the supplied water must meet transient noncommunity standards for potable water for food preparation, handwashing, and/or ware washing.
- G. Public events such as fund raisers will be required complete Temporary Food Facility application through the Division of Environmental Health. Applications are accepted a minimum of two weeks prior to the event.

S-10 IMPERIAL COUNTY FIRE DEPARTMENT:5

- A. An approved water supply connected to a Draft Hydrant(s) connection as required by "Imperial County Fire Department Fire Fighting Water Supply Specification and requirements for Rural Applications". Water capacity amount will be determined by Imperial County Fire Department base on final design and project review. Water supply and draft hydrant connections shall be accessible, and supply of water shall be maintained at all times.

4 Imperial County Division of Environmental Health letter dated April 22, 2024

5 Imperial County Fire Department comment letter dated: April 23, 2024

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B. Fire Department access roads shall be installed and maintained in accordance with the California Fire Code. Roadways within the project will be provided with all-weather surface and capable of supporting imposed loads of fire apparatus. Secondary access will be required for the project. Roadway width will be determined upon further review of the site plan. Knox box (locks) will be required for the project. All locks and gates shall be installed in accordance with the California Fire Code.

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

D. An approved fire safety and evacuation plan shall be developed and approved by Imperial County Fire Department. The evacuation plan shall be in accordance with California Fire Code Chapter 4.

E. Fireworks and pyrotechnics shall be conducted by a California license Professional Public Display Pyrotechnics. Approval for use of fireworks and/or pyrotechnics from Imperial County Fire Department shall be obtained before any event. Professional Public Display Pyrotechnics shall contact Imperial County Fire Department for approval before any event. Fireworks and pyrotechnics shall be in accordance with California Fire Code Chapter 56. This includes but not limited to:

- Fireworks (including California Safe and Sane)
- Sky Lanterns
- Open flame devices

F. All tents, canopies, and special event structures shall comply with the California Fire Code Chapter 31 and be approved by the State of California Fire Marshall Office flame rating.

G. Compliance with all required sections of the fire code.

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

I. A pre-incident plan shall be developed and approved by the Imperial County Fire/OES Department in a format and using a platform determined by ICFD.

S-11 IMPERIAL IRRIGATION DISTRICT:6

6 Imperial Irrigation District comment letters dated: April 11, 2024 and August 27, 2024

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A. Applicant shall provide a surveyed legal description, and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID's necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

B. Fences should be installed at the boundary of IID's right of way for safety and to allow access for IID operation and maintenance activities. The project's fencing plan should address IID's right now way.

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

S-12 MITIGATION AND MOINTORING AND REPORTING PROGRAM

MM BIO-[A]: Artificial Nighttime Light

During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project proponent shall ensure that lighting for Project activities is shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During project construction and operation.)

BIO-[B]: Assessment of Biological Resources

Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within off-site areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in

1 consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note
2 that CDFW generally considers biological field assessments for wildlife to be valid for a
3 one-year period, and assessments for rare plants may be considered valid for a period of
4 up to three years. Some aspects of the proposed Project may warrant periodic updated
surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a
protracted time frame, or in phases, or if surveys are completed during periods of drought.

5 (Monitoring Agency: Imperial County Planning & Development Services Department;
6 Timing: Prior to Project construction activities.)

7 **MM BIO-[C]: Nesting Birds**

8 Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian
9 biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for
10 all phases of Project construction. Pre-construction surveys shall focus on both direct and
11 indirect evidence of nesting, including nest locations and nesting behavior. The qualified
12 avian biologist will make every effort to avoid potential nest predation as a result of survey
13 and monitoring efforts. If active nests are found during the pre-construction nesting bird
14 surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the
15 ground. Nest buffers are species specific and shall be at least 300 feet for passerines and
16 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist
familiar with the nesting phenology of the nesting species and based on nest and buffer
monitoring results. Construction activities may not occur inside the established buffers,
which shall remain on site until a qualified biologist determines the young have fledged or
the nest is no longer active. Active nests and adequacy of the established buffer distance
shall be monitored daily by the qualified biologist until the qualified biologist has
determined the young have fledged or the Project has been completed. The qualified
biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

17 (Monitoring Agency: Imperial County Planning & Development Services Department;
18 Timing: No more than 3 days prior to vegetation clearing or ground-disturbing activities)

19 **MM BIO-[D]: Focused and Pre-Construction Surveys for Burrowing Owl**

20 Suitable burrowing owl habitat has been confirmed on the site; therefore, focused
21 burrowing owl surveys shall be conducted by a qualified biologist in accordance with the
22 Staff Report on Burrowing Owl Mitigation (2012 or most recent version) prior to vegetation
23 removal or ground-disturbing activities for all phases of Project construction. If burrowing
24 owls are detected during the focused surveys, the qualified biologist and Project proponent
25 shall begin coordination with CDFW and USFWS immediately, and shall prepare a
26 Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to
27 commencing Project activities. The Burrowing Owl Plan shall describe proposed
28 avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing
Owl Plan shall include the number and location of occupied burrow sites (occupied site
means at least one burrowing owl or its sign has been observed within the last three years;
may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments,

1 or excrement at or near a burrow entrance or perch site), acres of burrowing owl habitat
2 that will be impacted, details of site monitoring, and details on proposed buffers and other
3 avoidance measures. If impacts to occupied burrowing owl habitat or burrow cannot be
4 avoided, the Burrowing Owl Plan shall also describe minimization and compensatory
5 mitigation actions that will be implemented. Proposed implementation of burrow exclusion
6 and closure should only be considered as a last resort, after all other options have been
7 evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and
8 has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory
9 mitigation for the temporary or permanent loss of occupied burrow(s) and habitat
10 consistent with the "Mitigation Impacts" section of the 2012 Staff Report and shall
11 implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to
12 occupied burrows cannot be avoided, information shall be provided regarding adjacent or
nearby suitable habitat available to owls. If no suitable habitat is available nearby, details
regarding the creation and funding of artificial burrows (numbers, location, and type of
burrows) and management activities for relocated owls shall also be included in the
Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan
following CDFW and USFWS review and approval. If Project activities, including burrow
exclusion and closure, could result in take of burrowing owl, appropriate CESA
authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081)
should be obtained prior to commencement of Project activities.

13 For all phases of Project construction, preconstruction burrowing owl surveys shall be
14 conducted no less than 14 days prior to the start of Project-related activities and within 24
15 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl
16 Mitigation (2012 or most recent version). Preconstruction surveys should be repeated
17 when there is a pause in construction of more than 30 days. Preconstruction surveys
18 should be performed by a qualified biologist following the recommendations and guidelines
19 provided in the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys
confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The
qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall
be submitted to CDFW and USFWS for review and approval prior to commencing Project
activities.

20 (Monitoring Agency: Imperial County Planning & Development Services Department;
21 Timing: Focused surveys: Prior to the start of Project-related activities Preconstruction
22 surveys: No less than 14 days prior to start of Project-related activities and within 24 hours
prior to ground disturbance.)

23 **MM BIO-[E]: CDFW's Lake and Stream Alteration (LSA) Program**

24 Prior to Project-activities and issuance of any grading permit, the Project Sponsor shall
25 obtain written correspondence from the California Department of Fish and Wildlife (CDFW)
26 stating that notification under section 1602 of the Fish and Game Code is not required for
the Project, or the Project Sponsor shall obtain a CDFW-executed Lake and Streambed

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Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: Prior to Project activities and issuance of any grading permit.)

MM BIO-[F]: Construction Noise

During all Project construction, the County shall restrict use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning) and restrict use of generators except for temporary use in emergencies. Power to sites can be provided by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems. The County shall ensure the use of noise suppression devices such as mufflers or enclosures for generators. Sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During all project construction.)

(TOTAL "S" CONDITIONS are 12)

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NOW THEREFORE, County hereby issues Conditional Use Permit #23-0019 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:

Grand Vista Ranch LLC

By: _____
Shelby Drye

Date

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

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

Date

FOR PERMITTEE NOTARIZATION

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

STATE OF CALIFORNIA

COUNTY OF _____ } S.S.

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

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

WITNESS my hand and official seal

Signature _____

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

Dated _____

FOR COUNTY NOTARIZATION

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

STATE OF CALIFORNIA
COUNTY OF IMPERIAL } S.S.

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

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

WITNESS my hand and official seal

Signature _____

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

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

ATTACHMENT "F"
Comment Letters

AIR POLLUTION CONTROL DISTRICT



September 3, 2024

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

RECEIVED

By Imperial County Planning & Development Services at 8:49 am, Sep 05, 2024

SUBJECT: Notice of Intent for a Negative Declaration for Conditional Use Permit 24-0003
Grand Vista Event Center LLC/Grand Vista Ranch LLC

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) would like to thank you for the opportunity to review and comment on the Notice of Intent (NOI) for a Negative Declaration (ND) for Conditional Use Permit (CUP) 24-0003 (Project). The project proposes a special event center located on the approximately 7-acre southern portion of an approximately 13-acre parcel. The project expects to host up to 300 guests per event and up to 59 events per year. The project is located at 4097 Hwy 86, Brawley also identified as Assessor's Parcel Number 040-420-020.

The Air District provided comments for the project previously in a letter dated April 16, 2024, and will reiterate its previous comments. The project and all future developments must comply with all Air District Rules & Regulations including Regulation VIII – Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20 % visual opacity. If the event center will operate combustion equipment, such as a generator, it may be subject to Air District permitting requirements and the applicant should submit an application for engineering review of the project. Finally, the Air District requests a copy of the draft CUP for review.

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

Respectfully,

Ismael Garcia
Environmental Coordinator

Reviewed by
Monica Soucier
APC Division Manager

AIR POLLUTION CONTROL DISTRICT



RECEIVED

By Imperial County Planning & Development Services at 3:48 pm, Dec 26, 2024

December 20, 2024

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

SUBJECT: Notice of Intent for a Mitigated Negative Declaration for Conditional Use Permit
24-0003 Grand Vista Event Center LLC/Grand Vista Ranch LLC

Dear Mr. Minnick:


The Imperial County Air Pollution Control District (Air District) would like to thank you for the opportunity to review and comment on the Notice of Intent (NOI) for a Mitigated Negative Declaration (MND) for Conditional Use Permit (CUP) 24-0003 (Project). The project proposes a special event center located on the approximately 7-acre southern portion of an approximately 13-acre parcel. The project expects to host up to 300 guests per event and up to 59 events per year. The project is located at 4097 Hwy 86, Brawley also identified as Assessor's Parcel Number 040-420-020.

The Air District provided comments for the project previously in a letter dated April 16, 2024 and again in a letter dated September 3, 2024. The Air District will reiterate its previous comments as they remain applicable: the project and all future developments must comply with all Air District Rules & Regulations including Regulation VIII – Fugitive Dust Rules (Rules 800-806), a collection of rules designed to maintain fugitive dust emissions below 20 % visual opacity. If the event center will operate combustion equipment, such as a generator, it may be subject to Air District permitting requirement under Air District Rules 201, 202, 207, & 208 and the applicant should submit an application for engineering review of the project to determine its permitting requirements. Finally, the Air District requests a copy of the draft CUP for review.

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

Respectfully,


Ismael Garcia
Environmental Coordinator


Reviewed by,
Monica Soucier
APC Division Manager

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 985-1587 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



RECEIVED

By Imperial County Planning & Development Services at 8:04 am, Dec 28, 2024

December 23, 2024

11-IMP-86

PM 17.44

Grand Vista Event Center

MND/SCH# 2024081216

Mr. Derek Newland
Planner III
Imperial County Planning and Development Services
801 Main St.
El Centro, CA 92243

Dear Mr. Newland:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Mitigated Negative Declaration (MND) (SCH# 2024081216) for the Grand Vista Event Center Project located near State Route 86 (SR-86). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

We look forward to working with Imperial County (County) in areas where the County and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Safety Operations

- All driveway/roadway connections shall comply with the latest Caltrans Highway Design standards. Driveways shall be constructed according to the Caltrans latest standard plans and specifications prior to the opening of the first event. See Highway Design Manual (HDM) Topic 205.4 for additional information.
- Caltrans District 11 standard practice is to follow the Transportation Research Board (TRB) "Access Management Manual" on reducing the access points onto the Caltrans Highway SR-86 to improve livability and reduce the conflict points to all users. SR-86 at this location is access controlled. There are two existing access openings along this area, driveways shall only be allowed within the existing access openings. Any modification to existing access opening will need to be consulted and approved by Right-of-Way Engineering and Design.
- Clearly identify Caltrans' Right-of-Way (R/W) line on the plan.
- Frontage road or dirt path construct for private use is prohibited. Caltrans' R/W maps do not show any frontage road or dirt path inside Caltrans' R/W. Provide measurement from the edge of traveled way and clearly show that the dirt path is outside of Caltrans' R/W.
- There's an easement indicated on the site plan adjacent to SR-86, who does this easement belong to? Provide easement documentation.
- Sight distance exhibits will be required to submit for review for all driveways and minor street connections inside Caltrans' R/W. See the Highway Design Manual (HDM) Topic 201 and Topic 405 for additional information on the requirements of stopping, decision, and corner sight distance.
- Provide truck turning templates for the proposed driveway(s). See HDM Topic 404 for further details.
- Caltrans R/W maps regarding access opening/rights of ingress and egress are attached for your reference.
- Due to the increase in number of trips anticipated for the proposed project include a safety review that follows the Caltrans "Local Development Review Safety Review Practitioner's Guidance" <https://dot.ca.gov/-/media/dot-media/programs/safety-programs/documents/202402-ldr-safety-review-practitioners-guidance-all.pdf>.
- The applicant will need to construct the driveway to Caltrans' current standards. See comment number seven (7) in the "Traffic Engineering and Analysis" section of our September 26, 2024, Caltrans comment letter. The applicant cannot have a dirt driveway with steel plates or track out mats for Phase 1 of the project and construct the driveway during a later phase.

Hydrology and Drainage Studies

- Please provide hydraulics studies, drainage, and grading plans to Caltrans for review.
- Provide a pre and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide drainage plans and details. Include retention or detention basin details of inlets/outlets.
- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.
- On all plans, show Caltrans' R/W.
- Early coordination with Caltrans Hydraulics Branch is recommended.
- Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modification to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.

Outdoor Advertising

Both non-illuminated and LED displays, and other illuminated signs may create potentially significant safety impacts to motorists and other highway users.

Illuminated signs could be considered a traffic safety hazard given the potential of light and glare to distract drivers. Section 21466.5 of the California Vehicle Code regulates illumination by placing limits on maximum light output.

Caltrans does not define formal requirements regarding brightness or light intensity of advertising signs. However, the Outdoor Advertising Association of America (OAAA) recommends that a commonly sized LED billboard should commit to a maximum ambient light output level of 0.3 footcandles at a distance of 250 feet from the billboard. The light levels emitted from the billboard should be set to adjust, based upon ambient light conditions at any given time (i.e., nighttime versus daytime). Any sign advertising a business not "on premise" will require an Outdoor Advertising Display Permit. Information on outdoor advertising may be obtained by contacting George Anzo of Caltrans at 213-897-4208 or george.anzo@dot.ca.gov.

Traffic Control Plan

A Traffic Control Plan is to be submitted to Caltrans District 11, including SR-86 at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

Potential impacts to the highway facilities (SR-86) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

Noise

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of SR-86.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's Final Environmental Document.

Right-of-Way

Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Caltrans owns fee along this stretch of SR-86 along with access control. Caltrans information does not show a frontage road alongside Caltrans' R/W but instead, Caltrans owns the entire R/W.

There are two access openings on the west R/W line. The one on the south is 40' wide at the south property line. The one at the north end is 20' wide, which appears to have been closed. Both of them appear to be close to the location shown on the applicant's proposed site plan.

Caltrans' R/W maps do not show any frontage road and they don't call out any "easement." It is not clear whose easement (frontage road) it is. Attached are the R/W maps and R/W Easement Exhibit for the proposed site.

Any proposed access points within Caltrans' R/W shall stay within the permitted access openings.

Any improvements made to existing access openings within Caltrans' R/W will require coordination with Caltrans Traffic Engineering and Analysis (TE&A) Branch to ensure the required length, and standards for driveway spacings are being followed.

Please confirm where the proposed project access points are legally supposed to be. There is no allowance for access openings along this stretch of SR-86 other than the two permitted openings shown in the R/W Easement Exhibit and our Caltrans' R/W maps.

Please confirm Caltrans' R/W line on all plans and maps provided. Indicate where Caltrans' R/W line is versus adjacent property line through clear callouts (e.g., Caltrans' Right-of-Way).

Additional information regarding encroachment permits may be obtained by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Projects with the following:

Mr. Derek Newland, Planner III
December 23, 2024
Page 6

- require a Caltrans Encroachment Permit.
- have completed the Caltrans Local Development Review (LDR) process.
- have an approved environmental document.

are to submit documents for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Charlie Lecourtois, LDR Coordinator, at (619) 985-4766 or by e-mail sent to charlie.lecourtois@dot.ca.gov.

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

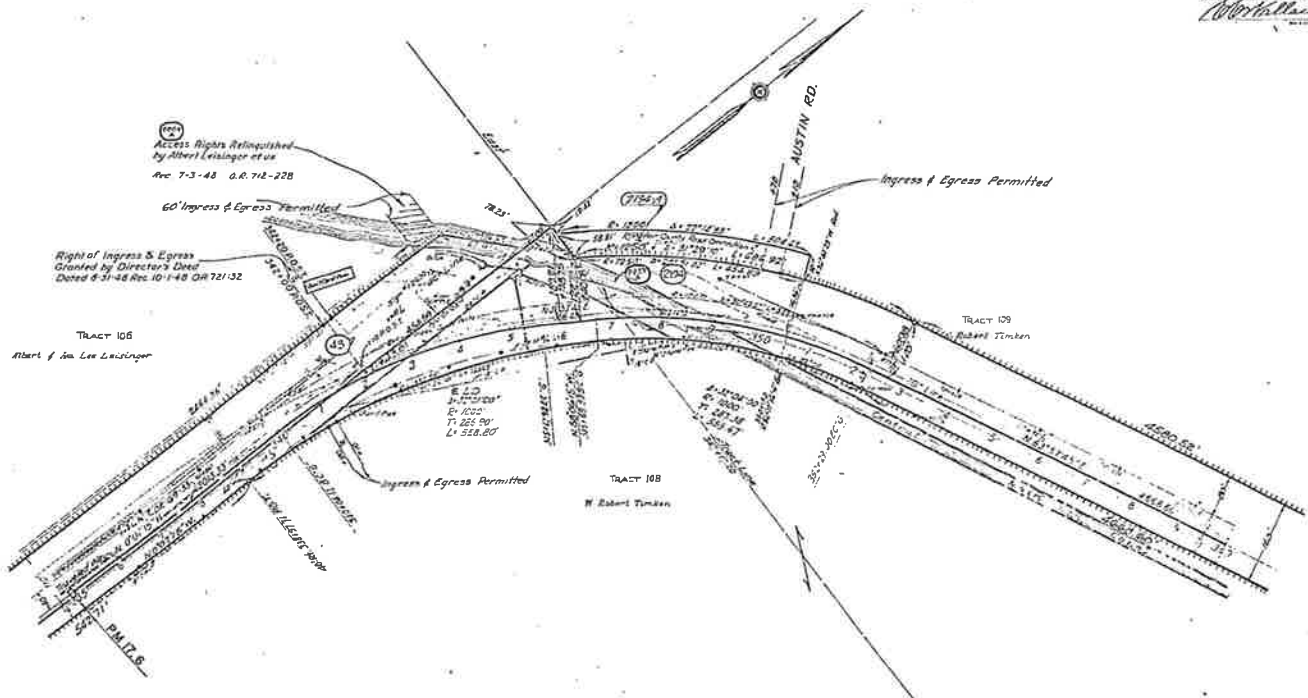
Attachments:

1. Right of Way Map I0861701
2. Right of Way Map I0861702
3. Right of Way Easement Exhibit

01461

T. 14 S., R. 14 E., S. B. B. & M.

XI IMP 86 PM 17.6
 XII IMP 26 G 16 21
W. R. Timken



FOR THIS AREA SEE MAP 73561

DATE	BY
DEC 7 1955	W. R. Timken

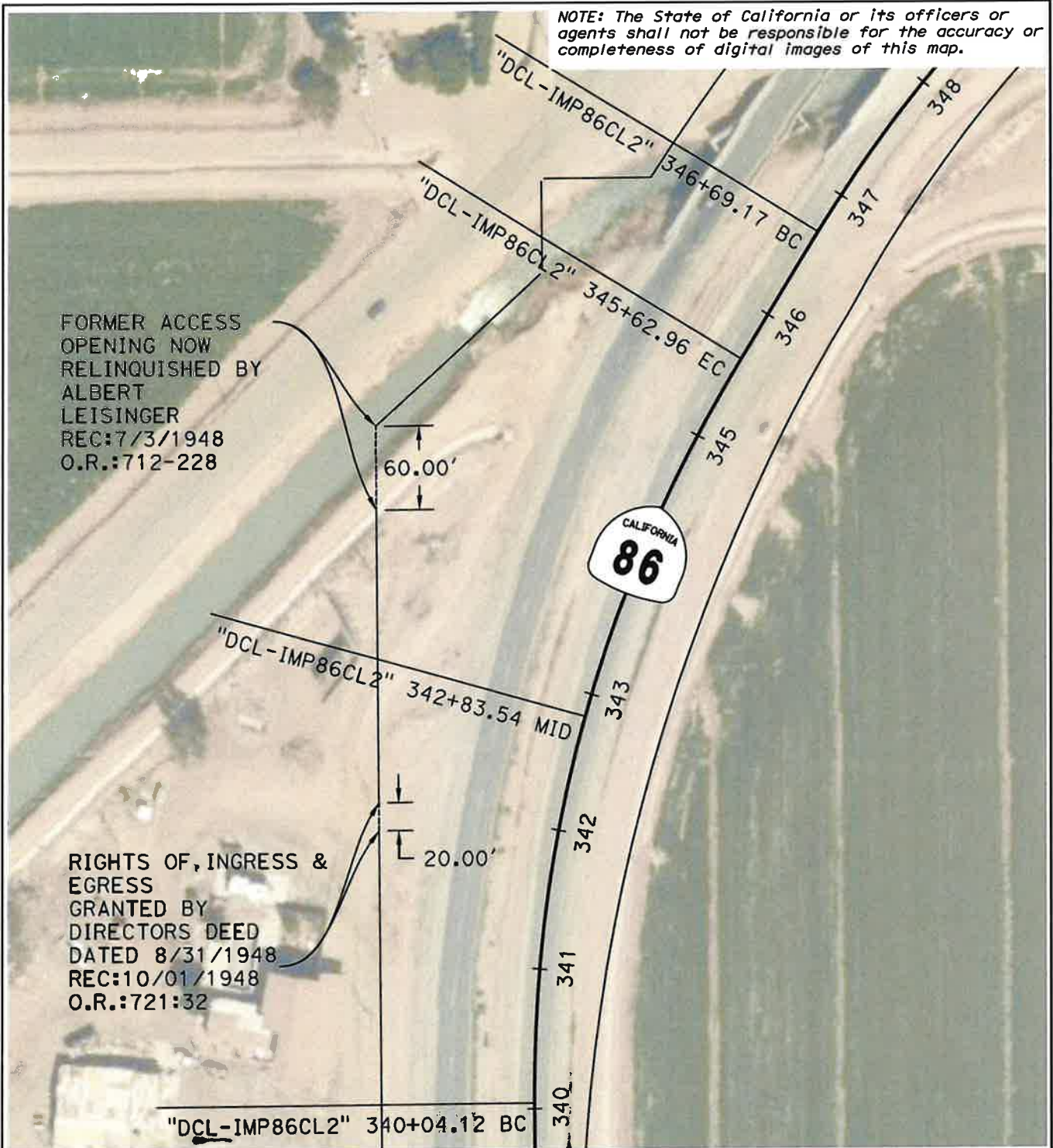
FOR THIS AREA SEE MAP 73563

PLAT NO.	QUANTITY	TYPE INSTR.	DATE REGISTERED	DATE BOOK	PAGE	REMARKS
210	W. Robert Timken, et ux	F	1-10-47	323	47	150 2190 Access Ets.
43	Albert Leisinger, et ux	F	1-8-45	618	45	640 591 2004 Access Ets.
221	Imperial Irr. Dist.	Joint Use Agreement	7-15-47	815	41	682 281 2857 2257-A Par. 13
600	Albert Leisinger, et ux	Deed	7-3-48	712	228	2004
279	W. Robert Timken, et ux	(L)	1-10-47			2194 To County of Imperial

FOR PREVIOUS RW INFORMATION
 SEE MAP NO. 1-043, 058
RIGHT OF WAY MAP
 SCALE 1" = 100'
 10861702.HF 12-20-99
 XI-IMP-86, PM 17.6 10-73562
 XII-IMP-26-G 16-21
 1086 1702.71F - AVE

XI-IMP-26-G 55

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

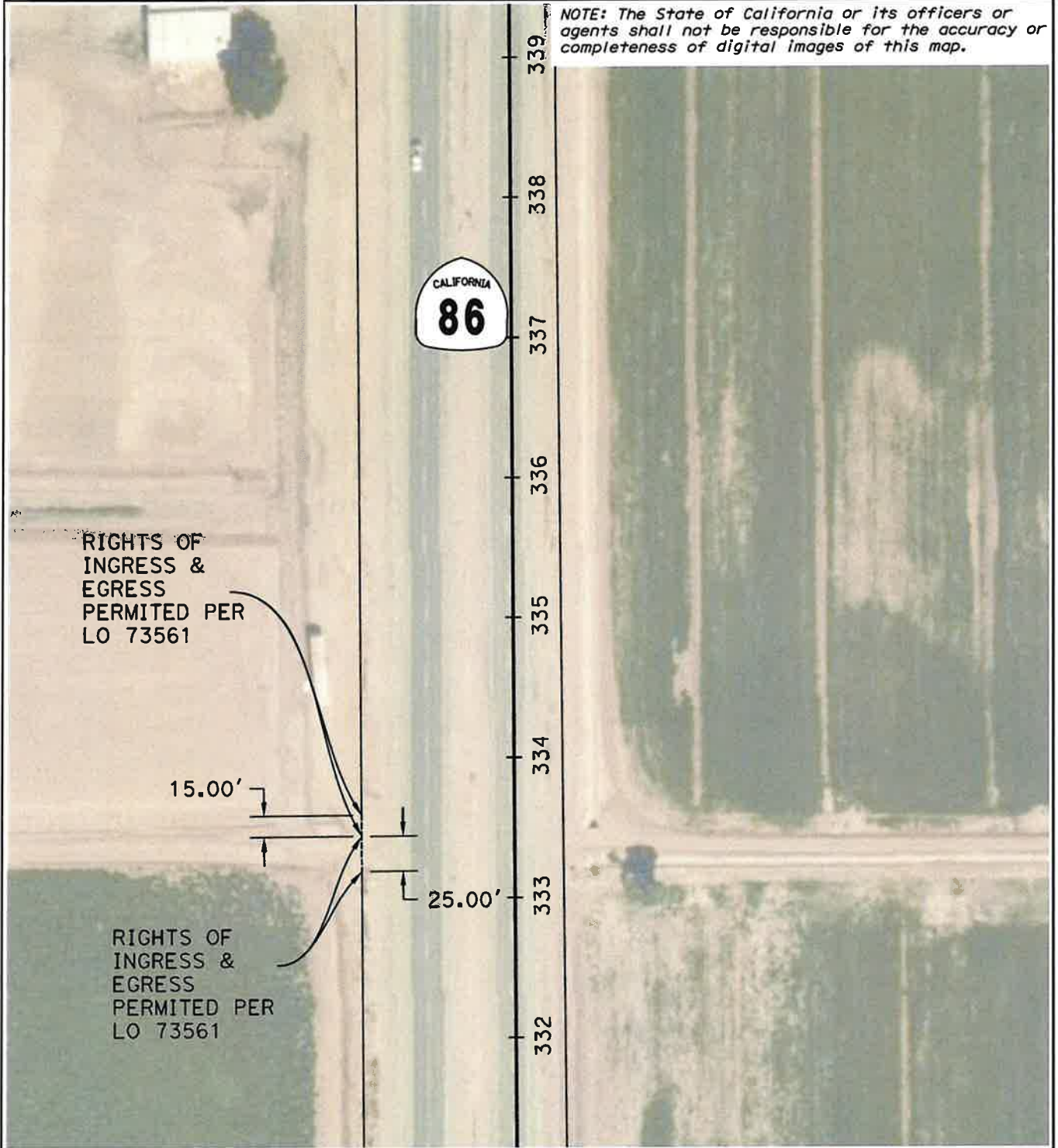


FORMER ACCESS
OPENING NOW
RELINQUISHED BY
ALBERT
LEISINGER
REC:7/3/1948
O.R.:712-228

RIGHTS OF, INGRESS &
EGRESS
GRANTED BY
DIRECTORS DEED
DATED 8/31/1948
REC:10/01/1948
O.R.:721:32

NOTES		LEGEND			STATE OF CALIFORNIA CALIFORNIA STATE TRANSPORTATION AGENCY DEPARTMENT OF TRANSPORTATION RIGHT OF WAY EASEMENT EXHIBIT GRANDE VISTA EVENT CENTER		
Coordinates and bearings are on CCS 1983 (1991.35) Zone 6. Distances and stationing are grid distances. Divide by 1.00000000 to obtain ground distances. All distances are in feet unless otherwise noted.		—	ACCESS CONTROLLED R/W				
		- - - - -	LOCATION OF EASEMENT				
			EASEMENT PARCEL NUMBERS				
PID	EA	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
0000000449	01077	11	SD	86	17.7	1	2

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



<p>NOTES</p> <p>Coordinates and bearings are on CCS 1983 (1991.35) Zone 6. Distances and stationing are grid distances. Divide by 1.00000000 to obtain ground distances. All distances are in feet unless otherwise noted.</p>		<p>LEGEND</p> <p>— ACCESS CONTROLLED R/W</p> <p>- - - LOCATION OF EASEMENT</p> <p>○ EASEMENT PARCEL NUMBERS</p>			<p>STATE OF CALIFORNIA CALIFORNIA STATE TRANSPORTATION AGENCY DEPARTMENT OF TRANSPORTATION RIGHT OF WAY EASEMENT EXHIBIT GRANDE VISTA EVENT CENTER</p> <p>SCALE: 1" = 100'</p> <p>FEET 0 50 100 200</p>		
PID	EA	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
0000000449	01077	11	SD	86	17.7	2	2

Derek Newland

From: Aimee Trujillo
Sent: Friday, November 22, 2024 13:33
To: Jill McCormick
Cc: Derek Newland; Aimee Trujillo; Jenyssa Gutierrez; Kamika Mitchell; Kayla Henderson; Marsha Torres; Olivia Lopez; Valerie Grijalva
Subject: RE: [EXTERNAL]:Notice of Intent- CUP24-0003/IS24-0005

Good afternoon Jill,

Thanks for your response.

Aimee Trujillo

Office Technician

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



From: Jill McCormick <historicpreservation@quechantribe.com>
Sent: Friday, November 22, 2024 1:23 PM
To: Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; ICPDSCCommentLetters <ICPDSCCommentLetters@co.imperial.ca.us>
Subject: Re: [EXTERNAL]:Notice of Intent- CUP24-0003/IS24-0005

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

Good afternoon,

This email is to inform you that the Historic Preservation Office does not wish to comment on this project.

Jill

H. Jill McCormick, M.A.

Historic Preservation Office

Ft. Yuma Quechan Indian Tribe

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

In an effort to increase the efficiency at which information is distributed and reduce paper usage, please find New Notice of Intent for **Conditional Use Permit #24-0003/ Initial Study #24-0005 Grand Vista Event Center LLC / Grand Vista Ranch LLC** reflecting **Mitigated Negative Declaration**. As per Fish and Wildlife Comment letter received on September 26th 2024 attached above.

Please feel free to view the EEC Original Hearing Package by clicking on the following link:

<https://www.icpds.com/assets/hearings/CUP24-0003-MND-Grand-Vista-Event-Center-EEC-HEARING-PKG-11.22.24.pdf>

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

Thank you,

Aimee Trujillo

Office Technician

Imperial County Planning & Development Services

801 Main Street

El Centro, CA 92243

(442) 265-1736

(442) 265-1735 (Fax)

aimeetrujillo@co.imperial.ca.us





IID

A century of service.

www.iid.com

Since 1911

August 27, 2024

RECEIVED

By Imperial County Planning & Development Services at 4:42 pm, Aug 27, 2024

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

SUBJECT: NOI for the Preparation of an ND for the Grand View Vista Event Center Project;
CUP24-0003, IS24-0005

Dear Mr. Newland:

On this date, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, the Notice of Intent for the preparation of a Negative Declaration for the Grand View Vista Event Center, LLC project; Conditional Use Permit No. 24-0003, Initial Study No. 24-0005. The applicant proposes an event center on approximately 14 acres located at 4097 Hwy. 86, Brawley, California (APN 040-420-020-001) initially utilizing shade structures and portable bathrooms with plans for future enclosed buildings.

The IID has reviewed the IS/ND and found that the comments provided in the April 11, 2024 district letter (see attached) continue to apply.

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

Respectfully,

Donald Vargas
Compliance Administrator II

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



IID

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April 11, 2024

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

SUBJECT: Grand View Vista Event Center Project; CUP24-0003, IS24-0005

Dear Mr. Newland:

On April 5, 2024, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on the Grand View Vista Event Center, LLC project; Conditional Use Permit No. 24-0003, Initial Study No. 24-0005. The applicant proposes an event center on approximately 14 acres located at 4097 Hwy. 86, Brawley, California (APN 040-420-020-001) initially utilizing shade structures and portable bathrooms with plans for future enclosed buildings.

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

1. Currently there is existing electrical service to the property. If the proposed project requires additional electrical service to the existing one, the applicant should be advised to contact Gabriel Ramirez, IID project development service planner, at (760) 339-9257 or e-mail Mr. Ramirez at gramirez@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an AutoCAD file of site plan, approved electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to the project.
2. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.
3. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

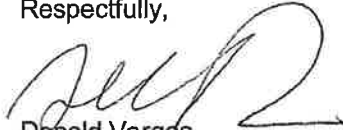
4. The proposed water system for the event center is an existing water well located on the parcel. Should the applicant want a future water supply from IID, Justina Gamboa-Arce, Planner Water Resources Senior, should be contacted at (760) 339-9085 or at jgamboarce@iid.com for additional information.
5. IID water facilities that could be impacted by the project include the Central Main Canal and Lavender Lateral 1A.
6. Fences should be installed at the boundary of IID's right of way for safety and to allow access for IID operation and maintenance activities. The project's fencing plan should address IID's right of way.
7. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
8. The applicant may not use IID's canal or drain banks to access the project site. Any abandonment of easements or facilities will be approved by IID based on systems (Irrigation, Drainage, Power, etc.) needs.
9. Should the project require site access from Austin Road, across the Central Main Canal, an IID crossing and encroachment permit will be required. When new crossings or modification to the existing crossings are needed, the applicant will be responsible for the cost of these improvements and IID will design and construct them.
10. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.
11. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental

Derek Newland
April 11, 2024
Page 3

impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

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

Respectfully,



Donald Vargas
Compliance Administrator II

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

ATTACHMENT "G"
Environmental Evaluation
Committee Package

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: August 22, 2024

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM / No.1

PROJECT TYPE: Grand Vista Event Center
CUP #24-0003 / IS #24-0005 SUPERVISOR DIST #4

LOCATION: 4097 US Hwy 86 APN: 040-420-020-000

Brawley, CA 92227 PARCEL SIZE: +/- 13 acres

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

ZONE (existing) A-2 (General Agriculture) 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: 08/22/2024

INITIAL STUDY: #24-0005

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

IID, CalTrans

REQUESTED ACTION:

(See Attached)

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

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Conditional Use Permit #24-0003
Initial Study #24-0005
Grand Vista Event Center LLC**



Prepared By:

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

(August 2024)

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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 #24-0003 for a Special Event Center (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:** Grand Vista Event Center LLC
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Derek Newland, Planner III, (442)265-1736, ext. 1756
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** dereknewland@co.imperial.ca.us
6. **Project location:** 4097 Hwy 86 (SR-86), Brawley, CA 92227
APN #040-420-020-001
7. **Project sponsor's name and address:** Grand Vista Event Center LLC
4097 Hwy 86 (SR-86), Brawley, CA 92227
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2 (General Agriculture)
10. **Description of project:** The applicant Grand Vista Ranch, LLC proposes a special event center located on approximately 7 acres on the southern portion of an approximately 13 acres parcel. The project expects to host up to 300 guests per event for up to 59 events per year consisting of weddings, birthday parties, fundraisers and other similar private events. The project proposes to hold events in outdoor and indoor settings with the outdoor events utilizing pop-up shades/tents and indoor events are proposed to be held in 2 proposed barns which are to be phased in based on the success of the initial outdoor event phase. The event center may supply tables, tablecloths, chairs, dishes, utensils, decorations and entertainment as needed. Events will have varying start times but will end at 12 am and clean up after the event is expected to be completed within 2 days following the event.

Waste disposal for events will be done through adequate trashcans which will be removed by a commercial waste hauler and wastewater would be through portable lavatories which will be pumped out by a licensed septage hauler. The project site will be fully covered with Bermuda grass to control fugitive dust due to foot and vehicle traffic.
11. **Surrounding land uses and setting:** The project is located approximately 4,000 feet southwest of the City of Brawley and is bounded by agricultural fields on all sides as well as Austin Road and the Central Main Canal to the west and Hwy 86 to the east. There is a house approximately 350 feet north of the project parcel and approximately 1,000 feet north of the edge of the proposed 7 acres special event center area.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Imperial County Air Pollution Control District, Imperial County Public Works, Imperial County Fire Department, Imperial County Division of Environmental Health, Caltrans, Planning Commission
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentially, etc.?** AB 52 Opportunity to Consult letters were sent to the Quechan and Campo Band of Mission Indians tribes on April 05, 2024, and no comments have been received to date from either

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 type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jim Minnick, Director of Planning/EEC Chairman

Date:

PROJECT SUMMARY

A. Project Location: The project is located at 4097 Us Hwy 86, Brawly, Ca 92227. The parcel is identified as Assessor's Parcel Number 040-420-020 and is legally described as POR TR 106 14-13/14 16AC SE OF CENTRAL MAIN EXC POR IN HWY 86, S.B.B.M., in the unincorporated area of the County of Imperial.

B. Project Summary: The applicant Grand Vista Ranch, LLC proposes a special event center located on approximately 7 acres on the southern portion of an approximately 13 acres parcel. The project expects to host up to 300 guests per event for up to 59 events per year consisting of weddings, birthday parties, fundraisers and other similar private events. The project proposes to hold events in outdoor and indoor settings with the outdoor events utilizing pop-up shades/tents and indoor events are proposed to be held in 2 proposed barns which are to be phased in based on the success of the initial outdoor event phase. The event center may supply tables, tablecloths, chairs, dishes, utensils, decorations and entertainment as needed. Events will have varying start times but will end at 12 am and clean up after the event is expected to be completed within 2 days following the event. Waste disposal for events will be done through adequate trashcans which will be removed by a commercial waste hauler and wastewater would be through portable lavatories which will be pumped out by a licensed septage hauler. The project site will be fully covered with Bermuda grass to control fugitive dust due to foot and vehicle traffic.

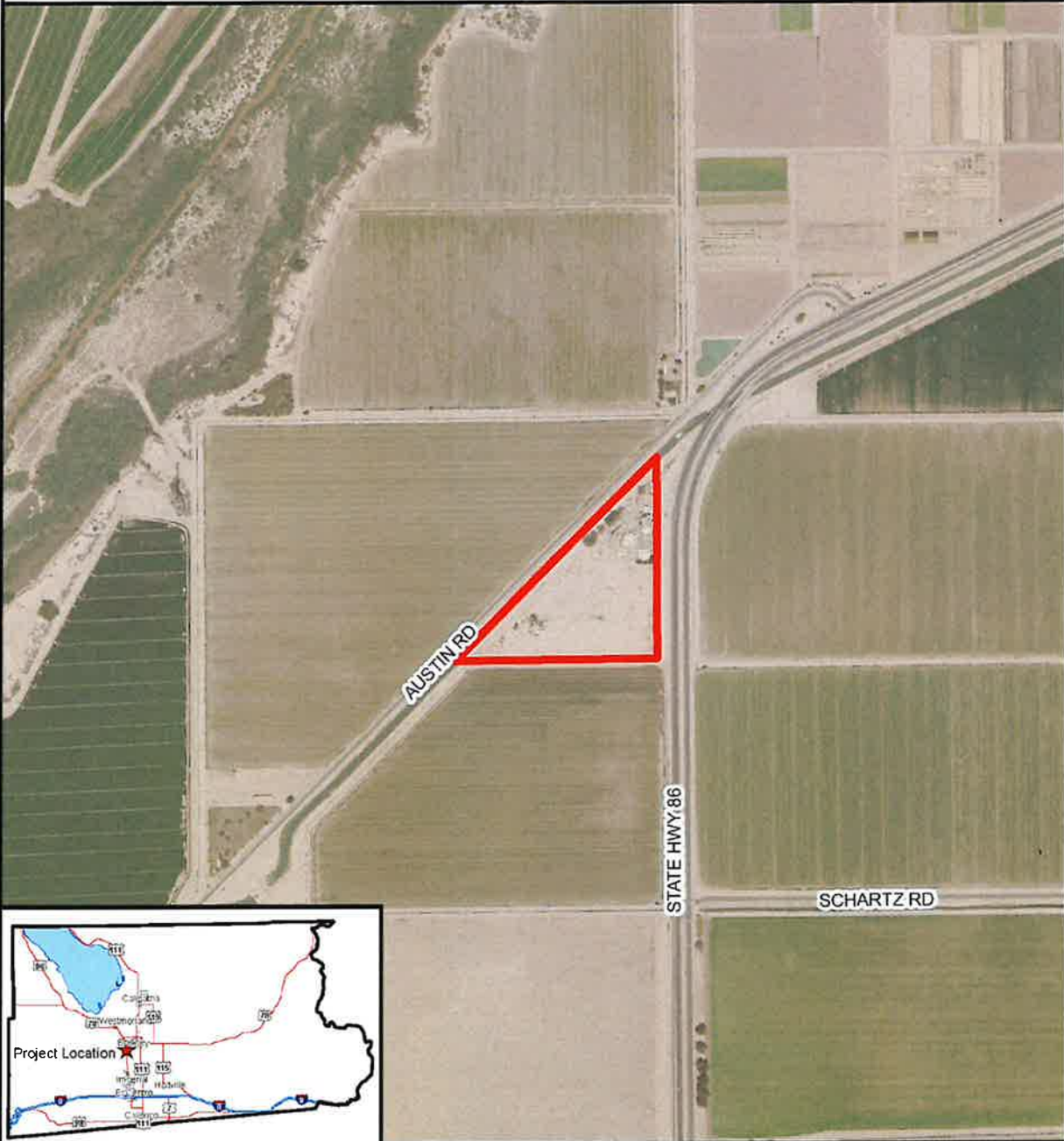
C. Environmental Setting: The project parcel is 13 acres with the project site encompassing the southern 7 acres and located approximately 4,000 feet southwest of the City of Brawley and is bounded by agricultural fields on all sides as well as Austin Road and the Central Main Canal to the west and Hwy 86 to the east. There is a house approximately 350 feet north of the project parcel and approximately 1,000 feet north of the edge of the proposed 7 acres special event center area.

D. Analysis: The proposed project area is located within the County's General Plan designation of "Agriculture." The project site is currently zoned A-2 under the County Land Use Ordinance, Section 90508.00. The proposed project could be found consistent with the County Land Use Ordinance, specifically, Section 90508.02 "Uses Permitted Only with a Conditional Use Permit" for a "Special Occasion Facility".



E. General Plan Consistency: The project is designated as "Agriculture" within the General Plan and would be an allowed use within this designation with an approved Conditional Use Permit.

Exhibit "A"
Vicinity Map

PROJECT LOCATION MAP



Grand Vista Event Center LLC
CUP #24-0003 / IS #24-0005
APN #040-420-020-001

 Project Parcel
 Centerline



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)	Less Than Significant with Mitigation Incorporated (LTSMI)	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 special event center is located on Hwy 86 (SR-86) which is not designated as or eligible to be designated as, a scenic highway per the Imperial County General Plan Circulation and Scenic Highway Element¹ and California State Scenic Highway System Map². Therefore, the proposed project is not anticipated to have a substantial adverse effect on a scenic vista or scenic highway. No impacts are expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

b) As stated in I(a), the project is not located on or near a designated or eligible to be designated scenic highway and therefore, is not expected to substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. No impacts are expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

c) The proposed project is a special event center that would consist initially of pop-up shade structures with future development proposing the construction of two barns, one proposed as 58' x 90' (5,220 sq ft) and the other proposed as 36' x 51' (1,836 sq ft), for indoor events. The project location is along the Hwy 86 banked curve just south of Brawley, Ca and contains an existing house on the north end of the property. The project is surrounded by agriculture fields on all sides and bounded between Hwy 86 and the Central Main Canal and Austin Road run parallel with each other. As the project consists of temporary pop-up shade structures and barns which would not be out of place in the agricultural area, the project is not expected to substantially degrade the existing visual character or quality of public views of the site and its surroundings and the project would not conflict with any applicable zoning or other regulations governing scenic quality as a special event center is an allowed use in the A-2 (General Agriculture) with an approved Conditional Use Permit. Any impacts would be considered less than significant.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

d) The proposed special event center proposes having events at night with ending times varying but no later than 12 am. Lighting for these events would be required but would only be during event times and would be required and conditioned within the CUP, to be directed away or shielded from shining towards Hwy 86 and Austin Rd so as not to create a hazard to traffic as well as directed away and shielded from adjacent properties. It is expected that lighting and glare condition within the CUP would bring any impacts from light or glare affecting day or nighttime views in the area to less than significant levels. Per the California Department of Fish and Wildlife comment letter dated September 26, 2024³, artificial nighttime lighting may have potential impacts to surrounding potential habitat land and recommends the following mitigation.

MM BIO-[A]: Artificial Nighttime Light

During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project proponent shall ensure that lighting for Project activities is shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

It is expected to compliance with this mitigation measure would bring any impacts to less than significant.

¹ Imperial County General Plan Circulation and Scenic Highway Element

² California State Scenic Highway System Map

³ California Department of Fish and Wildlife comment letter dated September 26, 2024

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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 special event center will be located on property that also contains an existing residence on the north portion of the property and is zoned A-2 (General Agriculture). The property is not farmed and is currently seeded with bermuda grass and is not expected to be farmed in the future. Additionally, per the California Department of Conservation: Farmland Mapping & Monitoring Program online application⁴ the property is designated as "Other Land". Therefore, the project would not convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. No impacts are expected.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

b) There are no current Williamson Act Contracts in Imperial County. The proposed special event center would not conflict with existing zoning as a special event center is allowed within the A-2 zone with an approved Conditional Use Permit (CUP). No impacts are expected.
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

c) The proposed project site is zoned for general agriculture use and therefore, the proposed special event center would not 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)) as the proposed project would be an allowed use in the current A-2 zone with an approved CUP. No impacts are expected.
- d) Result in the loss of forest land or conversion of forest land to non-forest use?

d) As stated in II (a, b, & c) the project is zoned A-2 (General Agriculture) and is not farmed nor does it contain forest land. Therefore, the project would not result in the loss of forest land or conversion of forest land to non-forest use. No impacts are expected.
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

e) The proposed special event center does not anticipate any 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. Any impacts are expected to be less than significant.

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:

⁴ California Department of Conservation: Farmland Mapping & Monitoring Program online application

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Conflict with or obstruct implementation of the applicable air quality plan? a) The proposed special event site will be required to comply with Imperial County Air Pollution Control District's rules and regulations with emphasis on Regulation VIII – Fugitive Dust Rules which is a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity per APCD's comment letter dated April 16, 2024⁵. If the project operates any combustion equipment such as a generator a permit may be required by APCD. It is expected that compliance with APCD's rules and regulations would bring any impacts to a less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? b) The proposed special event is not expected to 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. As stated in III(a) the project will be required to comply with all of APCD's rules and regulations and it is expected that compliance with these rules and regulations as well as any required permits would bring any impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations? c) The proposed special event center does not expect to expose sensitive receptors to substantial pollutant concentrations. The potential source of air pollutants would be dust and potential power/light generators and, as stated previously in this section, the project will be expected to comply with APCD's rules and regulations, compliance of which is expected to bring any impacts to less than significant levels.	<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 special event center is not anticipated to result in other emissions (such as those leading to odors adversely affecting a substantial number of people. Again, as stated previously it is expected that compliance with APCD's rules and regulations will bring any potential impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. **BIOLOGICAL RESOURCES** *Would the project:*

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
a) **Per the Imperial County General Plan: Conservation and Open Space Element⁶ Figure 2, the proposed special event center is located within the Burrowing Owl Species Distribution Model. The project site is under seed with Bermuda grass which will be mowed periodically and maintained. Ground disturbance would come from the proposed future building of the 5,220 sq ft and 1,836 sq ft barns located on a 7 acres portion of the 13 acres parcel. Driveways and parking areas would be in designated areas with grass covering with the exception of a dirt road on the property and conditioned paved southern driveway entrance and exit per Caltrans letter dated July 18, 2024⁷. Per the California Department of Fish and Wildlife (CDFW) comment letter dated September 26, 2024, significant impacts to biological resources including nesting birds and burrowing owls and therefore recommend the following mitigation measures.**

BIO-[B]: Assessment of Biological Resources

Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within off-site areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally

⁵ Imperial County Air Pollution Control District comment letter dated: April 16, 2024

⁶ Imperial County General Plan: Conservation and Open Space Element

⁷ Caltrans letter dated July 18, 2024

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

BIO-[C]: Nesting Birds

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for all phases of Project construction. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

BIO-[D]: Focused and Pre-Construction Surveys for Burrowing Owl

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report and shall implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls. If no suitable habitat is available nearby, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.

For all phases of Project construction, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version). Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.

It is expected to compliance with these mitigation measures would bring any impacts to less than significant.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

b) The proposed special event center is not located near a 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. The project is bounded by Hwy 86 to the east and Austin Rd and the Central Main Cana on the west and an agriculture field to the south. The project does not propose any development near the canal that would have a substantial adverse effect on the canal. Per the CDFW letter dated September 26, 2024 there may be potential significant impacts to the canal depending on construction activities and the following mitigation measure is recommended:

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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MM BIO-[E]: CDFW's Lake and Stream Alteration (LSA) Program

Prior to Project-activities and issuance of any grading permit, the Project Sponsor shall obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project Sponsor shall obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

It is expected that compliance with this mitigation measure would bring any potential impacts to less than significant.

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) | Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | c) The proposed special event center is not located on or near a state or federally protected wetlands and is therefore, not expected to 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. Any impacts would be considered less than significant. | | | | |
| d) | Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | d) The proposed special event center is located on a 13.49 acres parcel with the proposed event area encompassing approximately 7 acres. The property is bounded by Hwy 86 to the east, Austin Rd and the Central Main Canal to the west and an agriculture field to the south and the north portion of the property contains an existing house and accessory structure. The project itself does not propose substantial development and is not expected to permanently operate daily or nightly. Therefore, the proposed project is not expected to substantially interfere with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Any impacts are expected to be less than significant. | | | | |
| e) | Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | e) The proposed special event center would be an allowed use within the current A-2 (General Agriculture) zone with an approved Conditional Use Permit per the Imperial County General Plan, Land Use Ordinance (Title 9) Division 5 and is not expected to conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance. Therefore, any impacts would be considered less than significant. | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | f) As stated in IV(e), the proposed special event center would be an allowed use per the Imperial County General Plan with the approval of a Conditional Use Permit. The project does not anticipate conflicting 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 would be considered less than significant. | | | | |

V. CULTURAL RESOURCES Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | a) The proposed special event center is not anticipated to cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 as the proposed project consists of pop-up shades, a Bermuda grass lawn encompassing the entire 7 acres of the project site including driveways and parking lots, and 2 proposed future barns totaling 7, 056 square feet and is on historically disturbed land. The project does not propose extensive new land disturbance such as digging or grading of the property. Additionally, AB 52 Opportunity to Consult letters were sent to the Quechan and Campo Band of Mission Indians tribes on April 05, 2024, and no comments have been received to date from either. Therefore, any impacts would be considered less than significant. | | | | |
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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b) As stated in V(a) the project is located on historically disturbed land and the project does not propose extensive land disturbance. Therefore, the project does not anticipate causing a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. Therefore, any impacts would be considered less than significant.

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

c) The project is not located in or near a known cemetery or known human remains interred outside of a dedicated cemetery, and it is not anticipated that the project would disturb any unknown human remains as the project does not propose any significant land disturbance or removal. In case of the discovery of human remains, the project would be required to comply with all Federal, State, and Local laws concerning the discovery and treatment of human remains. Therefore, impacts are expected to be less than significant.

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

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

a) The proposed project is a special event center that will consist of pop-up shade structures and 2 proposed barns with driveways and parking areas having a Bermuda grass cover. The project proposes up to 59 events per year with up to 300 guests plus staffing. Construction for the project would consist of the proposed barns and the paving and improving of the southern entrance and exit of the property onto Hwy 86. Energy consumption would result from fuel use during the paving process, construction of the barn and any generators needed for lighting during events. Electrical use onsite not generated from onsite electrical generators would come from the Imperial Irrigation District and would predominately be used for powering lights on the property and during events. It is not anticipated that these energy uses would result in potentially significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources, during project construction or operation. Less than significant impacts are anticipated.

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

b) The proposed special event center is not anticipated to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Any impacts would be considered less than significant.

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

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

a) The proposed special event center is not anticipated to directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death. Impacts are expected to be less than significant.

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

1) The proposed project site is not located in or near a known earthquake per the California Department of Conservation "CGS Seismic Hazards Program: Alquist-Priolo Fault Hazard Zones" online map⁸. The nearest known fault is approximately 1.5 miles southeast of the project and any shaking from a fault rupture would be similar if not the same as the City of Brawley which is located less than 1 mile northeast of the project site. The proposed special event center would consist of pop-up shades and 2 proposed barns which would be subject to building permits as well as the latest California building codes. Therefore, the project is not anticipated to Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving the rupture of a known earthquake fault. Any impacts are expected to be less than significant.

2) Strong Seismic ground shaking?

2) Imperial County is subject to potential seismic ground shaking due to the numerous faults in the area. The project site could experience strong seismic ground shaking but no more than the surrounding properties. The proposed project consists of pop-up shades and 2 barns which will be subject to building permits and the latest California building

⁸ 10. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
codes and therefore, is not expected to cause substantial adverse effects, including risk of loss, injury, or death. Any impacts would be considered less than significant.				
3) Seismic-related ground failure, including liquefaction and seiche/tsunami?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) The proposed project is not located in a Tsunami inundation area according to the California Tsunami Data Map⁹, therefore, impacts are expected to be less than significant.				
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) The proposed special event center is not located within a Landslide Activity area according to the Imperial County Seismic and Public Safety Element, Figure 2 (Landslide Activity)¹⁰. The topography within the project site is generally flat, and therefore will not be directly or indirectly affected by a landslide. No impacts are expected.				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) The proposed special event center is not located within an area of substantial soil erosion according to Imperial County Seismic and Public Safety Element, Figure 3 (Erosion Activity). Less than significant impacts are expected.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The project parcel has existing structures on the north portion of the property that are not part of the special event center project but are only a few hundred yards away. The project is not known to be located on a geologic unit or soil that is unstable or would become unstable and as stated above the project is not located in an area prone to landslides. The project does propose 2 barns that would require building permits as well as to comply with the latest California building codes. Therefore, impacts are expected to be less than significant.				
d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The proposed property does have existing structures on it with no know difference in soil between these structures and the project location. The proposed special event center proposes 2 barns that would require building permits as well as be required to comply with the latest California building codes. Therefore, impacts would be considered less than significant.				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The proposed special event center proposes using portable lavatory facilities with the possibility of installing bathrooms and a septic system in the future. As part of the permitting process for installing a septic system, a percolation test will be conducted on the site. If the soil does not pass the percolation test, then the septic system would not be permitted and an adequate number of portable lavatories as determined by Imperial County Division of Environmental Health, would remain in use. However, there is currently a house on the northern portion of the property which does have a septic system installed, so it is anticipated that the soils on the project site will be capable of supporting a septic system. Any impacts are expected to be less than significant.				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The project is located on disturbed land that is currently seeded with Bermuda grass and ground disturbance would come from the construction of 2 barns and the paving of the entrance/exit on to Hwy 86 which is already a disturbed unpaved roadway. Therefore, it is not anticipated that the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Any impacts are expected to be less than significant.				

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

⁹ California Tsunami Data Maps

¹⁰ Imperial County General Plan: Seismic and Public Safety Element

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
indirectly, that may have a significant impact on the environment? a) Temporary greenhouse gas emissions are expected to be generated as a result of traffic from invitees and event organizers. As previously mentioned under Section III, Air Quality, the applicant shall contact the APCD for compliance with their regulations, it is expected that such compliance would bring impacts to less than significant levels.				
b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? b) The proposed special event center is not expected to conflict with an applicable plan, policy and/or regulation adopted for the purpose of reducing the emissions of greenhouse gases; as mentioned above under item b), applicant shall contact and comply with APCD regulations. Impacts are expected to be less than significant.	<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 special event center does not intend to transport, use or dispose 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) As mentioned above under item a), the proposed project does not include the use of hazardous materials. 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) No schools are known to be proposed or currently located within one-quarter mile of the proposed project; thus it will not present a risk to school facilities. 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 special event center is not located on a site included on a list of hazardous material sites ¹¹ ; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 within two miles of a public or public use airport. The nearest airport is the Brawley Municipal Airport which is approximately 5 miles away to the northeast of the project site. Therefore, no impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
f) The proposed special event center is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The applicant shall be required to comply with Imperial County Fire Department (ICFD) requirements as stated in the ICFD comment letter dated: April 23, 2024 ¹² , such compliance is expected to bring impacts to less than significant levels. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹¹ EnviroStor Database

¹² Imperial County Fire Department comment letter dated: April 23, 2024

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? g) As stated in IX(f) it is expected that compliance with ICFD's comment letter as well as all Federal, State, local regulations, codes and ordinances will bring any impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
a) The proposed special event center is not expected to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Per the Division of Environmental Health Services letter dated: April 22, 2024, project would be required to apply for a Domestic Water Supply Permit (DWSP) if the project were to have 25 or more people, 60 days a year or more. The project proposes up to 59 events a year which would not require a permit. If the project were to exceed 59 events a year the proposed Conditional Use Permit would be required to be amended and the DWSP would be required. Therefore, the project is expected to have a less than significant impact. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
b) The proposed special event center proposes to use water supplied by the Imperial Irrigation District that is also used by the home located on the northern portion of the property and would not decrease groundwater supplies or interfere substantially with groundwater recharge as the project does not propose affecting the 7-acre parcel site with impervious surfaces. Therefore, impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
c) The proposed special event center is not located within a river, or a stream and the project propose 2 barns which will require building permits and the project site is proposed to have a full Bermuda grass ground cover, therefore, it is not expected that the project would substantially alter the existing drainage pattern of the site or area. Additionally, no major impervious surfaces are required other than the paved driveway per CALTRANS comment letter dated July 18, 2024. Impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) result in substantial erosion or siltation on- or off-site;
(i) The proposed special event center project site is seeded with Bermuda grass with no ground alteration proposed aside from the building of 2 barns. Onsite driveways and parking areas will be covered with Bermuda grass as well which will limit the movement of soil due to wind or water. Therefore, impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
(ii) The proposed special event center is not expected to substantially alter the existing drainage pattern on site and substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite, as no substantial change in the existing grading is proposed. Therefore, any impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;
(iii) The proposed special event center does not propose to change the existing grading and therefore, it is not expected to substantially alter the existing drainage pattern on site and 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. Any impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (iv) impede or redirect flood flows?
(iv) The proposed special event center is not located in a flood zone X per FEMA 06025C1375C and is not expected to impede or redirect flood flows. 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)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? d) The proposed special event center is not located within a Tsunami inundation area, and according to the FEMA Flood Map Service Center¹³, the proposed project is not located within a flood hazard zone. Therefore, impacts related to a risk of release of pollutants due to project inundation if located within a flood hazard or tsunami zones are considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? e) The project is not expected to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project will be subject to all of the Division of Environmental Health Services' rules and regulations and it is expected that compliance would lessen any impacts to a less than significant level.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- a) Physically divide an established community?
a) The proposed special event center is surrounded by agricultural land with the City of Brawley less than 1 mile away to the northeast. The project will not physically divide an established community. No impacts are expected.
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?
b) The proposed special event center is not expected to conflict with the County's General Plan or Land Use Ordinance as a Conditional Use Permit was submitted for the proposed project. The A-2 zone requires the approval of a Conditional Use Permit per Imperial County Land Use Ordinance Title 9 § 90508.02 (aaa) Special Occasion Facility. Impacts are expected to be less than significant.

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

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
a) The proposed special event center site is not located in an area classified to be a regionally important mineral resource per the California Department of Conservation- Mineral Land Classification¹⁴, additionally, there are no substantial proposed physical changes to the existing site other than the building of 2 barns totaling approximately 7,056 square feet on the 7 acres project site. Therefore, no impacts are anticipated.
- 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) Per the Imperial County General Plan, Conservation and Open Space Element- Figure 8- Existing Mineral Resources, the proposed special event center site is not located within an area known to be classified as regionally important mineral resources. Therefore, it is not expected that the proposed project would result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Therefore, 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 project site is located within a Noise Impact Zone, which is an area that could be exposed to significant agricultural related noise, as it is located within 1,320 feet from existing farmland per Imperial County General Plan Land Use Element.

¹³ FEMA Flood Map Service Center

¹⁴ California Department of Conservation - <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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The events hours would be limited to end 12 a.m.; however, the project will be subject to compliance with Imperial County General Plan Noise Element and with Imperial County Land Use Ordinance Division 7: Noise Abatement and Control. However, the nearest receptor (1 residence) is located 1,000 feet east of the event area. The conditional acceptable decimal level is 70 decibels from the property line in the A-2 zone. It is expected that compliance with the Noise Ordinance would lessen the noise impacts to less than significant levels. Per the CDFW letter dated September 26, 2024 there is concern that construction noise could impact fish and wildlife.

MM BIO-[F]: Construction Noise

During all Project construction, the County shall restrict use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning) and restrict use of generators except for temporary use in emergencies. Power to sites can be provided by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems. The County shall ensure the use of noise suppression devices such as mufflers or enclosures for generators. Sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

It is expected that compliance with mitigated measure would bring any potential impacts to less than significant levels.

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

b) Ground-borne vibration or ground-borne noise levels may be expected from music and traffic during events and temporarily during the improvements to the southern entrance/exit onto Hwy 86, however adherence to the Imperial County General Plan Noise Element and with Imperial County Land Use Ordinance Division 7: Noise Abatement and Control would ensure that such ground-borne vibration or ground-borne noise levels is not excessive; such compliance would bring impacts to less than significant levels.

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

c) The proposed special event center is not located within the vicinity of a private airstrip or within the Compatibility Map of the Brawley Municipal Airport per the Imperial County Airport Land Use Compatibility Plan; therefore, it is not expected to expose people in the project area to excessive noise levels. Impacts are considered less than significant.

XIV. POPULATION AND HOUSING *Would the project:*

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

a) The proposed special event center does not propose any housing or public infrastructure that may induce substantial unplanned population growth in an area either directly or indirectly. The project proposes having up to 59 events a year with a maximum of 300 guests per event. The only proposed development are 2 barns for event use and are not expected to be used for or create the need for more housing. Impacts are expected to less than significant.

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

b) The proposed special event center does not anticipate displacing a substantial number of existing people or housing necessitating the construction of replacement housing elsewhere. The proposed project will consist of pop-up tents and 2 proposed barns and host up to a proposed 59 events a year. Impacts are expected to be less than significant.

XV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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acceptable service ratios, response times or other performance objectives for any of the public services:

a) The proposed special event center is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. It is expected that compliance with Imperial County Fire Department requirements per letter dated April 23, 2024, would lessen any public service impacts to less than significant levels.

1) Fire Protection?
1) The proposed special event center is not expected to create a substantial adverse impact to fire protection. Impacts are expected to be less than significant. Applicant shall comply with Imperial County Fire Department requirements per letter dated April 23-2024, to lessen any impact to less than significant levels.

2) Police Protection?
2) The proposed special event center is not expected to create a substantial adverse impact to police protection. Impacts are expected to be less than significant.

3) Schools?
3) The proposed special event center does not expect an increment in population that would require the construction of new educational facilities; therefore, no impacts are anticipated.

4) Parks?
4) The proposed special event center would not result in a substantial adverse physical impact to existing parks. No impacts are anticipated.

5) Other Public Facilities?
5) For the proposed project, applicant shall comply with Caltrans comment letter dated July 18, 2024, in order to lessen impacts to less than significant levels on Hwy 86.

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 special event center does not propose new residential housing or an activity that would generate the increased use of public recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, no impacts are expected.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
b) The special event center proposes is not expected to require the construction or expansion of recreational facilities which might have an adverse effect on the environment as the project would be used for events such as weddings, birthdays, mixers etc. up to 59 days a year. Any impacts would be considered less than significant.

XVII. TRANSPORTATION *Would the project:*

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
a) The proposed special event center is not expected to conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Compliance with Caltrans letter dated July 18, 2024, is expected to lessen impacts to less than significant levels.

b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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b) **The proposed special event center will increase the number of vehicles during the event; however, it is not expected that it would exceed a significant threshold. Therefore, impacts are expected to be less than significant.**

c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

c) **The proposed special event center is located along a banked curve on Hwy 86 with the entrance/exit for the event center being approximately 700 feet away from the end of the curve allowing for vehicles to decelerate and enter onto the property. Additionally, per the Caltrans comment letter dated: July 18, 2024, the entrance/exit shall be improved and paved to allow for safe entry and exiting of the property on to Hwy 86. The project proposes up to 300 guests per event up to 59 days a year and does not trigger further improvements to Hwy 86 as none have been required via the Caltrans comment letter. It is not expected that the temporary increase in traffic up to 59 days a year will substantially increase hazards, and it is expected that compliance with the Caltrans letter will bring any impacts to a less than significant impact.**

d) Result in inadequate emergency access?

d) **Compliance with Caltrans comment letter dated July 18, 2024, and Imperial County Fire Department's comment letter dated April 23, 2024, would bring impacts to less than significant levels for the proposed special event center.**

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 proposed project consists of pop-up shades, a Bermuda grass lawn encompassing the entire 7 acres of the project site including driveways and parking lots, and 2 proposed future barns totaling approximately 7,056 square feet and is on historically disturbed land. The project does not propose extensive new land disturbance such as digging or grading of the property. Additionally, AB 52 Opportunity to Consult letters were sent to the Quechan and Campo Band of Mission Indians tribes on April 05, 2024, and no comments have been received to date from either. Therefore, any impacts would be considered less than significant.**

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

(i) **The proposed project site is not listed under the California Historical Resources in County of Imperial¹⁵ and does not appear to be eligible under Public Resources Code Section 21074 or 5020.1 (k). Therefore, impacts are considered less than significant.**

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

(ii) **No substantial evidence on the proposed project site has been found to be significant to a California Native American Tribe pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, impacts are considered less than significant.**

¹⁵ Office of Historic Preservation

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?
a) The proposed special event center proposes up to 59 events and will not be subject to public water system requirements. Therefore, there will no need for new or expanded water, wastewater treatment or storm water drainage. Any impacts should be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
b) The proposed special event center is expected to have sufficient water supplies and not be subject to public water system requirement given the proposed 59 events. Impacts are considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
c) The project proposes to use portable lavatories which will be required to be serviced by a locally licensed septage hauler. If a septic system is installed in the future, it will be required to be permitted through the Division of Public Health and be designed to meet capacity per the Division of Environmental Health (EHS) comment letter dated: April 22, 2024¹⁶. Impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
d) The proposed special event center will be required to comply with EHS comment email dated April 22, 2024, for Solid Waste Requirements; the applicant shall contract with a licensed commercial waste hauler for all of their solid waste disposal needs. Compliance with EHS requirements would bring impacts to less than significant levels. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
e) The proposed special event center is expected to comply with federal, state, and local management and reduction statutes and regulations related to solid waste with compliance with the EHS comment letter. Impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XX. WILDFIRE

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
a) The proposed special event facility is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones and it is designated as a Local Responsibility Area (LRA) zone per the California Department of Forestry and Fire Projection Map for Imperial County Draft Fire Hazard Draft Severity Zones in LRA. Additionally, applicant will need to comply with Imperial County Fire Department requirements per letter dated April 23, 2024. Therefore, any impacts would be considered less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
b) The proposed special event facility is in a generally flat terrain and would be subject to I.C. Fire Department requirements to ensure that any impacts related to wildfire risks exposing project occupants to pollutant concentrations from a wildfire would be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹⁶ Imperial County Division of Environmental Health comment letter dated: April 22, 2024

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? c) The route of access will be required to support safety and emergency response vehicles in all-weather situations; Impacts are considered less than significant. Compliance with Caltrans and I.C. Fire Department requirements would bring impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? d) The proposed special event facility site is in a generally flat terrain, and it is not located in a flooding zone, therefore it is not expected that it would 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. Impacts are considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

IV. PERSONS AND ORGANIZATIONS CONSULTED

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

A. COUNTY OF IMPERIAL

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

B. OTHER AGENCIES/ORGANIZATIONS

- Imperial Irrigation District
- Caltrans

(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 Department of Fish and Wildlife comment letter dated September 26, 2024
4. California Department of Conservation: Farmland Mapping & Monitoring Program online application
<https://maps.conservation.ca.gov/DLRP/CIFF/>
5. Imperial County Air Pollution Control District comment letter dated: April 16, 2024
6. Imperial County General Plan: Conservation and Open Space Element
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
7. Caltrans letter dated July 18, 2024
8. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones
<https://gjs.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C110.920388%2C6.00>
9. California Tsunami Data Map
<https://www.conservation.ca.gov/cgs/tsunami/maps>
10. Imperial County General Plan: Seismic and Public Safety Element
<https://www.icpds.com/planning/land-use-documents/general-plan/seismic-and-public-safety>
11. EnviroStor Database
<http://www.envirostor.dtsc.ca.gov/public/>
12. Imperial County Fire Department comment letter dated: April 23, 2024
13. FEMA Flood Service Center
<https://msc.fema.gov/portal/search>
14. California Department of Conservation
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>
15. Office of Historic Preservation
<http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>
16. Imperial County Division of Environmental Health comment letter dated: April 22, 2024
17. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.

VI. NEGATIVE DECLARATION – County of Imperial

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

Project Name: Grand Vista Event Center

Project Applicant: Grand Vista Ranch/Grand Vista Event Center

Project Location: 4097 US Hwy 86, Brawley, CA 92227, Assessor's Parcel Number 040-420-020

Description of Project: The applicant Grand Vista Ranch, LLC proposes a special event center located on the approximately 7 acres on the southern portion of an approximately 13 acres parcel. The project expects to host up to 300 guests per event for up to 59 events per year consisting of weddings, birthday parties, fundraisers and other similar private events. The project proposes to hold events in outdoor and indoor settings with the outdoor events utilizing pop-up shades/tents and indoor events are proposed to be held in 2 proposed barns which are to be phased in based on the success of the initial outdoor event phase. The event center may supply tables, tablecloths, chairs, dishes, utensils, decorations and entertainment as needed. Events will have varying start times but will end at 12 am and clean up after the event is expected to be completed within 2 days following the event.

Waste disposal for events will be done through adequate trashcans which will be removed by a commercial waste hauler and wastewater would be through portable lavatories which will be pumped out by a licensed septage hauler. The project site will be fully covered with Bermuda grass to control fugitive dust due to foot and vehicle traffic.

VII. FINDINGS

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

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

The Initial Study identifies potentially significant effects but:

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

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

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

NOTICE

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

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

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

Applicant Signature

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

COMMENTS

EEC ORIGINAL PKG



COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.
Director

STEPHEN MUNDAY, M.D., M.P.H., M.S.
Health Officer

April 22, 2024

Derek Newland
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243

Subject: Environmental Health Comments for Conditional Use Permit #24-0003

Mr. Newland,

The Imperial County Environmental Health Division (EHD) received a request for comments package for Conditional Use Permit #24-003, submitted by Grand Vista Event Center, LLC. The applicant is proposing to permit a new private event center located at 4097 Highway 86, south of Brawley (APN# 040-420-020). The property currently has an existing house and other accessory buildings on the northern portion of the 7-acre property.

Water

The applicants document states there is a water well that will provide water to the facility. Is this accurate? Or is this a surface water supply well (cistern possibly)? Please have the applicant clarify.

Additionally, if the applicant plans to have events year-round, the applicant will be subject to public water system requirements. This assumes that the facility will have 25 or more people for at least 60 days out of the year (60 events or more). If this is the case, the applicant will need to submit a Domestic Water Supply Permit Application to EHD. Please have the applicant contact our office to discuss these requirements in detail.

Wastewater

The applicant is proposing to use port-a-potties for all events, with the option of building a septic system later. Applicant shall be aware that a septic system will be required if they decide to construct restrooms. If existing restrooms are to be used, applicant shall have the septic system certified and have design flows calculated by a licensed engineer, to ensure it is able to meet anticipated demand.

Port-a-potties shall be serviced by a locally licensed septage hauler and shall be installed in a manner that prevents them from tipping over or spilling waste onto the ground.

Solid Waste

The applicant shall contract with a locally licensed commercial waste hauler.

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

EEC ORIGINAL PKG

Mosquito Abatement Plan

If the project is required to construct an on-site stormwater basin, applicant shall submit a mosquito abatement plan and obtain approval from the Vector Control District.

Commercial Kitchen Requirements

The applicant does not address whether food/liquor will be provided by licensed vendors. These vendors/caterers are required to hold current Imperial County Retail Food permits.

The applicant is required to comply with the California Retail Food Code and obtain a retail food facility permit from EHD if food preparation, serving, or utensil washing will be conducted at the event center by the operators.

The applicant is to operate the facility in a manner that would not involve the facility preparing, serving, storing food, drinks, or utensil washing. Should the applicant elect to prepare food onsite, or wash equipment the supplied water must meet transient noncommunity standards for potable water for food preparation, handwashing, and/or warewashing.

Public events such as fund raisers will be required to complete Temporary Food Facility applications through this division. Applications are accepted a minimum of two weeks prior to the event.

Applicant to state the source and operating procedures to provide potable water to guests and for supporting the Temporary Food Facilities/Caterers that will be operating during fund raisers or other events.

EHD reserves the right to provide further comments as this project moves forward through the permitting process. If you or the applicant have any questions, please do not hesitate to contact our office.

Regards,



Jorge A. Perez
EHS Manager

Environmental Health Division

EEC ORIGINAL PKG

ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

Administration

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

Training

Phone: (442) 265-6011

**OPERATIONS / PREVENTION**

2514 La Brucherie Road
Imperial, CA 92251

Operations

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

Prevention

Phone: (442) 265-3020

April 23, 2024

RE: Conditional Use Permit #24-0003/IS#24-0005

Grand Vista Event Center, LLC

4097 US Hwy 86, Brawley CA 92227

Imperial County Fire Department would like to thank you for the opportunity to review and comment on CUP #24-0003 for Grand Vista Event Center, LLC located at 4097 US Hwy 86, Brawley CA 92227, APN: 040-420-020.

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

- An approved water supply connected to a Draft Hydrant(s) connection as required by “Imperial County Fire Department Fire Fighting Water Supply Specification and requirement for Rural Applications”. Water capacity amount will be determined by Imperial County Fire Department base on final design and project review. Water supply and draft hydrant connections shall be accessible, and supply of water shall be maintained at all times.
- Fire department access and access roads shall be in accordance with the California Fire Code Chapter 5, with a width of at least 20 feet and all-weather surface capable of supporting fire apparatus. Fire department access roads will be provided with approved turn around approved by Imperial County Fire Department.
- Gates will be in accordance with the current adapted fire code and the facility will maintain a Knox Box/lock for access on site.
- Secondary access shall be required and shall be kept clear of vehicle congestion and other factors that could limit access.
- An approved fire safety and evacuation plan shall be developed and approved by Imperial County Fire Department. The evacuation plan shall be in accordance with California Fire Code Chapter 4.
- Fireworks and pyrotechnics shall be conducted by a California license Professional Public Display Pyrotechnics. Approval for use of fireworks and/or pyrotechnics from Imperial County Fire Department shall be obtained before any event. Professional Public Display Pyrotechnics shall contact Imperial County Fire Department for approval before any event. Fireworks and pyrotechnics shall be in accordance with California Fire Code Chapter 56. This includes but not limited to:
 - Fireworks (including California Safe and Sane)

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ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

Administration

Phone: (442) 265-6000
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OPERATIONS/PREVENTION

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Prevention

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- Sky Lanterns
- Open flame devices
- All tents, canopies, and special event structures shall comply with the California Fire Code Chapter 31 and be approved by the State of California Fire Marshall Office flame rating.
- All storage and handling of flammable and combustible liquids shall be in accordance with the California Fire Code and all federal, state, and local regulations, codes, and ordinances.
- Compliance with all required sections of the fire code.
- A pre-incident plan shall be developed and approved by the Imperial County Fire/OES Department in a format and using a platform determined by ICFD.

Imperial County Fire Department shall evaluate current and future structures for further requirements that include but not limited to:

- Automatic Fire Sprinklers
- Fire Alarms
- Water supply
- Egress
- Emergency lighting
- Occupant load

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

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

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

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

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ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

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Phone: (442) 265-6000
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OPERATIONS/PREVENTION

2514 La Brucherie Road
Imperial, CA 92251

Operations

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

Prevention

Phone: (442) 265-3020

Fire Prevention Bureau

CC

Robert Malek

Deputy Chief

Imperial County Fire Department

Fire Prevention Bureau

David Lantzer

Fire Chief

Imperial County Fire Department.

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AIR POLLUTION CONTROL DISTRICT



April 16, 2024

RECEIVED

By Imperial County Planning & Development Services at 9:40 am, Apr 17, 2024

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

SUBJECT: Conditional Use Permit 24-0003 Grand Vista Event Center LLC

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) 24-0003 (Project). The project proposes an event center to host weddings, birthdays, fundraisers, private events, etc. with a maximum of 300 guests, using approximately 7 acres of a 14-acre parcel. The project is located at 4097 US Hwy 86, Brawley also identified as Assessor's Parcel Number 040-420-020.

The Air District reminds the applicant that the project and any future construction 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. If the event center will operate combustion equipment such as a generator, it may be subject to Air District permitting requirements. In this event, the Air District would request the applicant submit an application for engineering review of the project and coordinate with the Engineering & Permitting Division directly for the review.

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 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,



Ismael Garcia
Environmental Coordinator



Reviewed by,
Monica N. Soucier
APC Division Manager



Public Works works for the Public



COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

Tel: (442) 265-1818
Fax: (442) 265-1858

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<https://twitter.com/CountyDpw/>

May 1, 2024

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

Attention: Derek Newland, Planner III

SUBJECT: CUP 24-0003 Grand Vista Event Center, LLC
Located on 4097 US Highway 86, Brawley, CA 92227
APN 040-420-020

Dear Mr. Minnick:

This letter is in response to your submittal received by this department on April 5, 2024, for the above-mentioned project. The applicant is proposing an event center for weddings, birthdays, fundraisers, private events, etc. on +/- 14 acres, initially utilizing shade structures and portable restrooms with plans for future enclosed buildings. The maximum number of guests proposed is 300 individuals.

Department staff has reviewed the package information, and the following comments shall be Conditions of Approval:

1. A Drainage and Grading Plan to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. Said plan shall be completed per the Engineering design Guidelines Manual for the Preparation and Checking of Street Improvements, Drainage and Grading Plans within Imperial County. The Drainage and Grading Plan shall be submitted to this department for review and acceptance. The applicant shall implement the approved plan. Employment of the appropriate Best Management Practices (BMP's) shall be included.

INFORMATIVE

- All solid and hazardous waste shall be disposed of in approved solid waste disposal sites in accordance with existing County, State and Federal regulations (Per Imperial County Code of Ordinances, Chapter 8.72).
- The project may require a National Pollutant Discharge Elimination System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior county approval of onsite grading plan (40 CFR 122.28).
- A Transportation Permit may be required from road agency(s) having jurisdiction over the haul route(s) for any hauls of heavy equipment and large vehicles which impose greater than legal loads and/or dimensions on riding surfaces, including bridges. (Per Imperial County Code of Ordinances, Chapter 12.10.020 B).

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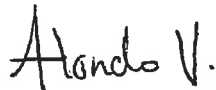
- Coordination with Caltrans may be required for access to project site from SR-86.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

John A. Gay, PE
Director of Public Works

By:



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

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April 11, 2024

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

RECEIVED

By Imperial County Planning & Development Services at 3:56 pm, Apr 11, 2024

SUBJECT: Grand View Vista Event Center Project; CUP24-0003, IS24-0005

Dear Mr. Newland:

On April 5, 2024, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on the Grand View Vista Event Center, LLC project; Conditional Use Permit No. 24-0003, Initial Study No. 24-0005. The applicant proposes an event center on approximately 14 acres located at 4097 Hwy. 86, Brawley, California (APN 040-420-020-001) initially utilizing shade structures and portable bathrooms with plans for future enclosed buildings.

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

1. Currently there is existing electrical service to the property. If the proposed project requires additional electrical service to the existing one, the applicant should be advised to contact Gabriel Ramirez, IID project development service planner, at (760) 339-9257 or e-mail Mr. Ramirez at gramirez@iid.com to initiate the customer service application process. In addition to submitting a formal application (available for download at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an AutoCAD file of site plan, approved electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to the project.
2. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.
3. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

4. The proposed water system for the event center is an existing water well located on the parcel. Should the applicant want a future water supply from IID, Justina Gamboa-Arce, Planner Water Resources Senior, should be contacted at (760) 339-9085 or at jgamboarce@iid.com for additional information.
5. IID water facilities that could be impacted by the project include the Central Main Canal and Lavender Lateral 1A.
6. Fences should be installed at the boundary of IID's right of way for safety and to allow access for IID operation and maintenance activities. The project's fencing plan should address IID's right of way.
7. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
8. The applicant may not use IID's canal or drain banks to access the project site. Any abandonment of easements or facilities will be approved by IID based on systems (Irrigation, Drainage, Power, etc.) needs.
9. Should the project require site access from Austin Road, across the Central Main Canal, an IID crossing and encroachment permit will be required. When new crossings or modification to the existing crossings are needed, the applicant will be responsible for the cost of these improvements and IID will design and construct them.
10. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.
11. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental

Derek Newland
April 11, 2024
Page 3

impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

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

Respectfully,



Donald Vargas
Compliance Administrator II

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

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California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 985-1587 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



July 18, 2024

11-IMP-86

PM 17.44

Grand Vista Event Center
CUP#24-0003, IS#24-0005

Mr. Derek Newland
Planner III
Imperial County Planning and Development Services
801 Main St.
El Centro, CA 92243

Dear Mr. Newland:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Conditional Use Permit (CUP#24-0003) and the Initial Study (IS#24-0005) for the Grand Vista Event Center Project located near State Route 86 (SR-86). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the County of Imperial (County) in areas where the County and Caltrans have joint jurisdiction to improve the transportation network and

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connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Engineering and Analysis

- Caltrans District 11 standard practice is to follow the Transportation Research Board (TRB) "Access Management Manual" on reducing the access points onto the Caltrans Highway SR-86 to improve livability and reduce the conflict points to all users. SR-86 at this location is access controlled. There are two existing access openings along this area, driveways shall only be allowed within the existing access openings. Any modification to existing access opening will need to be consulted and approved by Caltrans' Right-of-Way (R/W) Engineering and Design Branches.
- Clearly identify Caltrans' R/W line on the plan.
- Frontage road or dirt path construct for private use is prohibited. Caltrans' R/W maps do not show any frontage road or dirt path inside Caltrans' R/W. Provide measurement from the edge of traveled way and clearly show that the dirt path is outside Caltrans' R/W.
- The site plan indicates an easement adjacent to SR-86. Please clarify who the easement belongs to. Please provide any and all easement documents.
- All new driveway/roadway connections shall comply with the latest Caltrans Highway Design standards. Driveways shall be paved according to Caltrans latest standard plans and specifications. See HDM Topic 205.4 for additional information.
- Sight distance exhibits will be required to submit for review for all new driveways and new minor street connections inside Caltrans' R/W. See Highway Design Manual (HDM) Topic 201 and Topic 405 for additional information on the requirements of stopping, decision, and corner sight distance.
- Provide truck turning templates for the proposed driveway(s). See HDM Topic 404 for further details.
- R/W maps regarding access opening/rights of ingress and egress are attached for your reference.

Hydrology and Drainage Studies

- Please provide hydraulics studies, drainage, and grading plans to Caltrans for review.
- Provide a pre and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide drainage plans and details. Include retention or detention basin details of inlets/outlets.

Mr. Derek Newland, Planner III
July 18, 2024
Page 3

- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.
- On all plans, show Caltrans' R/W.
- Early coordination with Caltrans Hydraulics Branch is recommended.
- Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modification to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.

Traffic Control Plan

A Traffic Control Plan is to be submitted to Caltrans District 11, including SR-86 at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

Potential impacts to the highway facilities (SR-86) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

Noise

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of SR-86.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the Environmental Document that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

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Mr. Derek Newland, Planner III
July 18, 2024
Page 4

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's Draft Environmental Document.

Right-of-Way

Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Caltrans owns fee along this stretch of SR-86 along with access control. Caltrans information does not show a frontage road alongside Caltrans' R/W but instead, Caltrans owns the entire R/W.

There are two access openings on the west R/W line. The one on the south is 40' wide at the south property line. The one at the north end is 20' wide, which appears to have been closed. Both of them appear to be close to the location shown on the applicant's proposed site plan.

Caltrans' R/W maps do not show any frontage road and they don't call out any "easement." It is not clear whose easement (frontage road) it is. Attached are the R/W maps and R/W Easement Exhibit for the proposed site.

Any proposed access points within Caltrans' R/W shall stay within the permitted access openings.

Any improvements made to existing access openings within Caltrans' R/W will require coordination with Caltrans Traffic Engineering and Analysis (TE&A) Branch to ensure the required length, and standards for driveway spacings are being followed.

Please confirm where the proposed project access points are legally supposed to be. There is no allowance for access openings along this stretch of SR-86 other than the

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Mr. Derek Newland, Planner III
July 18, 2024
Page 5

two permitted openings shown in the R/W Easement Exhibit and our Caltrans' R/W maps.

Please confirm Caltrans' R/W line on all plans and maps provided. Indicate where Caltrans' R/W line is versus adjacent property line through clear callouts (e.g., Caltrans' Right of Way).

Additional information regarding encroachment permits may be obtained by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Projects with the following:

- require a Caltrans Encroachment Permit.
- have completed the Caltrans Local Development Review (LDR) process.
- have an approved environmental document.

are to submit documents for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Charlie Lecourtois, LDR Coordinator, at (619) 985-4766 or by e-mail sent to charlie.lecourtois@dot.ca.gov.

Sincerely,

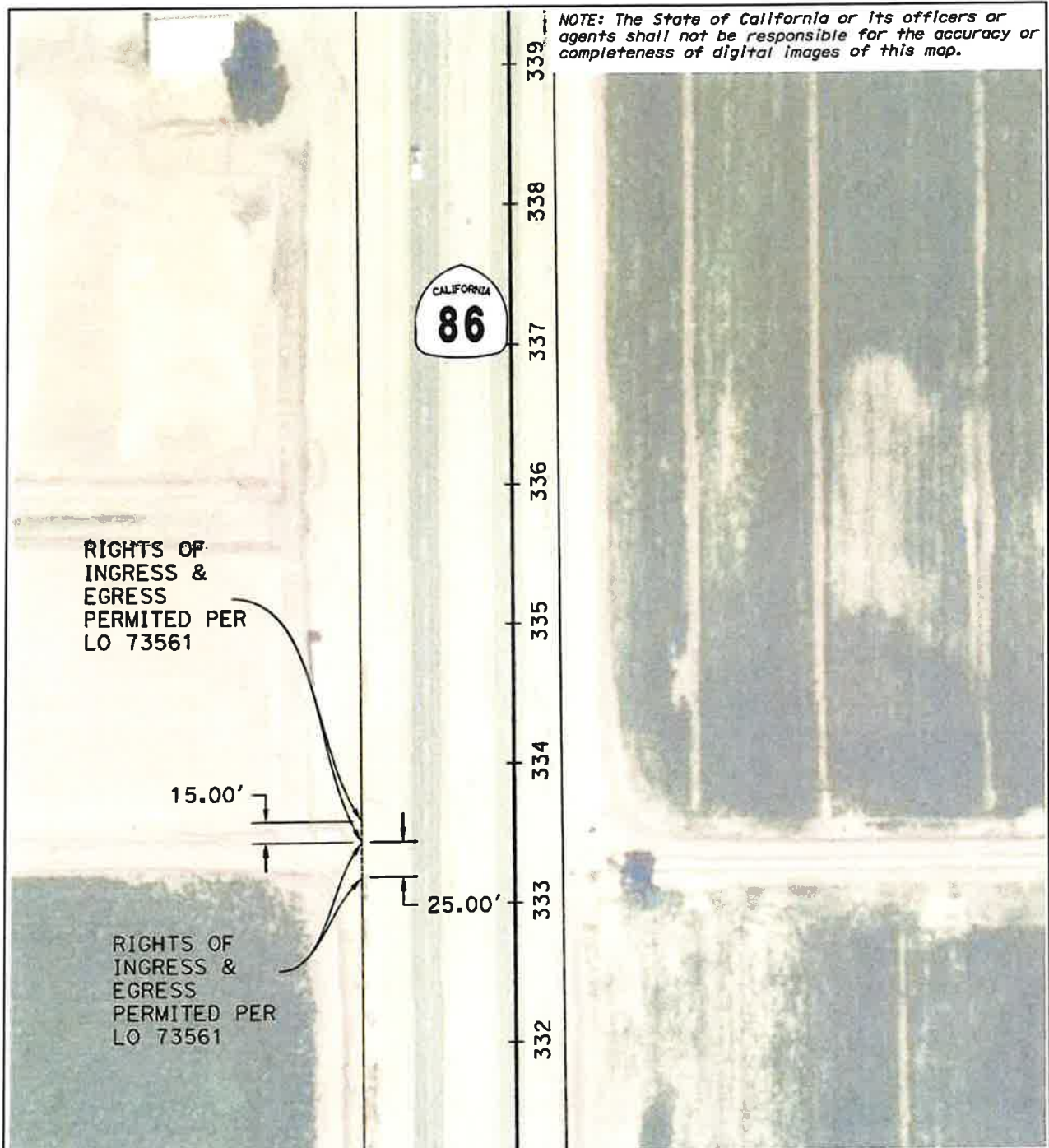
Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

Attachments:

1. Right of Way Map I0861701
2. Right of Way Map I0861702
3. Right of Way Easement Exhibit

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



NOTES
 Coordinates and bearings are on CCS 1983 (1991.35) Zone 6. Distances and stationing are grid distances. Divide by 1.0000777 to obtain ground distances. All distances are in feet unless otherwise noted.

LEGEND

- ACCESS CONTROLLED R/W
- - - LOCATION OF EASEMENT
- EASEMENT PARCEL NUMBERS

STATE OF CALIFORNIA
 CALIFORNIA STATE TRANSPORTATION AGENCY
 DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY
EASEMENT EXHIBIT
GRANDE VISTA EVENT CENTER

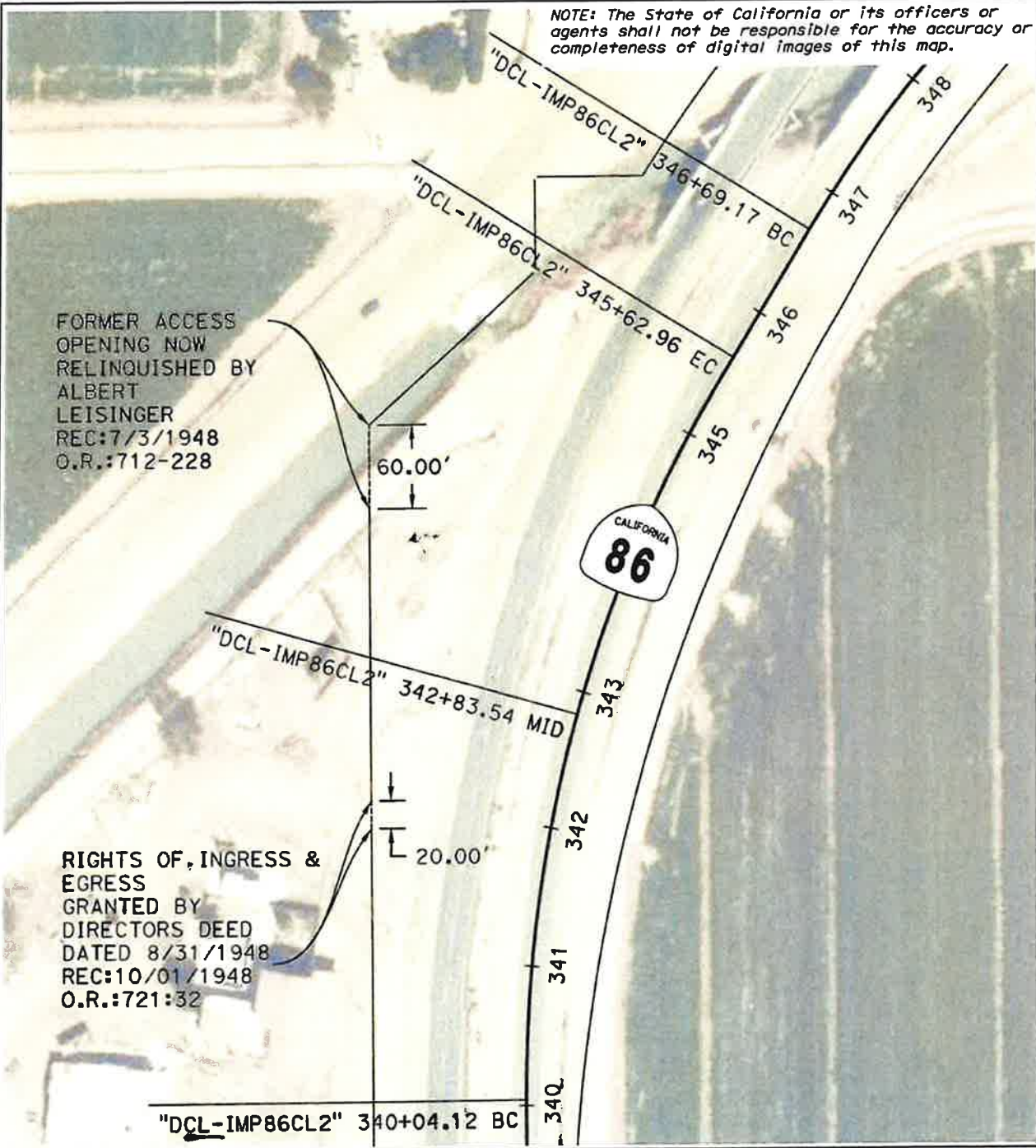
SCALE: 1" = 100'

FEET 0 50 100 200

PID	EA	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
0000000449	01077	11	SD	86	17.7	2	2

EEC ORIGINAL PKG

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



FORMER ACCESS
OPENING NOW
RELINQUISHED BY
ALBERT
LEISINGER
REC:7/3/1948
O.R.:712-228

RIGHTS OF INGRESS &
EGRESS
GRANTED BY
DIRECTORS DEED
DATED 8/31/1948
REC:10/01/1948
O.R.:721:32

<p>NOTES</p> <p>Coordinates and bearings are on CCS 1983 (1991.35) Zone 6. Distances and stationing are grid distances. Divide by 1.0000??? to obtain ground distances. All distances are in feet unless otherwise noted.</p>		<p>LEGEND</p> <p>— ACCESS CONTROLLED R/W</p> <p>- - - LOCATION OF EASEMENT</p> <p>○ EASEMENT PARCEL NUMBERS</p>			<p>STATE OF CALIFORNIA CALIFORNIA STATE TRANSPORTATION AGENCY DEPARTMENT OF TRANSPORTATION RIGHT OF WAY EASEMENT EXHIBIT GRANDE VISTA EVENT CENTER</p> <p>SCALE: 1" = 100'</p> <p>FEET 0 50 100 200</p>		
PID	EA	DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
0000000449	01077	11	SD	86	17.7	1	2

EEC ORIGINAL PKG



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

April 5, 2024
REQUEST FOR REVIEW
AND COMMENTS

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

To: County Agencies	State Agencies/Other	Cities/Other
<input checked="" type="checkbox"/> County Executive Office – Rosa Lopez	<input checked="" type="checkbox"/> IC Sheriff's Office – Robert Benavidez/Fred Miramontes/Ryan Kelley	<input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/Sal Flores/Robert Malek/David Lantzer
<input checked="" type="checkbox"/> Public Works – Carlos Yee/John Gay	<input checked="" type="checkbox"/> Board of Supervisors – Ryan E. Kelley District #4	<input checked="" type="checkbox"/> EHD – Jeff Lamoure / Jorge Perez/Sheila Vasquez
<input checked="" type="checkbox"/> Caltrans District 11/ Planning Division– Roger Sanchez/Maurice Eaton/Kimberly Dodson	<input checked="" type="checkbox"/> Ag. Commissioner – Margo Sanchez/Antonio Venegas/ Ashley Jauregui/ Jolene Dessert	<input checked="" type="checkbox"/> APCD – Jesus Ramirez/Belen Leon-Lopez/ Monica Soucier
<input checked="" type="checkbox"/> Fort Yuma Quechan Indian Tribe- H. Jill McCormick / Jordan D. Joaquin	<input checked="" type="checkbox"/> Campo Band of Mission Indians – Marcus Cuero / Jonathan Mesa	<input checked="" type="checkbox"/> IID – Donald Vargas

From: Derek Newland Planner III - (442) 265-1736 or dereknewland@co.imperial.ca.us

Project ID: Conditional Use Permit #24-0003 / Initial Study #24-0005

Project Location: 4097 US Hwy 86, Brawley, CA 92227 APN: 040-420-020-001

Project Description: Applicant is proposing an event center for weddings, birthdays, fundraisers, private events etc. on +/- 14 ac, initially utilizing shade structures and portable restrooms with plans for future enclosed buildings. Maximum number of guests proposed is 300 individuals.

Applicants: Grand Vista Event Center LLC

Comments due by: **April 15th 2024, at 5:00PM**

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

No Comments

Name: Antonio Venegas Signature: *Antonio Venegas* Title: Agricultural Biologist/Standards Specialist IV

Date: 04/08/2024 Telephone No.: (442) 265-1500 E-mail: antoniovenegas@co.imperial.ca.us

DNJG\S:\AllUsers\APN\040\420\020\CUP24-0003\CUP24-0003 Request for Comments 4.5.24 .docx



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 26, 2024
Sent via e-mail

Derek Newland, Planner III
Imperial County Planning and Development Services
801 Main Street
El Centro, CA 92243
DerekNewland@co.imperial.ca.us

Dear Derek Newland:

Grand Vista Event Center LLC/Grand Vista Ranch LLC (PROJECT)
NEGATIVE DECLARATION (ND)
SCH# 2024081216

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an ND from Imperial County for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Grand Vista Event Center LLC/Grand Vista Ranch LLC

Objective: The Project is proposing a special event center located on approximately 7 acres in the southern portion of an approximately 13-acre parcel. The Project expects to host up to 300 guests per event for up to 59 events per year consisting of weddings, birthday parties, fundraisers, and other similar private events in outdoor and indoor settings with the outdoor events utilizing pop-up shades/tents and indoor events held in 2 proposed barns, which are to be phased in based on the success of the initial outdoor event phase. Events will have varying start times but will end at 12 am, and clean up after the event is expected to be completed within 2 days following the event. Waste disposal

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

for events will be done through adequate trash cans, which will be removed by a commercial waste hauler, and wastewater would be through portable lavatories, which will be pumped out by a licensed septage hauler. The Project site will be fully covered with Bermuda grass to control fugitive dust due to foot and vehicle traffic. Primary Project activities include ground-disturbing activities including grading, paving, and building construction.

Location: The Project is located at 4097 US Highway 86, in the City of Brawley, County of Imperial, State of California, zip code 92227, at the intersection of Highway 86 and Austin Road. The GPS coordinates for the Project site are 32°56'46.92" N, 115°34'18.02" W. The Project is located on an approximately 13-acre property on Assessor's Parcel Number 040-420-020-000. The parcel is bounded on the west by the Central Main Canal and Austin Road, on the east by Highway 86, and on the south by an agricultural field.

Timeframe: The ND does not provide any information regarding the timeframe for the proposed Project.

COMMENTS AND RECOMMENDATIONS

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (i.e., biological resources). CDFW offers the comments and recommendations below to assist Imperial County (County) in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. The ND has not adequately identified and disclosed the Project's impacts (i.e., direct, indirect, and cumulative) to biological resources and whether those impacts are less than significant.

I. Project Description and Related Impact Shortcoming

COMMENT #1: Timing of Construction and Construction Activities

Initial Study/Negative Declaration (IS/ND) Document, Section #II, Page #8

Issue: CDFW is concerned that the Project description does not provide a complete and accurate description of the Project's timeline. More information is needed regarding the schedule of construction activities for the Project's separate phases to ensure the impacts of the Project are reduced to a level less than significant.

Specific impact: The ND (p. 8) states that "the Project proposes to hold events in outdoor and indoor settings with the outdoor events utilizing pop-up shades/tents and indoor events are proposed to be held in 2 proposed barns which are to be phased in based on the success of the initial outdoor event phase." However, no further information is provided regarding a construction schedule for each separate phase of the Project. If the Project site is left vacant or left graded and inactive in the interim period between construction phases, environmental conditions may change. Grading and leaving a site inactive may result in the area becoming occupied by wildlife that utilize disturbed areas (e.g., ground squirrels and burrowing owls). Burrowing owls frequently move into disturbed areas prior to and during construction since they are adapted to highly modified habitats (Chipman et al. 2008; Coulombe 1971). Without a complete Project description regarding the construction schedule, CDFW cannot accurately assess the impacts to biological resources that have potential to occur.

Evidence impact would be significant: CEQA is predicated on a complete and accurate description of the proposed Project. Without a complete and accurate Project description, the ND likely provides an incomplete assessment of Project-related impacts to biological resources.

Recommendation: CDFW recommends that Imperial County recirculate a revised Mitigated Negative Declaration (MND) that includes a complete Project description with details regarding the timeline for all Project activities in each phase.

II. Environmental Setting and Related Impact Shortcoming

COMMENT #2: Assessment of Biological Resources

IS/ND Document, Section #IV, Page #17

Issue: The ND does not adequately identify the Project's significant, or potentially significant, impacts to biological resources.

Specific impact: The ND bases its analysis of impacts to biological resources on the Imperial County General Plan's Conservation and Open Space Element from 2016. CDFW generally considers field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. CDFW is concerned that no recent biological field assessment and no recent focused or protocol-level surveys were performed for the detection of special-status species on the Project site and in the surrounding area. CDFW is concerned about the potential for special-status species to occur on or near the Project site. The California Natural Diversity Database (CNDDDB) and Biogeographic Information and Observation System (BIOS) indicate that occurrences of ESA-listed, CESA-listed, or other special-status species have been reported, or have the potential to occur, within a 3-mile radius of the Project area including, but not limited to, the following:

Invertebrate: Crotch's bumble bee (*Bombus crotchii*); **Reptiles:** Colorado Desert fringe-toed lizard (*Uma notata*), flat-tailed horned lizard (*Phrynosoma mcallii*); **Birds:** burrowing owl (*Athene cunicularia*), crissal thrasher (*Toxostoma crissale*), fulvous whistling-duck (*Dendrocygna bicolor*), Gila woodpecker (*Melanerpes uropygialis*), horned lark (*Eremophila alpestris*), least Bell's vireo (*Vireo bellii pusillus*), loggerhead shrike (*Lanius ludovicianus*), northern harrier (*Circus cyaneus*), redhead (*Aythya americana*), white-tailed kite (*Elanus leucurus*), yellow warbler (*Setophaga petechia*), Yuma Ridgway's rail (*Rallus longirostris yumanensis*); **Mammals:** American badger (*Taxidea taxus*), pallid bat (*Antrozous pallidus*), southern grasshopper mouse (*Onychomys torridus*), western yellow bat (*Lasiurus xanthinus*).

Recent surveys during the appropriate times of the year are needed to identify potential impacts to biological resources; inform appropriate avoidance, minimization, and mitigation measures; and determine whether impacts to biological resources have been mitigated to a level that is less than significant. Additionally, the ND should acknowledge that if the Project site is left vacant or left graded and inactive in the interim period between construction phases, environmental conditions may change. Grading and leaving a site inactive may result in the area becoming occupied by wildlife that utilize disturbed areas (e.g., ground squirrels and burrowing owls).

Evidence impact would be significant: Compliance with CEQA is predicated on a complete and accurate description of the environmental setting that may be affected by the proposed Project. CDFW is concerned that the assessment of the existing environmental setting with respect to biological resources has not been adequately analyzed in the ND. CDFW is concerned that without a complete and accurate description of the existing environmental setting, the ND likely provides an incomplete or inaccurate analysis of Project-related environmental impacts and whether those impacts have been mitigated to a level that is less than significant. Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a Project is critical to the assessment of environmental impacts, that special emphasis should be placed on environmental resources that are rare or unique to the region, and that significant environmental impacts of the proposed Project are adequately investigated and discussed.

Recommended Potentially Feasible Mitigation Measure: To establish the existing environmental setting with respect to biological resources, CDFW recommends that a

revised MND include the results of recent biological surveys as described in the following mitigation measure, as well as mitigation measures to reduce impacts to less than significant.

Mitigation Measure BIO-[A]: Assessment of Biological Resources

Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within off-site areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

Pursuant to the CEQA Guidelines, section 15097(f), CDFW has prepared a draft mitigation monitoring and reporting program (MMRP) for CDFW-recommended MM BIO-[A] through MM BIO-[F].

III. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT #3: Nesting Birds

IS/ND Document, Section #IV, Page #17

Issue: CDFW is concerned that the ND does not sufficiently identify Project impacts to nesting birds or ensure that impacts are reduced to a level less than significant.

Specific impact: The ND (p. 17) states: “The proposed special event center is not located near a 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. The Project is bounded by Hwy 86 to the east and Austin Rd and the Central Main Canal on the west and an agriculture field to the south.” The riverine and riparian habitat associated with the Central Main Canal along the western boundary of the site is suitable for multiple nesting bird species. The New River, which is approximately 0.5 mile west of the Project site, is also suitable habitat for multiple nesting bird species. Vegetation on the Project site itself and in nearby open areas and agricultural fields may also provide suitable nesting and foraging habitat. Agricultural fields in the Imperial Valley of California provide valuable habitat for many resident and migratory birds and are an important component of the Salton Sea ecosystem (Patten et al. 2003). In addition, ground nesting species, such as lesser nighthawk (*Chordeiles acutipennis*), black-necked stilt (*Himantopus mexicanus*), or killdeer (*Charadrius vociferus*), could use the area. Nesting bird species (see COMMENT #2: Assessment of Biological Resources) have the potential to be directly or indirectly impacted by the proposed Project activities.

CDFW is concerned about the impacts to nesting birds including loss of nesting/foraging habitat and potential take from ground-disturbing activities and construction. Conducting work outside the peak nesting season is an important avoidance and minimization measure. CDFW also recommends the completion of

nesting bird surveys *regardless* of the time of year to ensure that impacts to nesting birds are avoided. The timing of the nesting season varies greatly depending on several factors, such as bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). In response to warming, birds have been reported to breed earlier, thereby reducing temperatures that nests are exposed to during breeding and tracking shifts in availability of resources (Socolar et al., 2017). CDFW staff have observed that climate change conditions may result in nesting bird season occurring earlier and later in the year than historical nesting season dates. CDFW recommends that disturbance of occupied nests of migratory birds and raptors within the Project site and surrounding area be avoided any time birds are nesting onsite. CDFW therefore recommends the completion of nesting bird surveys *regardless of the time of year* to ensure compliance with all applicable laws pertaining to nesting and migratory birds.

Evidence impact would be significant: It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

Recommended Potentially Feasible Mitigation Measure: CDFW recommends the County add the following measure for nesting birds in a revised MND to ensure that impacts to nesting birds are reduced to less than significant:

MM BIO-[B]: Nesting Birds

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for all phases of Project construction. Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

COMMENT #4: Burrowing Owl

IS/ND Document, Section #IV, Page #17

Issue: CDFW is concerned that the ND does not sufficiently identify Project impacts to burrowing owl (*Athene cunicularia*) or ensure that impacts are reduced to a level less than significant.

Specific impact: The ND (p. 17) states: “Per the Imperial County General Plan: Conservation and Open Space Element 5 Figure 2, the proposed special event center is located within the Burrowing Owl Species Distribution Model.” CDFW notes that in California, preferred habitat for burrowing owl is generally typified by short, sparse vegetation with few shrubs (Haug et al. 1993), and that burrowing owls may occur in ruderal grassy fields, vacant lots, and pastures if the vegetation structure is suitable and there are useable burrows and foraging habitat in proximity (Gervais et al. 2003). In addition, burrowing owls frequently move into disturbed areas prior to and during construction since they are adapted to highly modified habitats (Chipman et al. 2008; Coulombe 1971). In Imperial Valley, burrowing owls are highly dependent on irrigation canals for nesting habitat (Wilkerson and Siegel 2011). CNDDDB/BIOS report occurrences of burrowing owl less than 2.5 miles from the Project site.

Impacts to burrowing owls from the Project could include take of burrowing owls, their nests, or eggs or destroying nesting, foraging, or over-wintering habitat, thus impacting burrowing owl populations. Impacts can result from grading, earthmoving, burrow blockage, heavy equipment compaction and crushing of burrows, general Project disturbance that has the potential to harass owls at occupied burrows, and other activities. CDFW notes that impacts to burrowing owls could also occur outside of the peak nesting season because burrowing owls may start breeding earlier (in January) and because young owls may still be dependent on the adults until later in the fall. In addition, because some burrowing owls are resident in burrows year-round, impacts to this species could also occur outside of the peak nesting season.

Evidence impact would be significant: Burrowing owl is a California Species of Special Concern, and a petition to list this species as threatened or endangered under the California Endangered Species Act has been submitted to the Fish and Game Commission. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5, and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.” Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

Recommended Potentially Feasible Mitigation Measure: CDFW recommends the County add a mitigation measure for burrowing owl in a revised MND with specific avoidance and minimization measures to ensure that impacts to burrowing owls are reduced to less than significant. CDFW recommends that prior to commencing Project activities for all phases of Project construction, focused surveys for burrowing owl be conducted for the entirety of the Project site by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or most recent version). CDFW recommends Imperial County include the following Mitigation Measure in a revised MND:

MM BIO-[C]: Focused and Pre-Construction Surveys for Burrowing Owl

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the

focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report and shall implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls. If no suitable habitat is available nearby, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.

For all phases of Project construction, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation (2012 or most recent version)*. Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.

COMMENT #5: CDFW Lake and Streambed Alteration (LSA) Program

IS/ND Document, Section #IV, Page #17

Issue: The ND does not include mitigation measures to avoid or reduce impacts to streams and their associated resources to a level less than significant.

Specific impact: The ND (p. 17) states: "The Project is bounded by Hwy 86 to the east and Austin Rd and the Central Main Canal on the west and an agriculture field to the south." Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Potential direct and indirect impacts to the canal and associated fish and wildlife resources, such as burrowing owl, resulting from Project construction are subject to notification under Fish and Game Code section 1602.

Evidence impact would be significant: Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream, or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial

(i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify the Project that would eliminate or reduce harmful impacts to fish and wildlife resources. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code § 21065). Early consultation with CDFW is recommended since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification, visit: <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA> .

Recommended Potentially Feasible Mitigation Measure: Because of the potential for impacts to resources subject to Fish and Game Code section 1602, CDFW recommends Imperial County include the following additional mitigation measure in a revised MND to ensure that impacts to streams and associated fish and wildlife are reduced to a level less than significant:

MM BIO-[D]: CDFW's Lake and Stream Alteration (LSA) Program

Prior to Project-activities and issuance of any grading permit, the Project Sponsor shall obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project Sponsor shall obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

COMMENT #6: Artificial Nighttime Light

IS/ND Document, Section #1, Page #15

Issue: The ND does not analyze impacts to biological resources from artificial nighttime lighting and includes no mitigation measures to avoid or reduce impacts to biological resources to a level less than significant.

Specific impact: The proposed Project will result in new sources of artificial nighttime lighting adjacent to riverine/riparian habitat and open agricultural land. The ND (p. 15) states: "The proposed special event center proposes having events at night with ending times varying but no later than 12 am. Lighting for these events would be required but would only be during event times." The ND indicates that lighting will be shielded; however, no further details are provided. Impacts to biological resources resulting from the use of artificial nighttime lighting during construction and during operation of the Project are not analyzed, and no mitigation measures are proposed. Designs for lighting to be used during operation of the Project should be included in a revised MND, along with details of artificial nighttime lighting to be used during construction. The direct and indirect impacts of artificial nighttime lighting on biological resources including migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife should be analyzed, and appropriate avoidance and minimization measures to reduce impacts to less than significant should be included in a revised MND.

Evidence impact would be significant: There is riverine/riparian habitat within the Project site and immediately west of the Project site—areas that provide suitable nesting, roosting, foraging, and refugia habitat for birds, migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife. In addition, the Project is surrounded by agricultural land that may also support wildlife. Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the

measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural enemies; and navigation (Gatson et al. 2013). Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Phototaxis, a phenomenon which results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004).

Recommended Potentially Feasible Mitigation Measure: Because of the potential for artificial nighttime light to negatively impact wildlife, CDFW recommends a revised MND include details of the use of artificial nighttime lighting proposed for construction and operation of the Project and an analysis of impacts to biological resources, as well as specific avoidance and minimization measures to ensure that impacts to wildlife are reduced to less than significant. CDFW recommends Imperial County include the following mitigation measure in a revised MND:

MM BIO-[E]: Artificial Nighttime Light

During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project proponent shall ensure that lighting for Project activities is shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

COMMENT #7: Construction Noise

IS/ND Document, Section #XIII, Page #23

Issue: The ND does not include an assessment of the impacts of construction noise on biological resources. Additionally, the ND does not include mitigation measures to avoid or reduce impacts to biological resources from construction noise to a level less than significant.

Specific impact: The ND (p. 23) states that “the conditional acceptable decimal level is 75 decibels from the property line in the A-2 zone,” and that “ground-borne vibration or ground-borne noise levels may be expected from music and traffic during events and temporarily during the improvements to the southern entrance/exit onto Hwy 86.” CDFW is concerned that the ND does not acknowledge or assess the impacts to biological resources that have potential to occur due to construction noise. Direct and indirect impacts may occur to nesting birds and other wildlife using riverine/riparian habitat within and near the Project site and agricultural land in proximity to the Project site.

Evidence impact would be significant: Construction may result in substantial noise through road use, equipment, and other Project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 dB (Barber et al. 2009). Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats (Sun and Narins 2005, Patricelli and Blickley 2006, Gillam and McCracken 2007, Slabbekoorn and Ripmeester 2008). Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cues (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior

when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise (Rabin et al. 2006, Quinn et al. 2017). Noise has also been shown to reduce the density of nesting birds (Francis et al. 2009) and cause increased stress that results in decreased immune responses (Kight and Swaddle 2011).

Recommended Potentially Feasible Mitigation Measure: Because of the potential for construction noise to negatively impact wildlife, CDFW recommends a revised MND include a noise impact assessment and an analysis of impacts to biological resources accompanied by specific avoidance and minimization measures to ensure that impacts to wildlife are avoided or reduced to less than significant. CDFW recommends adding the following mitigation measure to a revised MND:

MM BIO-[F]: Construction Noise

During all Project construction, the County shall restrict use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning) and restrict use of generators except for temporary use in emergencies. Power to sites can be provided by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems. The County shall ensure the use of noise suppression devices such as mufflers or enclosures for generators. Sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

COMMENT #8: Landscaping

IS/ND Document, Section Project Summary, Page #11

Issue: The IS/ND indicates that nonnative bermudagrass (*Cynodon dactylon*) will be used to cover the Project site.

Specific impact: The ND (p. 11) states: “The project site will be fully covered with Bermuda grass to control fugitive dust due to foot and vehicle traffic.” Bermudagrass can be an invasive weed and also requires irrigation. CDFW recommends landscaping with locally native California plants.

Recommendations: To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in any Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California’s Save our Water website: <https://saveourwater.com/>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to

CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the ND to assist Imperial County in identifying and mitigating Project impacts on biological resources. CDFW concludes that an ND is inappropriate for the Grand Vista Event Center Project because it does not adequately identify or mitigate the Project's significant, or potentially significant, impacts to biological resources. CDFW also concludes that the ND lacks sufficient information for a meaningful review of impacts to biological resources, including a complete Project description and a complete assessment of biological resources. The CEQA Guidelines indicate that recirculation is required when a new significant effect is identified and additional mitigation measures are necessary (§ 15073.5). CDFW recommends that a revised MND, including a complete Project description and a complete assessment of biological resources, be recirculated for public comment. CDFW also recommends that revised and additional mitigation measures and analysis as described in this letter be added to a revised MND.

Questions regarding this letter or further coordination should be directed to Julia Charpek, Environmental Scientist, at 909.354.0937 or Julia.Charpek@wildlife.ca.gov.

Sincerely,

DocuSigned by:

84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

Attachment 1: MMRP for CDFW-Proposed Mitigation Measures

ec:

Heather Brashear, Senior Environmental Scientist (Supervisor), CDFW
Heather.Brashear@wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
State.clearinghouse@opr.ca.gov

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Attachment 1: Mitigation Monitoring and Reporting Program (MMRP) for Biological Resources

Mitigation Measure (MM) Description	Implementation Schedule	Responsible Parties
<p>Mitigation Measure BIO-[A]: Assessment of Biological Resources Prior to Project construction activities, a complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within off-site areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511), will be completed. Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.</p>	<p>Prior to Project construction activities</p>	<p>Imperial County</p>
<p>MM BIO-[B]: Nesting Birds Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for all phases of Project construction. Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.</p>	<p>No more than 3 days prior to vegetation clearing or ground-disturbing activities</p>	<p>Imperial County</p>
<p>MM BIO-[C]: Focused and Pre-Construction Surveys for Burrowing Owl Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report and shall implement CDFW-approved mitigation prior to initiation of Project activities. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls. If no suitable habitat is available nearby, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.</p> <p>For all phases of Project construction, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with</p>	<p>Focused surveys: Prior to the start of Project-related activities</p> <p>Preconstruction surveys: No less than 14 days prior to start of Project-related activities and within 24 hours prior to ground disturbance</p>	<p>Imperial County</p>

<p>the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version). Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the <i>Staff Report on Burrowing Owl Mitigation</i>. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.</p>		
<p>MM BIO-[D]: CDFW’s Lake and Stream Alteration (LSA) Program Prior to Project-activities and issuance of any grading permit, the Project Sponsor shall obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project Sponsor shall obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.</p>	<p>Prior to Project activities and issuance of any grading permit</p>	<p>Imperial County</p>
<p>MM BIO-[E]: Artificial Nighttime Light During Project construction and the lifetime operations of the Project, the County and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County and Project proponent shall ensure that lighting for Project activities is shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The County and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.</p>	<p>Throughout construction and the lifetime operations of the Project</p>	<p>Imperial County</p>
<p>MM BIO-[F]: Construction Noise During all Project construction, the County shall restrict use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning) and restrict use of generators except for temporary use in emergencies. Power to sites can be provided by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or small wind turbine systems. The County shall ensure the use of noise suppression devices such as mufflers or enclosures for generators. Sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.</p>	<p>During all Project construction</p>	<p>Imperial County</p>

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 The Drye Spot LLC	EMAIL ADDRESS shelby.drye@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 4097 US Highway 86, Brawley, CA	ZIP CODE 92227	PHONE NUMBER (760)550-1699
3. APPLICANT'S NAME Grand Vista Event Center, LLC	EMAIL ADDRESS grandvistaevents@gmail.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 4097 US Highway 86, Brawley, CA	ZIP CODE 92227	PHONE NUMBER (760)498-3660
4. ENGINEER'S NAME N/A	CA. LICENSE NO. N/A	EMAIL ADDRESS N/A
5. MAILING ADDRESS (Street / P O Box, City, State) N/A	ZIP CODE N/A	PHONE NUMBER N/A
6. ASSESSOR'S PARCEL NO. 040 420 020	SIZE OF PROPERTY (In acres or square foot) 14.85 acres	ZONING (existing) A-2
7. PROPERTY (site) ADDRESS 4097 US Highway 86		
8. GENERAL LOCATION (i.e. city, town, cross street) South end of Brawley near the intersection of Austin Rd and Highway 86		
9. LEGAL DESCRIPTION POR Section 1, 11, and 12. T145. R13E, and 105, 106, and 107. RB/14E		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	See separate sheet.
11. DESCRIBE CURRENT USE OF PROPERTY	See separate sheet.
12. DESCRIBE PROPOSED SEWER SYSTEM	See separate sheet.
13. DESCRIBE PROPOSED WATER SYSTEM	See separate sheet.
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	See separate sheet.
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 2 employees

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

Shelby Drye 2/12/24
Print Name Date
Signature
Print Name Date
Signature

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY: <u>DW</u>	DATE <u>3/4/24</u>	REVIEW / APPROVAL BY OTHER DEPT'S required
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P W
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E H S
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A P C D
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O E S

CUP #
24-003

EEC ORIGINAL PKG

SUPPLEMENTAL INFORMATION FOR ITEMS 10-14 OF CUP APPLICATION

10. DESCRIBE PROPOSED USE OF THE PROPERTY

Grand Vista Ranch, LLC requests a conditional use permit (CUP) to hold events in an area covering approximately 7 acres. Permittees expect to host year-round events with no more than 59 events per year to include weddings, birthday parties, fundraisers, and other similar private events, in indoor and outdoor facilities.

Requestee will host outdoor only events with shade structures initially to raise funds for proposed barns in the drawings to host future indoor events. Any future buildings will go through the appropriate permitting channels.

Event start times may vary but will end no later than 12 AM. An event schedule will be provided to the Imperial County Planning and Development Services department sixty (60) days prior to the event if requested. The event center may supply tables, tablecloths, chairs, dishes, utensils, decorations, and entertainment as needed. Cleanup for the events will be completed within two (2) days following the event.

An adequate number of trashcans will be provided during events to prevent excess refuse from escaping the event area and affecting neighboring properties. Bermuda grass will span the event area to control fugitive dust due to foot and vehicle traffic. Event occupancy will be restricted to a maximum of 300 people.

11. DESCRIBE CURRENT USE OF THE PROPERTY

The location of the event center is currently unused ag land.

12. DESCRIBE PROPOSED SEWER SYSTEM

Initial events without buildings will utilize portable restrooms for sewer system. Future plans for buildings will obtain properly permitted and sized septic systems prior to building.

13. DESCRIBE PROPOSED WATER SYSTEM

Water system will be fed off a cistern to which water is supplied by the Imperial Irrigation District (IID).

14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM

Fire extinguishers will be supplied and located as required by local fire codes. Future plan for buildings will obtain proper permitting for fire protection systems prior to building.

S I T E P L A N

4097 US Highway 86
Brawley, CA 92227

Parcel ID: 040-420-020-000

Legal Description: POR Section 1, 11, and 12. T145, R13E,
and 105, 106, and 107, RB/14E

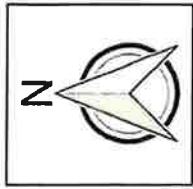
Lot area: 14.85 Acres

Paper Size: 11"x17"

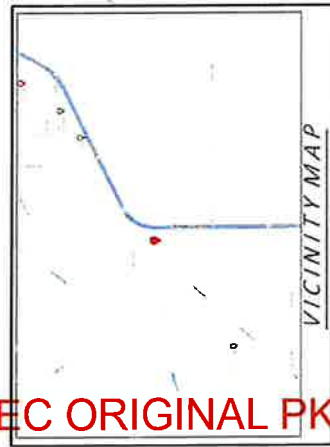
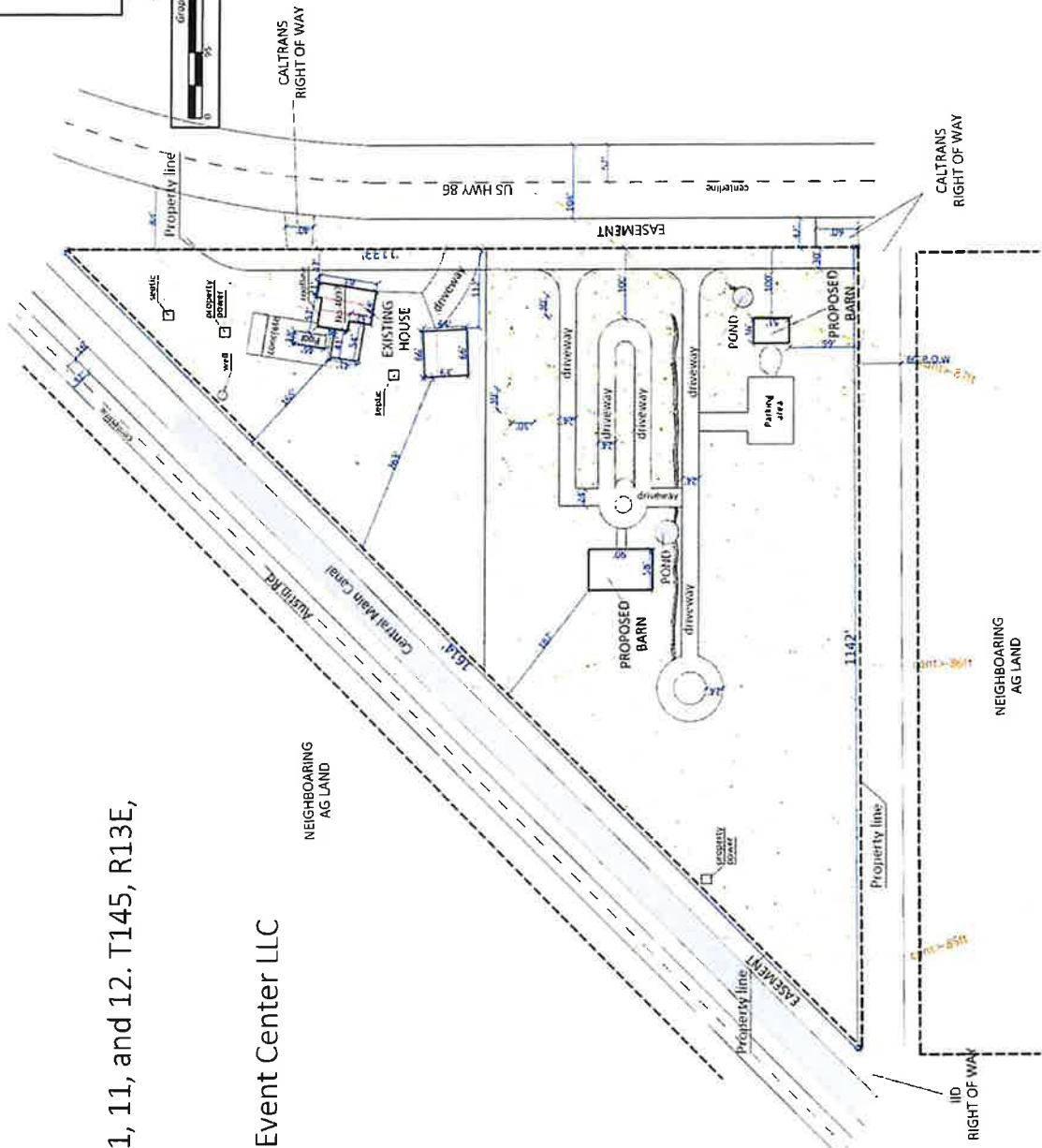
CUP Requested by Grand Vista Event Center LLC

Owner: The Drye Spot, LLC

Prepared by: David Felix



scale 1"=150'



EEC ORIGINAL PKG