

PROJECT REPORT

**TO: ENVIRONMENTAL EVALUATION
COMMITTEE**

AGENDA DATE: February 14, 2019

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 1:30 PM / No. 1

PROJECT TYPE: Nevada New Builds, LLC., PM #02480/ IS #18-0024 SUPERVISOR DIST #2

LOCATION: Northwest corner of Heffernan Ave. and E Heber Road APN: 054-187-008-000

Heber, CA 92249

PARCEL SIZE: .88 AC

GENERAL PLAN (existing) General Commercial (Heber Urban Area Plan)

GENERAL PLAN (proposed) N/A

ZONE (existing) C-2 (General Commercial)

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: 02/14/2019

INITIAL STUDY: 18-0024

NEGATIVE DECLARATION MITIGATED NEGATIVE DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS

NONE

ATTACHED

AG. COMMISSIONER

NONE

ATTACHED

APCD

NONE

ATTACHED

DEH/EHS

NONE

ATTACHED

FIRE/OES

NONE

ATTACHED

OTHER: Imperial Irrigation District

REQUESTED ACTION:

(See Attached)

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Parcel Map #02480
Initial Study #18-0024
Nevada New Builds, LLC**



Prepared By:

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

February 2019

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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 from the proposed Parcel Map #02480, where the intent of the project is to merge twelve (12) lots into one (1) lot to accommodate a future business (Family Dollar Store). For purposes of this document, the abovementioned project will be called the "proposed project". (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 as amended, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

PROJECT SUMMARY, LOCATION AND 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. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and

provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

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

II. *Environmental Checklist*

1. **Project Title:** Parcel Map #02480 for Nevada New Builds, LLC / Initial Study #18-0024
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Isabel Patten, Planner I, (442) 265-1736, ext. 1750
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** isabelpatten@co.imperial.ca.us
6. **Project location:** The project site is located on the northwest corner of Heffernan Avenue and East Heber Road (Formally East Main Street) in the townsite of Heber, lying west of the Southern Pacific Railroad tracks. The parcel is identified as Assessor's Parcel Number (APN) 054-187-008-000 and is legally described as Lots 10 through 21 of Block 77, Townsite of Heber, in an unincorporated area of the County of Imperial.
7. **Project sponsor's name and address:** Nevada New Builds, LLC
7570 Norman Rockwell Lane, Suite 140,
Las Vegas, NV 89143
8. **General Plan designation:** General Commercial (per Figure 1 of Heber Urban Area Plan)
9. **Zoning:** C-2 (General Commercial)
10. **Description of project:** The applicant, Nevada New Builds, LLC, intends to merge twelve (12) lots into one (1) lot to accommodate a future business (Family Dollar Store). The proposed parcel map would create one (1) 0.88 acre lot. Exhibit "B" shows the Tentative Parcel Map as proposed by the applicant.
11. **Surrounding land uses and setting:** The project site is bounded to the north by residential properties and an active railroad track (Southern Pacific Railroad) approximately 164-feet east of the site. To the west of the proposed site, there are several commercial business that include a tire shop and Kennedy's Market (local corner market) and to the south there is a sports bar and two light industrial businesses. The proposed site is currently vacant land.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): A) 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 has consultation begun?**
Native American Heritage Commission (NAHC), Quechan Indian Tribe, Cocopah Indian Tribe and Torres-Martinez Indian Tribe were contacted and invited to participate in the Request for Review and Comments as part of the Initial Study review process. An AB52 letter was also sent out to the Quechan Indian Tribe for a 30 day consultation period for review and comment. No other comments were received.

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 21083.3.2). 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"/> 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/Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

- Found that the proposed project **COULD NOT** have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- Found that the proposed project **MAY** have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- Found that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input 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

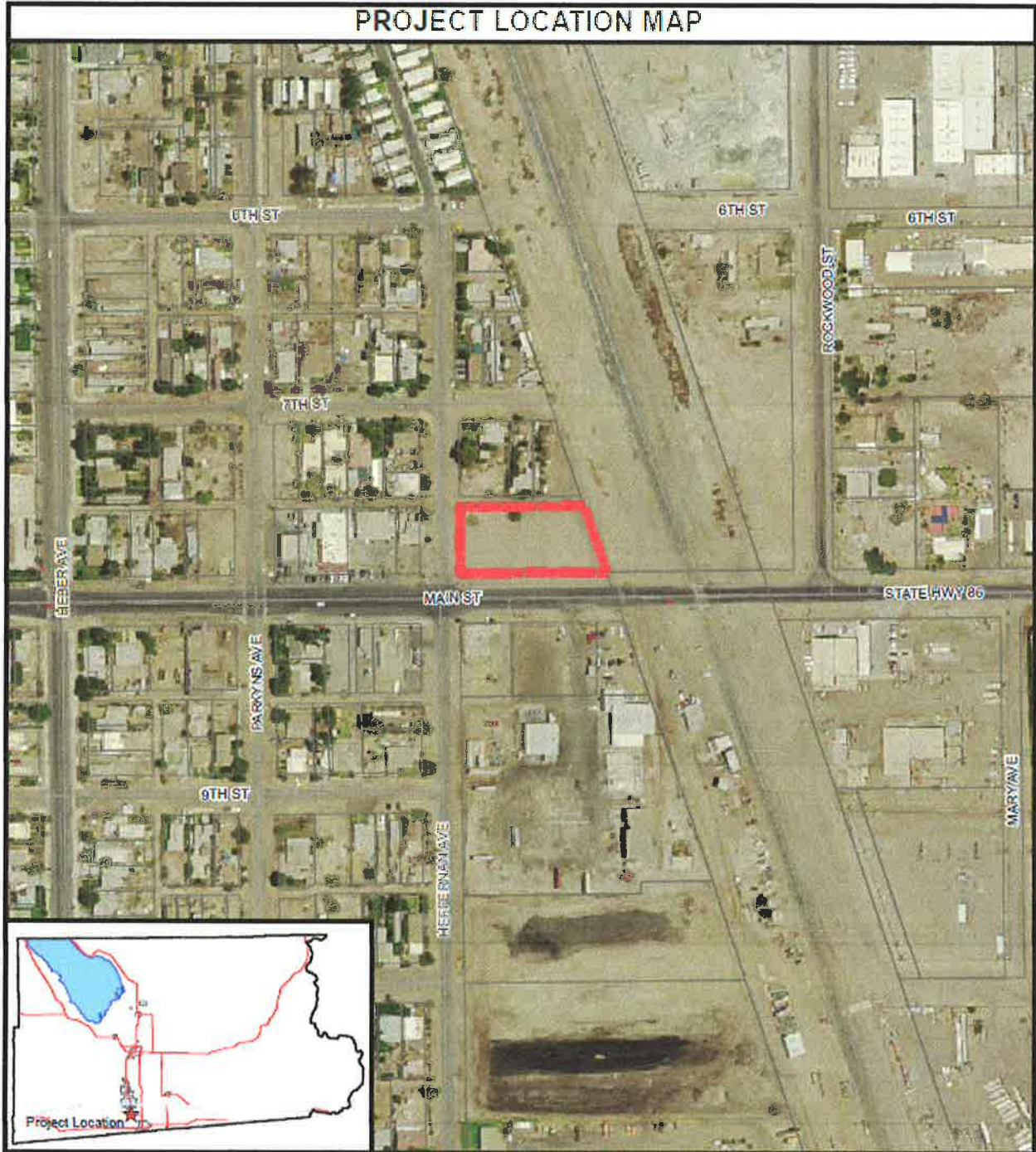
Date:

PROJECT SUMMARY

- A. **Project Location:** The project site is located on the northwest corner of Heffernan Avenue and East Heber Road (Formally East Main Street) in the townersite of Heber, lying west of the Southern Pacific Railroad tracks. The parcel is identified as Assessor's Parcel Number (APN) 054-187-008-000 and is legally described as Lots 10 through 21 of Block 77, Townsite of Heber, in an unincorporated area of the County of Imperial.
- B. **Project Summary:** The applicant, Nevada New Builds, LLC, intends to merge twelve (12) lots into one (1) lot to accommodate a future business (Family Dollar Store). The proposed parcel map would create one (1) 0.88 acre lot.
- C. **Environmental Setting:** The existing land uses surrounding the project site consist primarily of commercial uses (small business) to the west and south of the property with single family homes located directly north of the property, Southern Pacific Railroad to the east and East Heber Road abutting the site to the south. The property itself is currently vacant land. The project site is relatively flat terrain with no vegetation within.
- D. **Analysis:** The project site is designated SPA under the Land Use Element of the Imperial County General Plan and "General Commercial" under the Heber Urban Area Plan. The site is zoned "C-2" (General Commercial) per Zoning Map #12A under Title 9 Land Use Ordinance. The proposed parcel map would merger twelve (12) lots into one (1) lot which meets the minimum lot/parcel size per Title 9 Division 5 Chapter 13 Section 90513.04, which states that "...no portion of any lot within the C-2 Zone shall contain less than 20,000 square feet...".
- E. **General Plan Consistency:** As previously mentioned, the project application is found to be consistent with the Imperial County General Plan and meets the requirements of County Subdivision Ordinance for parcel maps pursuant to Section 90808.00

Exhibit "A"
Vicinity Map

PROJECT LOCATION MAP



NEVADA NEW BUILDS, LLC
PM #02480 / IS #18-0024
APN 054-187-008-000




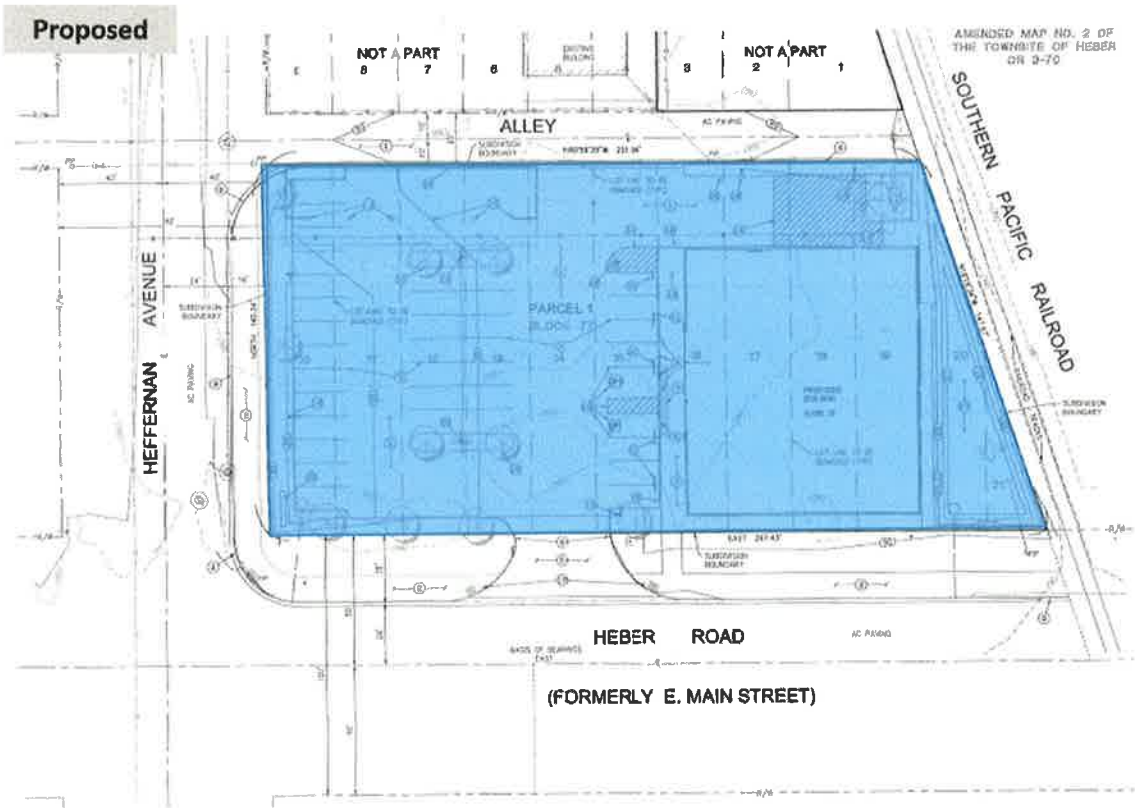
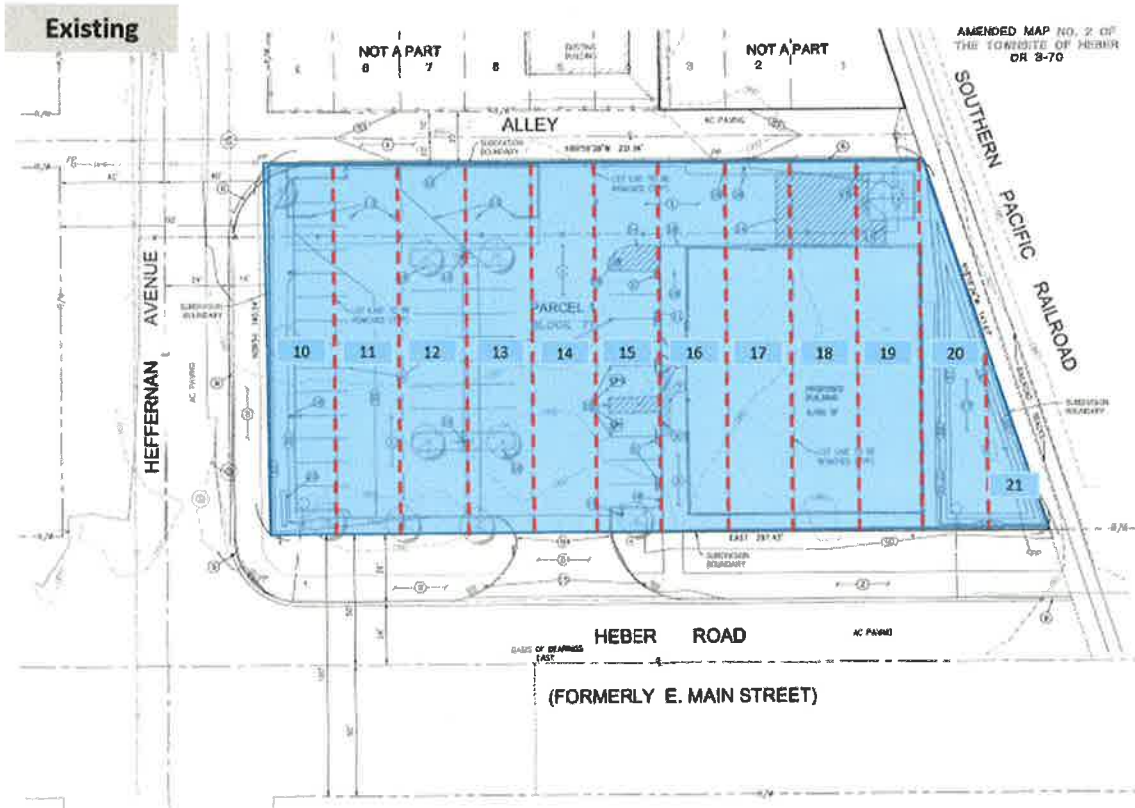
-  Project Location
-  Centerline
-  City Limit
-  Parcels



Exhibit "B" Site Plan



EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

I. AESTHETICS *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) According to the Imperial County General Plan Figure 9, Circulation and Scenic Highways Element¹, the project site is not located on or near the scenic vista or scenic highway. Accordingly, implementation of the proposed project would not have an adverse effect on the scenic vista and less than significant impacts are anticipated. | | | | |
| b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) There are no scenic resources such as trees, rock outcroppings or historic buildings surrounding the project site; therefore, no impacts are expected. | | | | |
| c) Substantially degrade the existing visual character or quality of the site and its surrounding? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Implementation of the proposed project would not degrade the existing visual character since no physical changes will be made; therefore, less than significant impacts are expected at this time. | | | | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) The proposed project would not create a new source of light or glare. Any future development would need to take into account the relevant policies outlined in the Heber Urban Area Plan and Title 9 Land Use Ordinance; therefore, less than significant impacts are expected. | | | | |

II. AGRICULTURE AND FOREST RESOURCES

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) According to the California Department of Conservation Farmland Mapping and Monitoring Program (2016)², the project site's Farmland Type is designated as "Urban and Built-Up Land", which means the urban and built-up land is occupied by structures with a building density of at least 1 unit to 1.5 acres or approximately 6 structures to a 10 acre parcel. There are no agricultural lands on or surrounding the project site nor will it convert prime farmland; therefore, no impacts are expected. | | | | |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The existing zoning and land use designation of the property are not related to or are adjacent to agricultural use. In addition, the project site is not under the Williamson Act contract; therefore 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) The project site is surrounded by urban and built-up land and is not within or close to any forest land. No impacts related to the conversion of timberlands or forest land are expected. | | | | |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

¹ [http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-\(2008\).pdf](http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-(2008).pdf). Page 13

² <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/imp16.pdf>

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d) As previously stated, the project site is not within or close to any forest land; therefore, no impacts would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

e) The proposed project approval and future development would not cause for the conversion of farmland to non-agricultural use since the project site is not located in or near agricultural use lands; therefore, no impacts are expected to occur.

III. AIR QUALITY

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

a) Conflict with or obstruct implementation of the applicable air quality plan?

a) Air quality within Imperial County is regulated by the Imperial County Air Pollution Control District (ICAPCD). The Air District requires that the project proponent adhere to regulation VIII- Fugitive Dust Rule and Rule 207 for any future development on the project site. Therefore, compliance with these regulations would reduce the threshold of impact to less than significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

b) The proposed project would not cause a violation of air quality standards since it will not modify the existing environment. As previously mentioned, any future development is subject to all rules and regulations of ICAPCD, and showing compliance with them and other applicable County agencies shall lessen impacts to less than significant levels.

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

c) The proposed project will not cause any changes to the physical environment, however, future development could impact the surrounding area by potentially increasing criteria pollutant during the construction phase(s). Less than significant impacts are expected as a result of future development.

d) Expose sensitive receptors to substantial pollutant concentrations?

d) Although sensitive receptors can be found within 1,000-feet of the project site, the proposed project and future development would not cause substantial exposure to pollutant concentrations. Designing and building in conformance to all ICAPCD's recommendations shall bring the impact from any future projects to less than significant levels.

e) Create objectionable odors affecting a substantial number of people?

e) The proposed project would not create odors or cause them to affect the surroundings. Future development will be subject to building requirements or conditions of approval. Conformance with the above should bring any potential impacts to less than significant levels.

IV. BIOLOGICAL RESOURCES *Would the project:*

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

a) The proposed project site is not located within a designated sensitive habitat nor an agency-designated habitat area, but is within the "Burrowing Owl Species Distribution Model" according to the Imperial County General Plan's Conservation and Open Space Element, Figure 2³. The proposed project is not expected to have adverse impact on any species or their habitats since the proposed project will not physically affect the environment. The applicant shall contact ICPDS prior to any future

³ <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Open Space Element, Figure 2³. The proposed project is not expected to have adverse impact on any species or their habitats since the proposed project will not physically affect the environment. The applicant shall contact ICPDS prior to any future development; therefore, less than significant impacts are expected.

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

b) According to the Imperial County General Plan's Conservation and Open Space Element, the project site is not located within a sensitive or riparian habitat, nor within a sensitive natural community. Less than significant impacts are expected to occur regarding adverse effects on the above habitats.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

c) The proposed project will not interfere with the Clean Water Act, Section 404⁴, since there will be no discharge of dredged, fill or any kind of material into the waters of the United States. Future development shall require grading and drainage plan approval prior to construction. Compliance with the relevant Agencies' regarding the above plans, shall bring project impacts to less than significant levels.

- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

d) The project site is not located on or near a body of water and no fish or wildlife species would be affected by the proposed project. In addition, it would not impede the use of native wildlife nursery sites since there are none immediately surrounding the project site; therefore, no impacts are expected.

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

e) The proposed project does not conflict with any local policies or ordinances protecting biological resources. As previously mentioned, the applicant shall contact ICPDS prior to any future development plans to assure there are no conflicts with biological resources; therefore, less than significant impacts are expected.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

f) Imperial County does not have a Habitat Conservation Plan (HCP). Thus, with regards to the HCP, no impacts would occur. Some lands in the County under the jurisdiction of the Bureau of Land Management (BLM) are covered by the California Desert Conservation Area (CDCA) Plan which includes Areas of Critical Environmental Concern (ACEC). The project site is not within or immediately adjacent to an ACEC of the CDCA. Therefore, no impacts would occur.

V. CULTURAL RESOURCES *Would the project:*

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

a) As depicted on Imperial County's General Plan Figure 6, *Conservation and Open Space Element*⁵, the project site was not identified as containing a historic resource. Accordingly, the project would not appear to impact a historical resource as defined by CEQA. No impacts are anticipated.

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

³ <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>

⁴ Clean Water Act, Section 404 <https://www.epa.gov/cwa-404/clean-water-act-section-404>

⁵ <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>

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b) The project site is not located within an archeological site of significance as shown in the Conservation and Open Space Element. No impacts are anticipated.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The proposed project does not appear to directly or indirectly destroy any unique paleontological resources. No impacts are anticipated.				
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) There are no known cemeteries on or surrounding the project site. The project site is not known to have been a formal or informal cemetery. Therefore, the proposed project is not expected to disturb any human remains and no impacts are anticipated.				

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

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) The proposed project does not appear to expose people or structures to potential adverse effects, including risk of loss, injury, or death. The applicant shall contact ICPDS prior to any future development; therefore, less than significant impacts are expected.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) The proposed project is not located within a known fault zone. Any future development shall be designed per the latest California Building Codes. Compliance with applicable County agencies' would bring any potential impacts to less than significant levels.				
2) Strong Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Ground shaking is expected to occur being that the project site is located in the seismically active Imperial Valley, with numerous mapped faults of the San Andreas Fault System traversing the region. While the proposed project will not expose people to seismic ground shaking, future development will be subject to the latest building codes. Any proposed development that incorporates the appropriate design measures would lessen any potential impact related to ground shaking to less than significant levels.				
3) Seismic-related ground failure, including liquefaction and seiche/tsunami?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) The project site does not appear to be located on geological units or soil that is unstable or that would become unstable as a result of seismic activities, including liquefaction and seiche/ tsunami. No impacts are anticipated.				
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) According to the Imperial County General Plan Landslide Activity Map, Figure 2⁶, Seismic and Public Safety Element, the project site does not lie within a landslide activity area and therefore, no impacts are anticipated.				
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 project will not cause any physical changes in the environment. Any future development is subject to the approval of the applicable County Agencies, and its execution and operation must be made in a manner that is consistent with the County's Land Use Ordinance and General Plan. The handling of soil shall be done in accordance with County standards; bringing potential impacts to less than significant levels.				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) The project site is not known to be located on unstable geological units and/or soil, and the conditions for lateral				

⁶ <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>

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d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial risk to life or property? d) The proposed project will not cause physical changes to the environment. The applicant shall confirm with ICPDS Building Division whether a Soils Report will be required prior to future development plans. Compliance with County agencies' requirements will bring project impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? e) No septic tanks or other alternative waste water disposal systems are being proposed as part of the application. The applicant shall contact the Heber Public Utility District to inquire about sewer connections. At this moment, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
a) The proposed project would not cause physical changes to the environment, however, future development to accommodate a business could have the potential to generate an increase in traffic and greenhouse gas emissions. The applicant's future project shall be reviewed and approved by ICAPCD prior to construction. At this time, less than significant impacts are expected in relation to greenhouse gas emissions. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
b) The regulations under AB 32⁷ and the updated CEPA Air Resources Board's AB 32 Scoping Plan, do not include an applicable threshold for GHG emissions for a project with these characteristics⁸. As previously mentioned, any future development shall be reviewed by applicable County agencies and would be subject to their approval prior to construction. At this time, no impacts would be expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
a) The proposed project does not include any handling of hazardous materials; therefore, less than significant impacts to the public or the environment are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 previously mentioned, the proposed project will not use or release any hazardous materials; therefore, less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
c) The proposed project does not include hazardous materials in its scope of work; therefore, less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

⁷ Assembly Bill 32 Overview <https://www.arb.ca.gov/cc/ab32/ab32.htm>

⁸ CEQA AB 32 Scoping Plan <https://www.arb.ca.gov/cc/scopingplan/document/updatescopingplan2013.htm>

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Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

d) Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) the DTSC EnviroStor Database⁹ to compile and update a list of hazardous waste and substances sites. After review, it was found that the project site was not located under a listed hazardous and substances site; therefore, less than significant impacts are anticipated.

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 for people residing or working in the project area?

e) The project site is not located within a runway protected zone or approach/departure zone of a local airport. There are no nearby public airports as shown in the Airport Land Use Compatibility Plan (Figure 1A)¹⁰. No Impacts are anticipated.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

f) There are no private airfields or airstrips in the vicinity of the project site. Thus, there is no potential for the implementation of the project to result in a safety hazard for people residing or working in the project area. No impacts would occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

g) The proposed project is to merge twelve (12) lots into one (1) to accommodate a future user, and it will not create any physical changes that would interfere with an adopted emergency response plan or emergency evacuation plan. Any future development would be subject to the County's rules and regulations to assure that there is no interference with any applicable emergency plan. No impacts are expected as a consequence of the parcel map request.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

h) According to the California Department of Forestry and Fire Protection "Fire and Resource Assessment Program Map", the project site is under the category "LRA Unzoned"¹¹ and is not considered a hazard zone; therefore, no impacts are expected.

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

a) Violate any water quality standards or waste discharge requirements?

a) The proposed project does not appear to cause violations on any water standards nor on wastewater discharge requirements. For any future development, the applicant shall contact Heber Public Utility District for domestic water service and sewer service to the property; therefore, less than significant impacts are anticipated.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

b) The proposed project would not require the usage of groundwater or would interfere substantially with groundwater recharge. Any future development would be subject to the County's rules and regulations to assure that there is no interference with any groundwater supplies or groundwater recharge; therefore, no impacts are expected.

⁹ EnviroStor Database <http://www.envirostor.dtsc.ca.gov/public/>

¹⁰ <http://www.icpds.com/CMS/Media/Airport-Locations.pdf>

¹¹ FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/hsz106_1_map.13.pdf

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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? c) The proposed project will not alter the environment, however, any future development shall include grading and drainage plans designed as per any state and/or local standards; doing so will bring project impacts to less than significant levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? d) There are no streams or rivers surrounding the project site; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? e) As stated above, any future development's grading and drainage plans would need to be designed per the applicable local and state requirements to avoid adverse impacts from stormwater or runoff water. It is therefore anticipated that the impact would be considered less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? f) Any future development would have to adhere to Federal, State and County Standards to reduce any potential degrade of water quality. Employment of Best Management Practice (BPM's) would also reduce the impact of any future project activities on surrounding water quality to a level less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? g) The proposed project is not located within a 100-year flood hazard area, according to FEMA Flood Map Service Map 06025C2075C¹². Therefore, no impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows? h) The project site is located on Zone X, which is "Area of Minimal Flood Hazard" under FEMA Flood Map 06025C2075C; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? i) The project site is located in an area of minimal flooding, there are no dams or levees nearby and the project does not have any proposed physical alterations to the parcels; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? j) According to the California Emergency Management Agency and the Department of Conservation¹³, the project site is not located within a Tsunami Inundation Area for Emergency Planning; therefore, no impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?
a) The project site would not isolate any established communities or residences from neighboring communities. Development and operation of the project would not physically disrupt or divide the arrangement of an established community; therefore, no impacts can be expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, but not | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹² FEMA Flood Map Service Center Maps <https://msc.fema.gov/portal/search#searchresultsanchor>

¹³ Department of Conservation Tsunami Inundation Maps <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>

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limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

b) **The proposed project would not conflict with the County's General Plan or Land Use Ordinance and meets the requirements of the minimum lot size of 20,000 square feet. Additionally, any future developments would have to meet one of the allowed uses listed in Title 9 Division 5 Chapter 13 Section 90513.01 or one of the uses permitted by Conditional Use Permit as listed under Section 90513.02 of Title 9 Division 5 Chapter 13. Any future development will also need to comply with the Heber Urban Area Commercial Development Standards¹⁴. Compliance with all agencies' requirements after submitting for any applicable permits, would lessen impacts to less than significant levels.**

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

c) **In accordance with the Imperial County General Plan- Conservation and Open Space Element, Figure 1- Sensitive Habitats¹⁵, the proposed project site is not located within a habitat conservation plan or natural community conservation plan area. Therefore, no impacts are anticipated.**

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

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

a) **The project site is not located within an area known to be underlain by regionally important mineral resources or within an area that has the potential to be underlain by regionally mineral resources. Accordingly, implementation of the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region of the residents of the State of California. 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) **The project site is located within an area known to be underlain by regionally or locally important mineral resources, as disclosed by the Imperial County General Plan, Figure 1 of the Geothermal Alternative Energy and Transmission Element¹⁶. However, implementation of the proposed project would not result in a significant loss of a locally-important mineral resource recovery site that has been delineated on Imperial County General Plan, Heber Urban Area Plan or any other land use plan. Less than significant impacts are anticipated.**

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

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

a) **There are no physical changes expected to be caused by the proposed project. There may be groundborne vibration and noise levels regarding future development; however, these levels would be subject to the Construction Noise standards, as set out in the Noise Element of the Imperial County General Plan¹⁷ which would most likely be temporary (during construction period). Compliance with such standards would reduce the impact to a level less than significant.**

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

b) **There are no physical changes expected to be caused by the proposed project. However, the applicant's intent is to accommodate a future business (Family Dollar Store) and therefore, some groundborne vibration could be expected due to future construction and operation. However, these levels would be subject to the Construction Noise Standards, as set out in the Noise Element of the Imperial County General Plan, and would be temporary (during construction period). Compliance**

¹⁴ I.C. Heber Urban Area Plan <http://www.icpds.com/CMS/Media/Heber-Urban-Area-Plan.pdf> Pages 17 and 18

¹⁵ <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>

¹⁶ <http://www.icpds.com/CMS/Media/Renewable-Energy-and-Transmission-Element-2015.pdf>

¹⁷ I.C. General Plan Noise Element <http://www.icpds.com/CMS/Media/Noise-Element-2015.pdf> page 22

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with such standards would reduce the impact to a level less than significant.

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|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
c) As described under Noise XII (a) & (b) above, future developments can introduce temporary, local exposure of noise levels to those living in close proximity. Compliance with such standards would reduce the impact to a level less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
d) As described under Noise XII (a) & (b) above, future developments can cause temporary exposure to noise during construction and operation; however, these impacts would be less than significant. | <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 expose people residing or working in the project area to excessive noise levels?
e) The project site is not located within a runway protected zone or approach/departure zone of a local airport. There are no nearby public airports as shown in the Airport Land Use Compatibility Plan (Figure 1A)¹⁸. No impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?
f) The proposed project site is not located within the vicinity of a private airstrip which would expose people residing or working in the project area to excessive noise levels. No impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
a) The proposed project does not include any residential projects nor is it zoned or designated for residential purposes. However, future development on the site could cause growth of population indirectly, although, it is not expected to be substantial. Therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
b) Implementation of the project would not displace substantial numbers of existing housing and would not necessitate the construction of replacement housing elsewhere. No impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?
c) The project site does not contain any residential structures; therefore no people live directly on the project site under existing conditions. Accordingly, implementation of the proposed project would not displace substantial numbers of people and would not necessitate the construction of replacement housing elsewhere. No impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. **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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

¹⁸ <http://www.icpds.com/CMS/Media/Airport-Locations.pdf>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) The proposed project will not result in any adverse physical impacts associated with any new or altered governmental facilities or require the need for new or altered governmental facilities. Therefore, no impacts are anticipated.

1) Fire Protection?

a1) The proposed project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection services. Impacts to fire protection facilities would be less than significant.

2) Police Protection?

a2) The County Sheriff's office provides police protection to the area. The proposed project would cause for less than significant impacts, but future development would need to be reviewed by I.C. Sheriff's office prior to construction.

3) Schools?

a3) Future development of the project site would not create direct demand for public school services, as the project consists of a non-residential use that would not generate any school-aged children requiring public education. The proposed project is not expected to indirectly draw a substantial number of new residents to the region and would therefore not indirectly generate school-aged students requiring public education. Since the project would not directly generate students and is not expected to indirectly draw students to the area, the project would not cause or contribute a need to construct new or physically altered public school facilities. Therefore, less than significant impacts would be anticipated.

4) Parks?

a4) The proposed project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. Accordingly, implementation of the proposed project or future development would not adversely affect any park facility and no impacts would be anticipated.

5) Other Public Facilities?

a5) The proposed project is not expected to result in a demand for other public facilities services. As such, implementation of the proposed project would not adversely affect other public facilities or require the construction of new or modified public facilities. Impacts are anticipated to be less than significant.

XV. RECREATION

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

a) The proposed project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed project or future development would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, a less than significant impact is anticipated.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?

b) The proposed project does not propose to construct any new on or off-site recreational facilities. Additionally, the project would not expand any existing on or off-site recreational facilities. Thus, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed project. Therefore, no impacts are anticipated.

XVI. TRANSPORTATION / TRAFFIC *Would the project:*

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
Element and/or any applicable plan, ordinance or policy related to the transportation aspect. Future development could potentially generate workforce and therefore increase population and traffic on the abutting highway and streets, but it is not expected to be substantial. Therefore, less than significant impacts are expected.				
b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestions/management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Implementation of the Project will not conflict with an applicable congestion management program or other standards established by the County congestion/management agency for designated roads and highways. Future development would be subject to all applicable agency review prior to permit approval. Less than significant impacts are anticipated.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The scope of work of the project does not involve structures or buildings that could change air traffic patterns, increase traffic levels, or cause any location dedicated for traffic to be in any substantial risk. Future development would be subject to all applicable agency review prior to permit approval. Compliance with said agencies would bring any potential impact to less than significant levels.				
d) Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The proposed project does not have any design features that could cause concern regarding traffic. Any future developments would be subject to applicable agency review during the building permit process; therefore, less than significant impacts are anticipated.				
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The proposed project will not result in inadequate emergency access. Any future development would be subject to applicable agency review during the building permit process; therefore, no impacts are expected.				
f) Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) The proposed project does not conflict with adopted policies, plans and programs regarding public transit, bicycle or pedestrian facilities. Future development would need to be in accordance with applicable policies, plans, and/or programs regarding public transit. Compliance with said policies, plans and/or programs would lessen impact levels to less than significant.				

XVII. 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:
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
- a) Assembly Bill 52 was passed in 2014 and took effect July 1, 2015. It established a new category of environmental resources that must be considered under CEQA called tribal cultural resources (Public Resources Code 21074) and established a process for consulting with Native American tribes and groups regarding those resources. Assembly Bill 52 requires a lead agency to begin consultation with California Native American tribe that is traditionally and culturally affiliated with geographic area of the proposed project. Imperial County has consulted with appropriate tribes with the potential for interest in the region. Based on this consultation, the project site is not located in an area identified as having the potential for a tribal cultural resource.**
- 1) 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
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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1) The proposed site was not listed under the California Historical Resources in County of Imperial¹⁹ nor does it appear to be eligible under Public Resources Code Section 21074 or 5020.1 (k); therefore, no impacts are expected.

2) 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.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

2) There appears to be no history or association in the past with any evidence of historical resources for the property to be either identified as of significance or as candidate for listing in the California Register; therefore, no impacts are expected.

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

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

a) The proposed project would not cause physical changes in the environment. The applicant shall contact Heber Public Utility District for future development requirements; therefore, less than significant impacts are expected.

b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

b) The proposed project would not require new water facilities. The applicant shall contact Heber Public Utility District prior to any future development since the site is within their service area for domestic water; therefore, less than significant impacts are expected.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

c) The proposed project will not require construction of new storm water drainage facilities or expansion of existing facilities. Any future development plans shall require a Drainage and Grading Study/Plan be submitted to Imperial County Public Works Department; therefore, less than significant impacts are expected.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

d) The proposed project does not require any water resources or entitlements. The applicant shall contact Heber Public Utility District prior to any future development. Less than significant impacts are expected.

e) 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?

e) The proposed project would not cause an impact to the wastewater treatment provider, but any future development shall be subject to Heber Public Utility District approval. Compliance with said agency will bring impacts to less than significant levels.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

f) The proposed project will not generate any solid waste that would impact a local landfill. The applicant shall contact the company that serves the townsite of Heber to assure it has capacity to accommodate future needs; less than significant impacts are anticipated.

¹⁹ Office of Historic Preservation <http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) The proposed project does not require a solid waste plan and appears to comply with all federal, state and local statutes and regulations related to solid waste. Any future developments are subject to compliance with all applicable regulations including those related to solid waste; therefore, less than significant impacts are expected.				

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

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

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 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, 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
- Isabel Patten, Planner I
- Imperial County Air Pollution Control District
- Environmental Health Services

B. OTHER AGENCIES/ORGANIZATIONS

- Imperial Irrigation District

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

V. REFERENCES

1. [http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-\(2008\).pdf](http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-(2008).pdf). Page 13
2. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/imp16.pdf>
3. <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>
4. Clean Water Act, Section 404 <https://www.epa.gov/cwa-404/clean-water-act-section-404>
5. <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>
6. <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>
7. Assembly Bill 32 Overview <https://www.arb.ca.gov/cc/ab32/ab32.htm>
8. CEPA AB 32 Scoping Plan <https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>
9. EnviroStor Database <http://www.envirostor.dtsc.ca.gov/public/>
10. <http://www.icpds.com/CMS/Media/Airport-Locations.pdf>
11. FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/fhszl06_1_map.13.pdf
12. Department of Conservation Tsunami Inundation Maps
<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>
13. I.C. Heber Urban Area Plan <http://www.icpds.com/CMS/Media/Heber-Urban-Area-Plan.pdf> Pages 17 & 18
14. <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>
15. I.C. General Plan Noise Element <http://www.icpds.com/CMS/Media/Noise-Element-2015.pdf> page 22
16. <http://www.icpds.com/CMS/Media/Renewable-Energy-and-Transmission-Element-2015.pdf>
17. <http://www.icpds.com/CMS/Media/Airport-Locations.pdf>
18. Office of Historic Preservation <http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

VI. NEGATIVE DECLARATION – County of Imperial

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

Project Name: Parcel Map #02480 / Initial Study #18-0024

Project Applicant: Nevada New Builds, LLC

Project Location: The project is located on the northwest corner of Heffernan Avenue and East Heber Road in the township of Heber, lying west of the Southern Pacific Railroad tracks. The parcel is identified as Assessor's Parcel Number (APN) 054-187-008-000 and is legally described as Lots 10 through 21 of Block 77, Townsite of Heber, in an unincorporated area of the County of Imperial.

Description of Project: The applicant, Nevada New Builds, LLC, intends to merge twelve (12) lots into one (1) lot to accommodate a future business (Family Dollar Store). The proposed Parcel Map would create one (1) 0.88 acre lot. Exhibit "B" shows the Tentative Parcel Map as proposed by the applicant.

VII. FINDINGS

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



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



The Initial Study identifies potentially significant effects but:

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

A **NEGATIVE DECLARATION** will be prepared.

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

NOTICE

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

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

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

Applicant Signature

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

S:\APN\054\187\008\PM02480\EEC\PM 02480 Initial Study_Edits.docx

MINOR SUBDIVISION

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

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

1. PROPERTY OWNER'S NAME Nevada New Builds, LLC	EMAIL ADDRESS glenn@teampantone.com	
2. MAILING ADDRESS 7312 W. Cheyenne Ave. Suite 6, Las Vegas, NV 89129	ZIP CODE 89129	PHONE NUMBER 702.769.9872
3. ENGINEER'S NAME Ryan Post (Surveyor)	CAL. LICENSE NO. 8785	EMAIL ADDRESS rpost@atcdesigngroup.com
4. MAILING ADDRESS 1282 Pacific Oaks Place, Suite C Escondido, CA	ZIP CODE 92029	PHONE NUMBER 760.738.8835
5. PROPERTY (site) ADDRESS 80 E MAIN ST. HEBER CA. N.E.C. of Heber Rd. & Heffernan Ave. Heber, CA 92249	LOCATION	
6. ASSESSOR'S PARCEL NO. 054-187-002 & 054-187-008	SIZE OF PROPERTY (in acres or square foot) Acres: .88 or Sq.Ft. 38,332.8	
7. LEGAL DESCRIPTION (attach separate sheet if necessary) See legal description attached		
8. EXPLAIN PURPOSE/REASON FOR MINOR SUBDIVISION Submitting for a Parcel Map Waiver per section 90805.10 C		

9. Proposed DIVISION of the above specified land is as follows:

PARCEL	SIZE in acres or sq. feet	EXISTING USE	PROPOSED USE	ZONE
1 or A				
2 or B				
3 or C				
4 or D				

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

10. DESCRIBE PROPOSED SEWER SYSTEM(S)	Proposed public sewer connection
11. DESCRIBE PROPOSED WATER SYSTEM	Proposed public water connection
12. DESCRIBE PROPOSED ACCESS TO SUBDIVIDED LOTS	
13. IS THIS PARCEL PLANNED TO BE ANNEXED?	IF YES, TO WHAT CITY or DISTRICT?
<input type="checkbox"/> Yes <input type="checkbox"/> No	

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

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

Nevada New Builds, LLC 11/07/18
 Print Name (owner) _____ Date _____
 Signature (owner) _____
 Erik Silva _____ 10.12.18
 Print Name (Agent) _____ Date _____
 Signature (Agent) _____

REQUIRED SUPPORT DOCUMENTS

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

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

APPLICATION RECEIVED BY: <u>Jacob Fatta</u>	DATE <u>11/15/18</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.
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____

PM#
02480



ATC DESIGN GROUP

ARCHITECTS

• ENGINEERS

• SURVEYORS

To: Isabel Patten
Planner I
IMPERIAL COUNTY PLANNING
& DEVELOPMENT SERVICES
801 W. Main Street
El Centro, CA 92243
Phone (442) 265-1750
isabelpatten@co.imperial.ca.us

From: Lerik Silva
ATC Design Group
1282 Pacific Oaks Place, Suite C
Escondido, CA. 92029

Subject: **Request for Omission of APN: 054-187-002 reference** for Project: DR #18-001 Family Dollar Store

Isabel,

Pleasure speaking with you on 11.19.18 regarding clarification of APN: 054-187-002 reference.

As mentioned yesterday, that APN reference was carried over from the Survey plans as a simple typo. Please consider this letter as an omission of any mention to APN: 054-187-002 on our plans submitted to you for the Parcel Map waiver submittal and any other submittal moving forward.

Should there be any additional questions and or concerns please feel free to contact me at your earliest convenience.

Sincerely,

Lerik Silva

Project Manager

ATC DESIGN GROUP

ARCHITECTS-ENGINEERS-SURVEYORS

1282 Pacific Oaks Pl Ste, C

Escondido, CA 92029

Direct Line: 760.294.7402

Mobile: 858.229.5987

1282 Pacific Oaks Place, Suite C, Escondido, CA 92029 P: 760-738-8800 F: 760-738-8232



ATC DESIGN GROUP

ARCHITECTS

ENGINEERS

SURVEYORS

PARCEL MAP WAIVER REQUEST

To: Imperial County Planning
& Development Services
801 West Main Street
El Centro, CA. 92243

10.12.18

From: Lerik Silva
ATC Design Group
1282 Pacific Oaks Place, Suite C
Escondido, CA. 92029

Subject: Parcel Map Waiver request per section 90805.10 C
APN: 054-187-002 & 054-187-008

To whom it may concern,

This Letter is for the purpose of requesting a waiver of the Parcel Map for the Lot Merger of the above-mentioned project. We have provided a Tentative Parcel Map to support our submittal for re-subdivision of parcel from 12 lots to 1.

Sincerely,

Lerik Silva

Project Manager

ATC DESIGN GROUP

ARCHITECTS-ENGINEERS-SURVEYORS

1282 Pacific Oaks Pl Ste, C

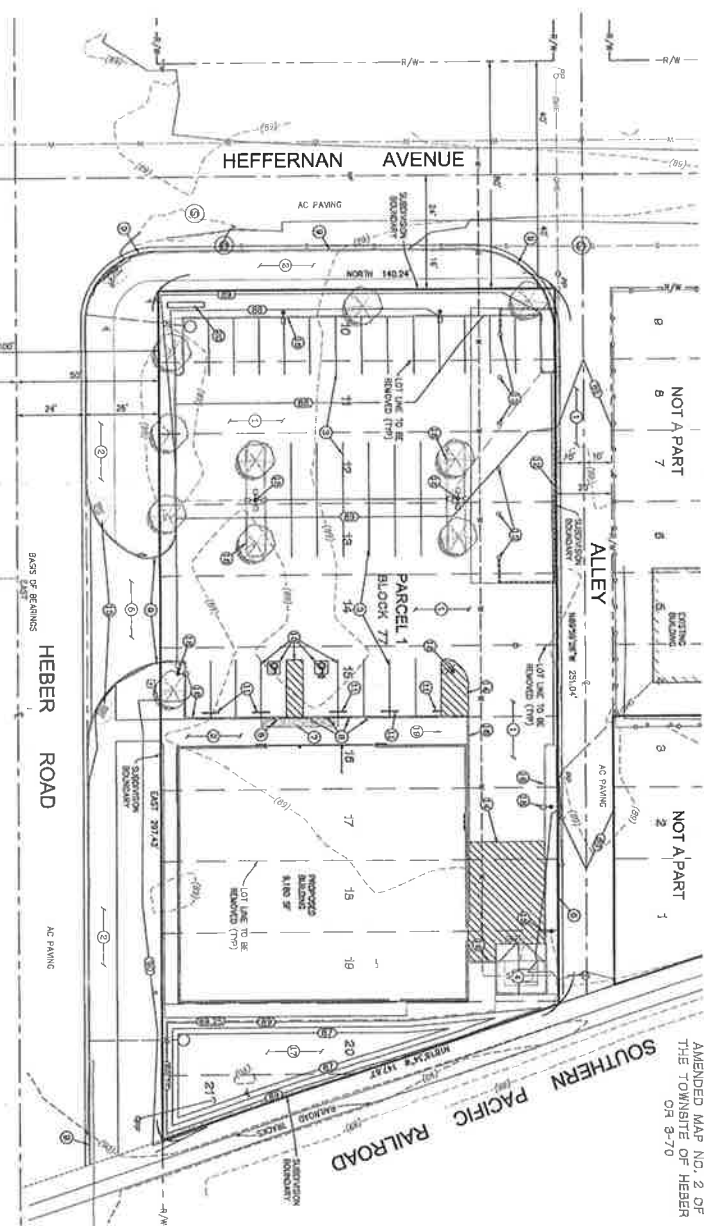
Escondido, CA 92029

Direct Line: 760.294.7402

Mobile: 858.229.5987

TENTATIVE PARCEL MAP NO. _____

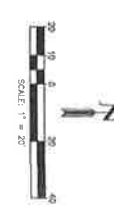
AMENDED MAP NO. 2 OF THE TOWNSHIP OF HEBER OR 9-7-0



- CONSTRUCTION NOTES**
- 1) PROPOSED AC PAVING
 - 2) PROPOSED 8" PCC SIDEWALK
 - 3) PROPOSED PARKING STRIPES 12"
 - 4) PROPOSED HIGH CEMENT CURB
 - 5) PROPOSED CONCRETE DRIVEWAY
 - 6) PROPOSED 8" C&G BLOCK WALL
 - 7) PROPOSED 4" C&G
 - 8) PROPOSED SOLID
 - 9) PROPOSED ACCESSIBLE STEPPING & SIGN
 - 10) PROPOSED CONCRETE STEP
 - 11) REMOVE EXISTING WALL
 - 12) REMOVE EXISTING GATED POST
 - 13) REMOVE EXISTING STRIPS
 - 14) PROPOSED RESTRICTION BUMP
 - 15) PROPOSED CONCRETE CURB
 - 16) PROPOSED RETENTION BASIN
 - 17) PROPOSED PARKING LITE
 - 18) PROPOSED BICYCLE BACK
 - 19) PROPOSED PICKUP SIGN



- LEGEND AND ABBREVIATIONS**
- SUBDIVISION BOUNDARY
 - RIGHT OF WAY
 - CONCRETE
 - EXISTING BEAM
 - EXISTING WALL
 - PROPOSED 8" C&G BLOCK WALL
 - EXISTING CHAIN LINK FENCE
 - PROPOSED 8" C&G & OTHERS
 - EXISTING WATER LINE
 - EXISTING STREET LINE
 - EXISTING OVERHEAD ELECTRIC LINE
 - PROPOSED WATER LATERAL
 - PROPOSED STREET LATERAL
 - PROPOSED 8" FIBER OPTIC LINE
 - PROPOSED 6" FIRE SERVICE LINE
 - EXISTING MAJOR CONDUIT
 - PROPOSED MAJOR CONDUIT
 - PROPOSED CONCRETE PAVING
 - PROPOSED LANDSCAPE TREE
 - PROPOSED TRUCKED CONC
 - PROPOSED CATCH BASIN
 - APPHAL TIC CHOCOLATE
 - POWER POLE & 60V WIRE
 - SEWER CLEANOUT
 - SEWER MANHOLE
 - SEWER
 - SPN (2 POSIS)
 - WATER METER
 - WATER VALVE



ASSESSOR'S PARCEL NUMBER
APN: 024-187-002 & 024-187-008

OWNER
LUTHER B. HESTER
HEBER, CA

SERVICE AGENCIES
WATER: HEBER PUBLIC UTILITY DISTRICT (760) 462-2440
FIRE: BERGHAL COUNTY FIRE (760) 462-2400
SEWER: HEBER PUBLIC UTILITY DISTRICT (760) 462-2440
ELECTRIC: HEBER PUBLIC UTILITY DISTRICT (760) 462-2440
CABLE: SPECTRUM (866) 874-2388
O&G: SOUTHERN CALIFORNIA GAS (800) 427-2000

LEGAL DESCRIPTION
ACRES, MORE OR LESS, THE UNINCORPORATED AREA OF THE COUNTY OF HEBER, COUNTY OF CALIFORNIA, BEING A PORTION OF PARCEL 77, TOWNSHIP OF HEBER, IN AN UNINCORPORATED AREA OF THE COUNTY OF HEBER, AS SHOWN ON A MAP OF SAID PARCEL 77, TOWNSHIP OF HEBER, COUNTY OF CALIFORNIA, AS SHOWN ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF HEBER COUNTY.

EASEMENTS
NO EASEMENTS ON SUBJECT PROPERTY FOR RECORD IN HEBER COUNTY RECORDS.

ZONING INFORMATION
RECORD CITY PLAN NO. 2075

LOT AREA SUMMARY

EXISTING PAVEMENT	PROPOSED PAVEMENT
0.28	0.28
28,322.8	28,322.8

BENCHMARK
NCS
MARKER: J A 9 05
FOR DESCRIPTION & DATA SEE SHEET 2 OF 2
SUBJECT 100'00" TO GRANITE ACTUAL ELEVATIONS

ZONING INFORMATION
C-2 - MEDIUM DENSITY RESIDENTIAL

REVISIONS

NO.	DESCRIPTION	DATE	APP'D

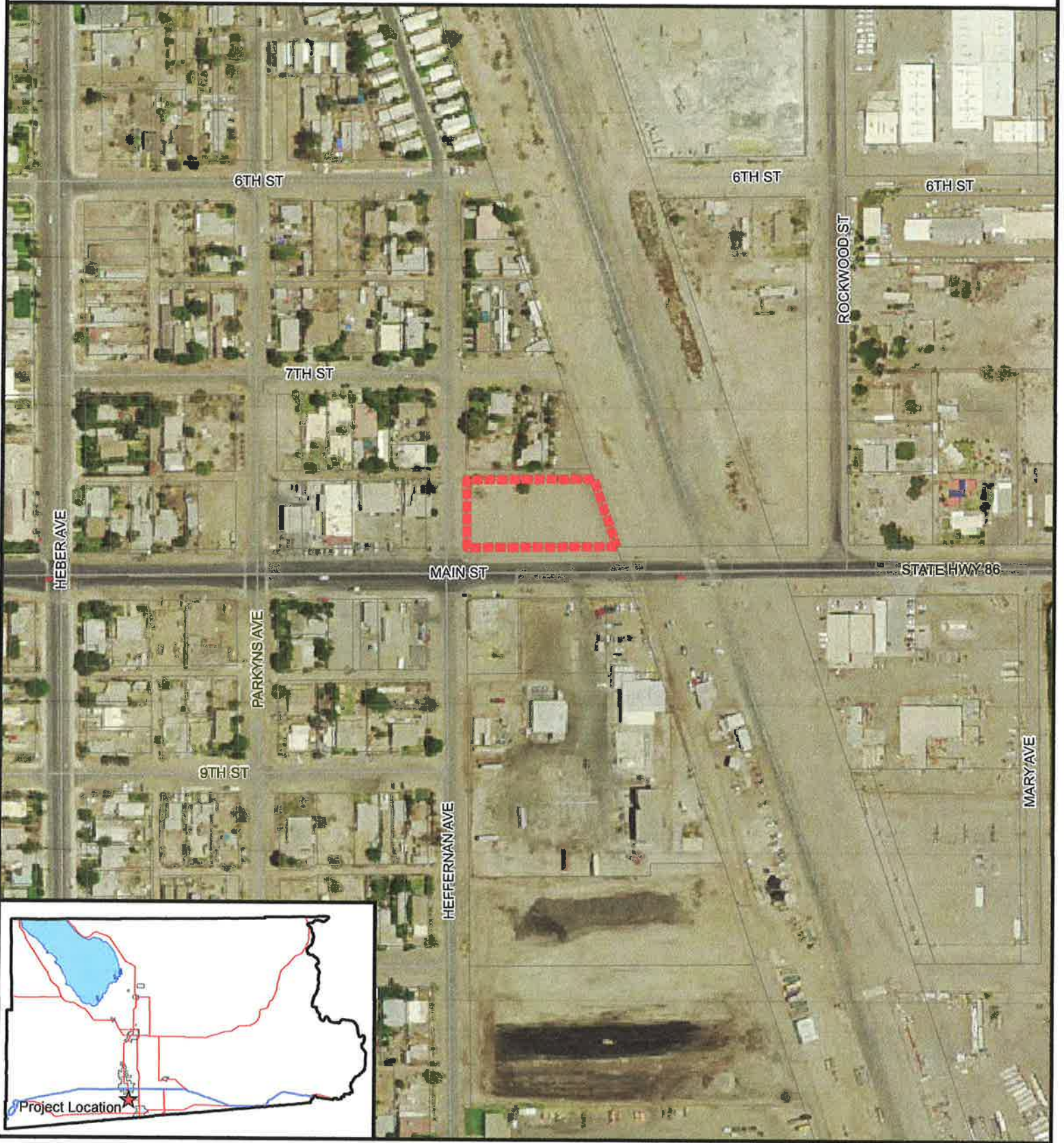
SURVEYOR
ATC DESIGN GROUP
1262 PARK BLVD, SUITE 200
HEBER, CA 92545
CONTACT: RYAN A. POST, L.S.
PHONE: (760) 462-2440
WWW.ATCDG.COM

PRELIMINARY
R/AN A POST, L.S. 09/25/2018
DATE





DATE: 10/08/18
SCALE: 1" = 20'
TOWN: HEBER
POST: POST

ATC DESIGN GROUP
ARCHITECTS • ENGINEERS • SURVEYORS
1262 PARK BLVD, SUITE 200
HEBER, CA 92545
PHONE: (760) 738-8600 / FAX: (760) 738-8232

PROJECT LOCATION MAP



NEVADA NEW BUILDS, LLC
PM #02480 / IS #18-0024
APN 054-187-008-000

-  Project Location
-  Centerline
-  City Limit
-  Parcels



Attachment A: Comments



IID

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December 11, 2018

Ms. Isabel Patten
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

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DEC 11 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Parcel Map No. 02480

Dear Ms. Patten:

On November 26, 2018, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Parcel Map no. 02480. The applicant, Nevada New Builds, LLC; proposes to merge 12 lots at 86 E. Main Street in Heber, CA (APN 054-187-008-000) into one 38, 332.8 sq. ft. lot to accommodate a future Family Dollar Store outlet.

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

1. For electrical service to the new building, the applicant should be advised to contact Joel Lopez, Project Manager Sr. at (760) 482-3444 or e-mail Mr. Lopez at jflopez@iid.com to review the project's scope of work and initiate the electrical service application process. The application is available at the IID website <http://www.iid.com/home/showdocument?id=12923>. The applicant will be required to submit the electrical loads, panel size, voltage, project files, project schedule, estimated in-service date, applicable fees, permits, easements and environmental compliance documentation, pertaining to the provision of electrical service to the project. The applicant shall be responsible for any and all costs related to providing electrical service to the project.
2. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for

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

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

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

Respectfully,



Donald Vargas
Compliance Administrator II

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Enrique B. Martinez – Manager, Energy Dept
Jamie Asbury – Deputy Manager, Energy Dept., Operations
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Vance Taylor – Asst. General Counsel
Robert Laurle – Asst. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Randy Gray – Supervisor, Real Estate
Jessica Lovecchio – Environmental Project Mgr. Sr., Water Dept

Isabel Patten

From: Vanessa R. Martinez
Sent: Monday, December 10, 2018 1:13 PM
To: Isabel Patten
Cc: Jeff Lamoure; ICPDSCCommentLetters
Subject: RE: Request for Comments-Parcel Map #02480

Good Afternoon,

The Division of Environmental Health has no comments regarding PM 02480.

Thank you,

Vanessa R. Martinez, MPH

Environmental Health Compliance Specialist
Imperial County Public Health Department
Division of Environmental Health
797 Main Street Suite B, El Centro, CA 92243
vanessarmartinez@co.imperial.ca.us
Phone: (442) 265-1888
Fax: (442) 265-1903
www.icphd.org



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From: Laryssa Alvarado <LaryssaAlvarado@co.imperial.ca.us>
Sent: Monday, November 26, 2018 11:27 AM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Luis Plancarte <LuisPlancarte@co.imperial.ca.us>; Adam Crook <AdamCrook@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Vanessa R. Martinez <vanessarmartinez@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; tgarcia@icso.org; dvargas@iid.com; juanc@heber.k12.ca.us; lfischer@heber.ca.gov; jacob.armstrong@dot.ca.gov; cocotcsec@cocopah.com; executivesecretary@quechantribe.com; tmchair@tmdci.org; tmvchair@tmdci.org; katy.sanchez@nahc.ca.gov; frank.lienert@nahc.ca.gov
Cc: Rosa Soto <RosaSoto@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; Daniella Valenzuela <DaniellaValenzuela@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Michelle Garcia <MichelleGarcia@co.imperial.ca.us>; Gabriela Moreno <GabrielaMoreno@co.imperial.ca.us>; Isabel Patten <IsabelPatten@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>
Subject: Request for Comments-Parcel Map #02480

Good morning,

Please see attached Request for Comments for Parcel Map (PM) #02480 with comments due by **December 11, 2018 at 5:00 pm.**

Should you have any questions, feel free to contact assigned Planner, Isabel Patten.

Thank you,

Laryssa Alvarado

Office Assistant II

Imperial County Planning & Development Services

801 W. Main Street

El Centro, CA 92243

(442) 265-1736 ext 1765

AIR POLLUTION CONTROL DISTRICT



December 11, 2018

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

RECEIVED
DEC 11 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PROJECT ID: Parcel Map Waiver (PM) 02479 / APN 054-187-008 for Nevada New Builds, LLC

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") has reviewed the application for a Parcel Map waiver (PM #02479 / APN 054-187-008) by Nevada New Builds that would result in the merger of twelve (12) separate lots into one (1) to accommodate a future business (Family Dollar store) at 86 East Main Street in Heber, California. The merged lots would be .88 acres / 33,332.8 square feet in area.

APCD Comments

After review, the Imperial County Air Pollution Control District would like to remind the applicant that any construction and/or earthmoving activities are subject to Regulation VIII Fugitive Dust Rules, plus Rule 207 (New and Modified Stationary Sources). Construction of the proposed building and/or the parking lot may require a Construction Dust Control Plan with written notification of earthmoving activities 10 days prior to the commencement of such activities.

If the applicant intends to use a backup generator that exceeds 50 horsepower, the applicant must contact the Engineering and Permitting Division of the Air District to ensure that the proper permits are obtained. Should the details of the tentative parcel map change, the Air District would like to receive notification. Finally, the Air District is requesting a copy of the Final Parcel Map. The Air District's rule book can be accessed via the internet at <http://www.co.imperial.ca.us/AirPollution>. Click on "Rules & Regulations" under "Resources" on the left side of the page. Should you have questions, please call our office at (442) 265-1800.

Sincerely,

Curtis Blondell
Environmental Coordinator