

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION
COMMITTEE

AGENDA DATE: December 12, 2019

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 1:30 PM / No. 1

PROJECT TYPE: Cattle Equip. & Land LLC/ZC #19-0005 & V #19-0002 SUPERVISOR DIST #5

LOCATION: East of Highway 115, between Gonder Rd. & Griffin Rd. APN: 041-020-019 & 029

East of Brawley, CA PARCELS SIZE: 133 AC

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

ZONE (existing) A-2/A-3 (General & Heavy Agriculture) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: 12/12/2019

INITIAL STUDY: #19-0025

NEGATIVE DECLARATION MITIGATED NEGATIVE DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
AG. COMMISSIONER	<input checked="" type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input checked="" type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
DEH/EHS	<input type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE/OES	<input type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER: _____				

REQUESTED ACTION:

(See Attached)

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Zone Change #19-0005 & Variance #19-0002
Initial Study #19-0025
Cattle Equipment & Land, LLC**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
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(December 12, 2019)

EEC ORIGINAL PKG

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Zone Change 19-0005 & Variance 19-0002, where the intent of the project is to change of zone on parcels 041-020-019 & 029 & variance for allowing existing cattle pens within requested setbacks. (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a 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 Negative Declaration 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. (760) 482-4236.
- 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. (760) 482-4236.

-
- 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]).
 - These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]).
 - 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:** Zone Change #19-0005 & Variance #19-0002 for Cattle Equipment & Land, LLC / IS #19-0025
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** David Black, Planner IV, (442) 265-1736, ext. 1746
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** davidblack@co.imperial.ca.us
6. **Project location:** The project site is located east of Highway 115, west of Holt Road between Gonder Road and Griffin Road in the agricultural community of Imperial County, CA. The parcel is identified as Assessor's Parcel Number (APN) 041-020-019 & 029-000 and is legally described as being Par 2 PM 1616 of TR 147 T14S R15E & Par 2 Per PM 2406 also being a Por of Tract 147 S.B.B.M and, in an unincorporated area of the County of Imperial.
7. **Project sponsor's name and address:** Cattle Equipment and Land, LLC/Moiola Brothers Cattle Feeders, LTD, 1594 Gonder Road, Brawley, CA 92227
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2/A-3 (General & Heavy Agriculture)
10. **Description of project:** The applicant, Cattle Equipment and Land, LLC/Moiola Brothers Cattle Feeders, LTD proposes a zone change on parcels 041-020-019 & 014-020-029 to an A-3 Heavy Agricultural zone. Currently both parcels are split-zoned A3/A2. Cattle feeding operations are located on both parcels. The proposed Variance will allow for 150 feet setbacks along Griffin Road and 100 feet setback along Gonder Road.
11. **Surrounding land uses and setting:** The project sites are bounded on all sides by agricultural farming operations.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Planning Commission &/or Board of Supervisors.
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**
Native American Heritage Commission (NAHC), Quechan 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 21080.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

For [Signature]
 Jim Minnick, Director of Planning/EEC Chairman

12-12-19
 Date:

PROJECT SUMMARY

- A. Project Location:** The project site is located east of Highway 115, west of Holt Road between Gonder Road and Griffin Road in the agricultural community of Imperial County, CA. The parcel is identified as Assessor's Parcel Number (APN) 041-020-019 & 029-000 and is legally described as being Par 2 PM 1616 of TR 147 T14S R15E & Par 2 Per PM 2406 also being a Por of Tract 147 S.B.B.M and, in an unincorporated area of the County of Imperial.
- B. Project Summary:** The applicant, Cattle Equipment and Land, LLC/Moiola Brothers Cattle Feeders, LTD proposes to change the zone on parcels 041-020-019 & 014-020-029 to an A-3 Heavy Agricultural zone. Currently both parcels are split-zoned A3/A2. Both parcels currently used for cattle feeding operations. The proposed Variance will allow for 150 feet setbacks along Griffin Road and 100 feet setback along Gonder Road. The project site is approximately 133 acres.
- C. Environmental Setting:** The existing land uses surrounding the project site consist primarily of agricultural fields on all sides. The project is an existing feedlot operation and existing composting site directly west of feed-yard.
- D. Analysis:** The project site is designated Agriculture under the Land Use Element of the Imperial County General Plan. The site is zoned "A-3 & A-2" (General Agriculture) per Zoning Map #35 under Title 9 Land Use Ordinance. A zone change A-3 to remainder portion of A-2 zoned parcel would be consistent with General Plan for having one zone per parcel and existing use would be consistent with uses allowed in the Heavy Agricultural A-3 zone.
- E. General Plan Consistency:** As previously mentioned, the project application is found to be consistent with the Imperial County General.

Exhibit "A"
Vicinity Map

Exhibit "B"
Site Plan

PROJECT LOCATION MAP

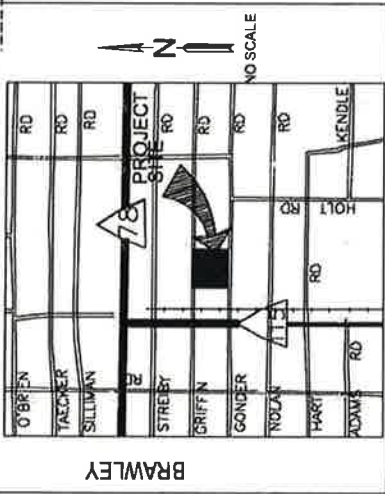


**CATTLE EQUIPMENT AND LAND,
LLC/ MOIOLA CATTLE FEEDERS, LTD
ZONE CHANGE 19-0025 & VARIANCE
V 19-0002
INITIAL STUDY #19-0025
APN 041-020-019 & 029-000**

	HIGHWAYS
	PARCELS
	PROJECT LOCATION
	A ₃ ZONE
	A ₂ ZONE



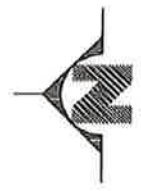
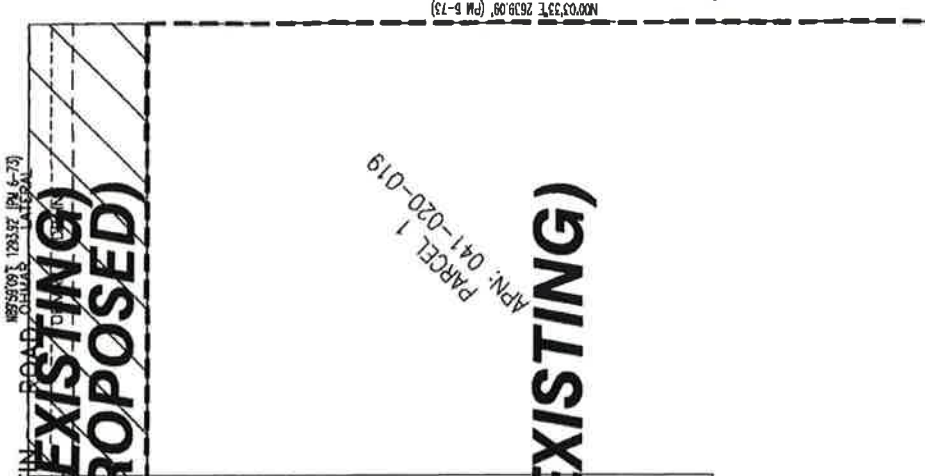
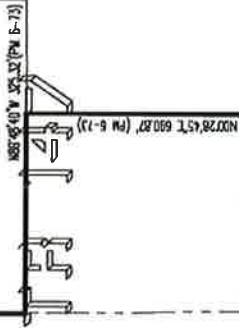
VICINITY MAP



STATE HIGHWAY 115

SR0314'E 876.34' (PM 13-13)
 GRIFFIN ROAD
A2R (EXISTING)
A3 (PROPOSED)

APN: 041-020-029
 PARCEL 2
A3 (EXISTING)
 APN: 041-020-019
 PARCEL 1



ORANGE
 ROAD
 ORANGE DRAIN

PREPARED UNDER THE DIRECTION OF:
 CARLOS CORRALES
 DATE: 12/31/20
 R.C.E. No. 55,432
 EXP. DATE 8/27/19

LLC ENGINEERING CONSULTANTS INC.
 1145 S. State Street
 B. Corona CA 92625
 951-261-1111
 www.llcei.com
 llcei@llcei.com

EXHIBIT 1	1
EXISTING FEEDYARD GRADING PLAN	
MIOLA BROS. CATTLE FEEDERS	
BRAWLEY, CA	DATE 8/27/19
MIOLA BROS. CATTLE FEEDERS	PROJECT NO. E19014-01
DATE 8/27/19	SCALE 1"=50'

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

I. **AESTHETICS**

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

- a) Have a substantial adverse effect on a scenic vista or scenic highway?
a) 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 expected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
b) There are no scenic resources such as trees, rock outcroppings or historic buildings surrounding the project site; therefore, no impacts are expected.
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
c) Implementation of the proposed project would not degrade the existing visual character since no physical changes will be made. The project will not conflict with applicable zoning and other regulations governing scenic quality; therefore, less than significant impacts are expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
d) The proposed project would not create a new source of light or glare. 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?
a) According to the California Department of Conservation Farmland Mapping and Monitoring Program (2016)², the project site's Farmland Type is designated as "Farmland of Statewide Importance". However, the project does not include any physical changes to the land and will continue being agriculture land with agricultural uses; therefore, no impacts are expected.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
b) The existing zoning and land use designation of the property are related to agricultural use, which do not conflict with its current use as agricultural land. 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)),

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>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				
c) The proposed project is located within an existing farmland-designated areas and will not conflict with proposed zoning or cause rezoning of forestland, timberland or timberland zoned Timberland Production. Therefore, no impacts 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"/>
d) As previously stated, the proposed project is located within existing farmland and will not result in the loss of forest land or conversion of forest land to non-forest use; 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The proposed project also will not involve other changes to the existing environment, nor result in the conversion of Farmland to non-agriculture use or conversion of forestland to non-forest use; therefore, no impacts are expected to occur.				

iii. **AIR QUALITY**

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) Air quality within Imperial County is regulated by the Imperial County Air Pollution Control District (ICAPCD). The project would be required to conform to the requirements of the ICAPCD. Currently, the current operation of a large confined animal facility is operating under an existing valid permit #3645 issued by the air district which restricts this facility to a capacity of 25,000 head of cattle. As no physical changes are proposed, less than significant impacts are anticipated. | | | | |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed project will not cause any changes to the physical environment and will not result in a cumulative net increase of any criteria pollutant. However, adherence to the ICAPCD requirements would maintain any impacts to a less than significant. | | | | |
| c) Expose sensitive receptors to substantial pollutants concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) The proposed project will not cause any changes to the physical environment and does not anticipate exposing receptors to substantial pollutant concentrations. Furthermore, with the continuation of the existing uses and adherence to the ICAPCD requirements, any impacts would remain at a level less than significant. | | | | |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Adherence to ICAPCD requirements and EHS requirements will keep 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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. No additional expansion is proposed. Majority of parcels are currently used for feedlot | | | | |

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)
<p>operations. 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; therefore, less than significant impacts are expected.</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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.</p>				
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) The proposed project will not have a substantial adverse effect on state or federally protected wetlands as no physical changes are proposed as part of the project. Less than significant impacts are expected.</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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.</p>				
<p>e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) The proposed project does not conflict with any local policies or ordinances protecting biological resources. Therefore, no impacts are expected.</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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, less than significant impacts would occur.</p>				

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

<p>a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>a) As depicted on Imperial County's General Plan Figure 6, <i>Conservation and Open Space Element</i>⁴, 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. Less than significant impacts are anticipated. The currently feedlot operation was been in operation for a number of years.</p>				
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) The project site is not located within an archeological site of significance as shown in the Conservation and Open Space Element. Less than significant impacts are anticipated.</p>				
<p>c) Disturb any human remains, including those interred outside of dedicated cemeteries?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁴ <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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c) 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 less than significant impacts are anticipated.

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
a) The proposed project does not include any physical changes to the property nor result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during the project. Less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
(b) The proposed project does not include any physical changes to the property nor conflict with or obstruct a state or local plan regarding renewable energy or energy efficiency. Less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:
a) The proposed project does not appear to directly or indirectly cause potential adverse effects, including risk of loss, injury, or death; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?
1) The proposed project is not located within a known fault zone. Less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) Strong Seismic ground shaking?
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. The proposed project will not modify the existing environment and no structures are proposed; therefore less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?
3) The 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4) Landslides?
4) According to the Imperial County General Plan Landslide Activity Map, Figure 2⁵, Seismic and Public Safety Element, the project site does not lie within a landslide activity area and therefore, no impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?
b) The proposed project will not cause any physical changes in the environment nor result in substantial soil erosion or the loss of topsoil. Less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?
c) The project site is not known to be located on unstable geological units and/or soil, and the conditions for lateral spreading, subsidence, liquefaction and collapse are not present; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

⁵ <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? d) The proposed project will not cause physical changes to the environment and does not appear to be located on expansive soil as defined in the latest Uniform Building Code, creating substantial risk to life or property. Less than significant impacts are anticipated.	<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 additional septic tanks or other alternative waste water disposal systems are being proposed as part of the application. Less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? f) The proposed project does not appear to directly or indirectly destroy any unique paleontological resources. Less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? a) The existing project currently has an APCD Large Confined animal Facility valid permit for up to 25,000 cattle. No expansion is proposed. A less than significant impact is anticipated.	<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 existing project currently has a APCD Large Confined animal Facility valid permit for up to 25,000 cattle. No expansion is proposed. A less than significant impact is anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? a) The proposed project 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) The proposed project does not include any physical changes that would create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazard materials into the environment; 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 nor is located within on-quarter miles of an existing or proposed school; 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 Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) the DTSC EnviroStor Database⁶ 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 or excessive noise 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)⁷. No impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? f) The proposed project will not create any physical changes that would interfere with an adopted emergency response plan or emergency evacuation plan. Less than significant impacts are expected as a consequence of this request.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? g) The proposed project does not include any physical changes to the land nor will the proposed project expose people or structure to a significant risk of loss, injury or death involving wildland fires. Less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? a) The proposed project does not appear to cause violations on any water standards nor on wastewater discharge requirements. Therefore, less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? b) The proposed project would not require the usage of groundwater or would interfere substantially with groundwater recharge. There are no known water wells (permitted or not) within the project site; therefore, less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (i) The proposed project will not alter the environment or any existing drainage patterns on site, including the alterations of a stream or river, which would result in substantial erosion or siltation on or off-site. According to the Imperial County General Plan Erosion Activity Map, Figure 2⁸, Seismic and Public Safety Element, the area is designated low activity. Therefore, less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (ii) The proposed project will not alter the environment or any existing drainage patterns on site, including the alternations of a stream or river, which would result in the increase of rate or amount of surface runoff in a manner that would result in flooding on or offsite. Less than significant impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁶ EnviroStor Database <http://www.envirostor.dtsc.ca.gov/public/>

⁷ <http://www.icpds.com/CMS/Media/Airport-Locations.pdf>

⁸ <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
(ii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) The proposed project will not alter the environment and will not create or contribute runoff water, which would exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff. It is therefore anticipated that the impact would be considered less than significant.				
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) The project site is located on Zone X, which is "Area of Minimal Flood Hazard" under FEMA Flood Map 06065C1400C; therefore, less than significant impacts are expected.				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) According to the California Emergency Management Agency and the Department of Conservation⁹, the project site is not located within a Tsunami Inundation Area for Emergency Planning; therefore, no impacts are expected.				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The proposed project does not include any physical changes to the property that would result in a conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Less than significant impacts are anticipated.				

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

- a) Physically divide an established community?
- a) The project site would not isolate any established communities. The proposed project site is surrounded by agricultural land and therefore, no additional impacts can be expected.**
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?
- b) The proposed project would not conflict with the County's General Plan or Land Use Ordinance. The zoning of remainder land to A-3 Heavy Agricultural would be consistent with the General Plan for zoning and land uses. Additionally, in accordance with the Imperial County General Plan- Conservation and Open Space Element, Figure 1- Sensitive Habitats¹⁰, the proposed project site is not located within a habitat conservation plan or natural community conservation plan area. Less than significant impacts are anticipated.**

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

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- a) In accordance with the California Department of Conservation- Mineral Land Classification Map Figure 8¹¹, 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. Less than significant impacts are anticipated.**
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan,

⁹ Department of Conservation Tsunami Inundation Maps <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>

¹⁰ <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>

¹¹ <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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specific plan or other land use plan?

b) In accordance with the Imperial County General Plan- Conservation and Open Space Element- Figure 8- Existing Mineral Resources¹², 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 locally-important mineral resource recovery site delineated on the local general plan, specific plan or other land use plans. Less than significant impacts are anticipated.

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

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

a) There are no additional physical changes proposed. Parcels are currently used for feedlot operations and no expansion is proposed. There will not be a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; therefore less than significant impacts are anticipated.

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

b) As stated above, there are no physical changes proposed or generation of excessive groundborne vibration or groundborne noise levels. Less than significant impacts are anticipated.

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

c) The project site is not located within 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)¹³. No impacts are anticipated.

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

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

a) The proposed project does not include any residential projects nor any physical changes to the agricultural land. Therefore, no impacts are expected.

b) Displace substantial numbers of existing people or 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.

XV. **PUBLIC SERVICES**

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

¹² <http://www.icpds.com/CMS/Media/Conservation-&Open-Space-Element-2016.pdf>

¹³ <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)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) The County Sheriff's office provides police protection to the area. No impacts are anticipated due to the proposed project.				
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) The proposed project is not expected to directly or indirectly draw a substantial number of new residents to the region that would generate school-aged students requiring public education. As the project would not cause or contribute a need to construct new or physically altered public school facilities, no impacts are anticipated.				
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) 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 would not adversely affect any park facility and no impacts would be anticipated.				
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) 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. Less than significant impacts are anticipated.				

XVI. RECREATION

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impacts are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.				

XVII. TRANSPORTATION *Would the project:*

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) The proposed project is not expected to conflict with the Imperial County General Plan's Circulation and Scenic Highways Element and/or any applicable plan, ordinance or policy related to the transportation aspect. Any activity and/or work within the Imperial County Right-of-way shall be completed under a permit with Public Works. Any activity and or may include but not limited to the installation of temporary stabilized construction entrances, access driveways, road improvements, temporary traffic control devices, etc. Less than significant impacts are anticipated.				
b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Section 15064.3 (b)- Criteria for Analyzing Transportation Impacts refers to the amount and distance of automobile travel attributable to a project. With regards to subsection (1) Land Use Project, the project does not conflict or is inconsistent with this section as it is not a one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor. Less than significant impacts are anticipated.				
c) Substantially increases hazards due to a geometric 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"/>
c) The proposed project does not have any design features that would increase hazards or incompatible uses. Public Works is requiring each parcel/project site primary access driveway along Gonder Road constructed of asphalt concrete pavement, as there are no physical changes proposed as part of the project, less than significant impacts are anticipated.				
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Public Works is requiring a Secondary Emergency Access Driveway constructed of asphalt concrete payment, therefore less than significant impacts are expected.				

XVIII. **TRIBAL CULTURAL RESOURCES**

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

a) 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; therefore, less than significant impacts are expected.

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

(i) The proposed site was not listed under the California Historical Resources in County of Imperial¹⁴ nor does it appear to be eligible under Public Resources Code Section 21074 or 5020.1 (k); therefore, less than significant impacts are expected.

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

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

¹⁴ 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)
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XIX. **UTILITIES AND SERVICE SYSTEMS** *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm-water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?
a) The proposed project would not require new water facilities nor result in the relocation or construction of electric power, natural gas; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
b) The properties will remain agricultural land with agricultural uses. The existing facility is using water from IID water canals for the existing feedlot operation and no expansion is proposed. Less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
c) The proposed project would not cause an impact to the wastewater treatment provider and no physical changes are proposed. Less than significant impacts are anticipated. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
d) The proposed project will not generate any solid waste that would be in excess of State or local standards or in excess of the capacity of local infrastructure or impair the attainment of solid waste reduction goals. As there are no physical changes proposed, a less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
e) The proposed 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; therefore, less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XX. **WILDFIRE**

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
a) The proposed project will not substantially impair any adopted emergency response plan or emergency evacuation plan as no physical changes are proposed. A less than significant impact is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
b) The proposed project is surrounded by agricultural irrigated crops does not include any expansions as part of the scope of works. Impacts are expected to be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
c) The proposed project does not include any physical changes as part of the scope of works. The installation or maintenance of associated infrastructure is not required or proposed as part of the project. Therefore, a less than significant impact to the environment is expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

d) The proposed project will not expose people or structures to significant risks by flooding or landslides as a result of runoff, post-fire slope instability or drainage changes. The proposed project is located on flat terrain and impacts are expected to be less than significant.

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

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

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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.)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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
- David Black, Project Planner
- Imperial County Air Pollution Control District
- Ag Commissioner
- Public Works

B. OTHER AGENCIES/ORGANIZATIONS

- Quechan Indian Tribe, Historic Preservation

(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. <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>
5. <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>
6. EnviroStor Database <http://www.envirostor.dtsc.ca.gov/public/>
7. <http://www.icpds.com/CMS/Media/Airport-Locations.pdf>
8. <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>
9. Department of Conservation Tsunami Inundation Maps
<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=tsunami>
10. <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>
11. <https://www.icpds.com/CMS/Media/Airport-Locations.pdf>
12. <http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>

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

¹ <http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf>

¹ <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

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: Cattle Equipment & Land, LLC

Project Applicant: Cattle Equipment & Land, LLC

Project Location: The project site is located east of Highway 115, west of Holt Road between Gonder Road and Griffin Road in the agricultural community of Imperial County, CA. The parcel is identified as Assessor's Parcel Number (APN) 041-020-019 & 029-000 and is legally described as being Par 2 PM 1616 of TR 147 T14S R15E & Par 2 Per PM 2406 also being a Por of Tract 147 S.B.B.M and, in an unincorporated area of the County of Imperial.

Description of Project: The applicant, Cattle Equipment and Land, LLC/Moiola Brothers Cattle Feeders, LTD proposes to change the zone on portions of parcels 041-020-019 & 014-020-029 to a A-3 Heavy Agricultural zone. Currently both parcels are split-zoned A3/A-2. Both parcels currently being used for cattle feeding operations. Additionally, the proposed Variance will allow for 150 feet setbacks along Griffin Road and 100 feet setback along Gonder Road.

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.

12-12-19 for [Signature]
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.

[Signature] [Signature] 12-12-19
Applicant Signature Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE) "NONE"

S:\APN\041\020-019\029 INITIAL STUDY FINAL.docx



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

October 15, 2019
REQUEST FOR REVIEW
AND COMMENTS

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

To: County Agencies	State Agencies/Other	Cities/Other
<input checked="" type="checkbox"/> County Executive Office – Esperanza CoRo	<input type="checkbox"/> Air Resource Board – Richard W. Corey	<input checked="" type="checkbox"/> IID – Laura Cervantes/Donald Vargas
<input checked="" type="checkbox"/> EHS – Jeff Lamoure	<input type="checkbox"/> Native American Heritage Commission – Katy Sanchez	<input type="checkbox"/> Chemehuevi Reservation – Charles Wood
<input checked="" type="checkbox"/> IC Fire/DES Office – Robert Malek/Andrew Lopez	<input type="checkbox"/> CA RWQC Board – Doug Wylie	<input type="checkbox"/> CHP – Arturo Proctor
<input checked="" type="checkbox"/> APCD – Monica Soudler	<input type="checkbox"/> Torres-Martinez Desert Cahuilla Indians – Mary Resyaloso	<input type="checkbox"/> Torres-Martinez Indian Tribe – Desiree Franco
<input checked="" type="checkbox"/> Public Works – Carlos Yee	<input type="checkbox"/> South Coast Information Center – Jaime Lennox	<input type="checkbox"/> Cocopah Indian Tribe – Sherry Cordova
<input checked="" type="checkbox"/> Ag Commissioner – Carlos Ortiz/Sandra Mendivil		

From: Case Planner David Black, Planner IV (442) 265-1736 Ext.1746, E-mail ICPDScommentletters@co.imperial.ca.us

Project ID: Zone Change #19-0005 and Variance #19-0002

Project Location: 1594 Gonder Road, Brawley, CA 92227

Project Description: The project is a proposed zone change from A2R General AG to A3 (Heavy AG) on north side of both parcels 041-020-019 & 029. Currently north side of parcels are zoned A-2. Will enable both lots to be entirely zoned A-3. Variance is allow for existing structures previously constructed and operational.

Applicants: Cattle Equipment and Land, LLC

Comments due by: October 30, 2019 **EEC Meeting:** November 2019

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

Name: Sandra Mendivil **Signature:** *Sandra Mendivil* **Title:** Special Projects Coordinator

Date: 10/17/19 **Telephone No.:** 442-265-1500 **E-mail:** sandramendivil@co.imperial.ca.us

GRNDIS VAWUsaVAPNI04110200291ZC:19-0005 V 19-0002 IS19-00251ZC19-0005 Request for Comments 101519.docx

NO comment

RECEIVED

OCT 17 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES



Public Works works for the Public



COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 E. 11th Street
El Centro, CA 92243

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

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CountyDpw/

October 29, 2019

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OCT 30 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Attention: David Black, Planner IV

SUBJECT: Zone Change 19-0005 & Variance 19-0002 Cattle Equipment and Land, LLC;
Located on 1594 Gonder Road, Brawley, CA
APN 041-020-019 & 029

Dear Mr. Minnick:

This letter is in response to your submittal received on October 16, 2019 for the above-mentioned project. The applicant is proposing a zone change from A2R General AG to A3 (Heavy AG) on the north side of both parcels 041-020-019 & 029. Currently north side of parcels are zoned A-2. Will enable both lots to be entirely zoned A3. Variance is to allow for existing structures previously constructed and operational.

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

- 1. Any activity and/or work within Imperial County Right-of-Way shall be completed under a permit issued by this Department (encroachment permit) as per Chapter 12.12 - Excavations on or Near a Public Road of the Imperial County Ordinance.

Any activity and/or work may include, but not be limited to, the installation of temporary stabilized construction entrances, access driveways, road improvements, temporary traffic control devices, etc.

- 2. Per Section 12.10.030 - Building Permits of Imperial County Ordinance:
 - a. No building permit for any structure or building or major addition to a building or structure shall be issued until the improvements required by Section 12.10.010 of this chapter have been installed. In addition, no building permit shall be issued until there has been compliance with Chapter 12.12 of this title and the requirement that an encroachment permit be obtained.
- 3. Corner record is required to be filed with the county surveyor prior to construction for monuments:

8771. (b) When monuments exist that control the location of subdivisions, tracts, boundaries, roads, streets, or highways, or provide horizontal or vertical survey control, the monuments shall be located and referenced by or under the direction of a licensed land surveyor or licensed civil engineer legally authorized to practice land surveying, prior to the time when any streets, highways, other rights-of-way, or easements are improved, constructed, reconstructed, maintained, resurfaced, or relocated, and a corner record or record of survey of the references shall be filed with the county surveyor.

4. A second corner record is required to be filed with the county surveyor for monuments:

8771. (c) A permanent monument shall be reset in the surface of the new construction or a witness monument or monuments set to perpetuate the location if any monument could be destroyed, damaged, covered, disturbed, or otherwise obliterated, and a corner record or record of survey shall be filed with the county surveyor prior to the recording of a certificate of completion for the project. Sufficient controlling monuments shall be retained or replaced in their original positions to enable property, right-of-way and easement lines, property corners, and subdivision and tract boundaries to be reestablished without devious surveys necessarily originating on monuments differing from those that currently control the area.

5. Prior to the issuance of grading and building permits, the Developer shall complete the installation of temporary stabilized construction entrance.
6. Prior to the issuance of grading, building, and encroachment permits, all off-site improvements within Imperial County right-of-way shall be financially secured by either a road improvement bond or letter of credit.
7. The Developer will be required to repair any damages caused to County roads by construction traffic during construction and maintain them in safe conditions.
8. Prior to issuance of final certificate of occupancy, the Developer shall be responsible for repairing any damage caused to County roads during construction as determined by the Imperial County Road Commissioner.
9. Developer shall furnish a Drainage and Grading Plan to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. Grading plans shall be prepared per County of Imperial Department of Public Works Engineering Design Guidelines Manual. Grading plan shall be submitted to the Department of Public Works for review and approval. The Developer shall implement the approved plan. Employment of the

appropriate Best Management Practices (BMP's) shall be included. (Per Imperial County Code of Ordinances, Chapter 12.10.020 B).

10. Per Section 12.10.020 - Street Improvement Requirements of Imperial County Ordinance:

- a. Street improvements shall be required in conjunction with, but not limited to, any construction, grading, or related work, including the construction of structures, buildings, or major additions thereto, on property located adjacent to any county street or on property utilizing any county street for ingress and egress. Street improvements shall include but not be limited to streets, curbs, gutters, driveways, sidewalks, and asphalt paving between the curb and gutter and edge of existing paved road.
 - b. For the purpose of establishing proper standards, specification and directions for design and construction of any road, or other land division improvements required to be constructed in the unincorporated territory of Imperial County, the document entitled "Engineering Design Guidelines Manual for the Preparation and checking of Street Improvement, Drainage, and Grading Plans within Imperial County" revision dated September 15, 2008, is hereby adopted and made a part of this division by reference, three copies of which are on file in the office of the clerk of the board of supervisors and for use and examination by the public. Copies of the manual can also be found at the Imperial County Department of Public Works.
11. Each parcel/project site primary access driveway along Gonder Road shall be constructed of asphalt concrete pavement per County of Imperial Department of Public Works Engineering Design Guidelines Manual – Detail of Commercial Driveway to Connection Rural Road Connection – Dwg. No. 410B.
12. Secondary Emergency Access Driveway shall be constructed for the each parcel/project site. Said driveway shall be constructed of asphalt concrete pavement.
13. All on-site traffic areas shall be hard surfaced to provide all weather access for emergency vehicles as recommended by a California licensed Geotechnical Engineer and approved by Department of Public Works and Office of Emergency Services.
14. Gonder Road is classified as Minor Collector – Local Collector, two (2) lanes, requiring seventy feet (70) of right of way, being thirty five (35) feet from existing centerline. It is required that sufficient right of way be provided to meet this road classification. As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).

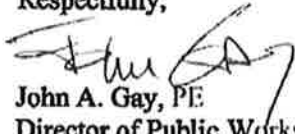
15. Each parcel shall have legal and physical access to a County maintained road.
16. Temporary traffic control plans will be required for any activities within County of Imperial Right-of-Way (construction, staging of equipment, etc.)
17. Developer shall update the transportation impact analysis at five (5) years from the date of this correspondence and/or as directed by the Road Commissioner. The updates of the transportation impact analysis shall include:
 - a. Current traffic volume data along County and Caltrans Roads (within one (1) year of the date of the transportation impact report update) at the following locations:
 - Gonder Road east of the existing site and proposed site
 - Gonder Road west of the existing site and proposed site
 - b. If the updated transportation impact analysis warrants the installation of right and/or left turn lanes on Gonder Road into either the existing or proposed project sites, the applicant shall complete the construction of said turn lanes. The construction of such turn lanes shall be completed as approved by this Department

INFORMATIVE (For any Future Development):

The following items are for informational purposes only. The Developer is responsible to determine if the enclosed items affect the subject project.

- All solid and hazardous waste shall be disposed of in approved solid waste disposal sites in accordance with existing County, State and Federal regulations (Per Imperial County Code of Ordinances, Chapter 8.72).
- The project may require a National Pollutant Discharge Elimination System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior to County approval of onsite grading plan (40 CFR 122.28).
- As this project proceeds through the planning and the approval process, additional comments and/or requirements may apply as more information is received
- A Transportation Permit may be required from road agency(s) having jurisdiction over the haul route(s) for any hauls of heavy equipment and/or large vehicles which impose greater than legal loads on riding surfaces, including bridges. (Per Imperial County Code of Ordinances, Chapter 10.12 -- Overweight Vehicles and Loads).

Respectfully,



John A. Gay, PE
Director of Public Works

October 25, 2019

AIR POLLUTION CONTROL DISTRICT



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

RECEIVED
OCT 25 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Zone Change 19-0005 & Variance 19-0002—Cattle Equipment and Land, LLC

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") would like to thank you for the opportunity to review and comment on Zone Change (ZC) 19-0005 and Variance 19-0002 (Project) submitted by Cattle Equipment and Land, LLC. The Project is to rectify a violation issued on APN: 041-020-019 for failing to adhere to setback requirements and to correct the building of cattle pens without a proper permit. The proposed zone change from AR2 (General Agriculture) to A3 (Heavy Agriculture) and proposed Variance will allow for the continued operation of the livestock feed yard (Large Confined Animal Facility) moving forward including keeping the cattle pens within the 300-foot setback.

As such, the Air District understands that should the proposed zone change and the variance be approved, the Large Confined Animal Facility would be brought into compliance with Title 9 Division 5. However, it is incumbent upon the Air District to clearly identify that the current operation of the Large Confined Animal Facility is operating under an existing valid permit #3645 issued by the Air District which restricts the Large Confined Animal Confined Facility to a capacity of 25,000 head of cattle. Any proposed expansion beyond the 25,000 head of cattle triggers an assessment by the Engineering and Permitting Division and the submission of an application to modify their existing permit.


The applicant mentions that a grading plan was recently submitted to the County of Imperial for a CUP time extension. The Air District is unclear as to what CUP this references. Regardless, such construction and earthmoving activities are subject to the Air District's Regulation VIII which are designed to mitigate fugitive dust. The applicant will also need to submit a Construction Dust Control Plan to the Air District prior to any construction or earthmoving activities.

As a reminder, the Air District's Rules & Regulations are available via the web at www.co.imperial.ca.us under Air Pollution. Should you have any questions or concerns please feel free to contact the Air District (442) 265-1800.

Respectfully,



Curtis Blondell
APC Environmental Coordinator



Reviewed by Monica Soucier,
APC Division Manager

VARIANCE

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 Cattle Equipment and Land, LLC/Moiola Brothers Cattle Feeders, LTD		EMAIL ADDRESS john@moiolabros.com/matthew@dubosedesigngroup.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 1594 Gonder Rd., Brawley, CA		ZIP CODE 92227	PHONE NUMBER 760-353-8110
3. ENGINEERS NAME DuBose Design Group		CA. LICENSE NO.	EMAIL ADDRESS tom@dubosedesigngroup.com
4. MAILING ADDRESS (Street / P O Box, City, State) 1065 State Street, El Centro, CA		ZIP CODE 92243	PHONE NUMBER 760-353-8110
5. ASSESSOR'S PARCEL NO. 041-020-029 and 041-020-019		ZONING (existing) A3/A2R	
6. PROPERTY (site) ADDRESS 1594 Gonder Rd., Brawley, CA 92227		SIZE OF PROPERTY (in acres or square foot) 83 +/- acres	
7. GENERAL LOCATION (i.e. city, town, cross street) East of intersection of Gonder Rd. and HWY 115			
8. LEGAL DESCRIPTION <u>Please see attachment</u>			

8. DESCRIBE VARIANCE REQUESTED (i.e. side yard set-back reduction, etc.)

APN: 041-020-029- requesting a reduction of setback from Griffin Rd, a reduction of 150 feet of the required 300 feet is requested

APN: 041-020-019- requesting a reduction of setback from Griffin Rd, a reduction of 150 feet of the required 300 feet is requested

APN: 041-020-019- requesting a reduction of setback from Gonder Rd., a reduction of 200 feet of the required 300 feet is requested

9. DESCRIBE REASON FOR, OR WHY VARIANCE IS NECESSARY :

Please see attachment

10. DESCRIBE THE ADJACENT PROPERTY

East Agricultural Fields

West Agricultural Fields

North Agricultural Fields with Single Family Residence to the North/West

South Agricultural Fields with a Single Family Residence to the South/West

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

Tom EDuBose 9/19/19
Print Name Agent. Date
[Signature]
Signature

Print Name

Date

Signature

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY:	<u>gnd</u>	DATE	<u>9/19/19</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"/> _____	

V #
19-0002

IS-19-0025

EEC ORIGINAL PKG

On May 7th, 2019, the applicant received notice from Imperial County Planning and Development Services (ICPDS) that they were in violation of the required setback of 300 feet from the centerline of both Gonder Rd and Griffin Rd. Many years ago, during construction of the feedlot, these setbacks were unknown to the applicant. Enforcement of these setbacks will place a heavy financial burden on the applicant, requiring them to remove many cattle pens. It is important to note that both Gonder Rd and Griffin Rd are not heavily traveled roads, especially Griffin Rd which is a dirt road rarely used by the general public. To date, there have been no issues with regard to the wellbeing of passer-byers due to the encroachment of the setback, nor issues with utilities.

CHANGE OF ZONE

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

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

1. PROPERTY OWNER'S NAME Cattle Equipment and Land, LLC/ Moiola Brothers Cattle Feeders LTD	EMAIL ADDRESS john@moiolabros.com/matthew@dubosedesigngroup.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 1594 Gonder Rd., Brawley, CA	ZIP CODE 92227	PHONE NUMBER 760-353-8110
3. ENGINEER'S NAME DuBose Design Group	CA. LICENSE NO.	EMAIL ADDRESS tom@dubosedesigngroup.com/matthew@dubosedesigngroup.com
4. MAILING ADDRESS (Street / P O Box, City, State) 1065 State Street, El Centro, CA	ZIP CODE 92243	PHONE NUMBER 760-353-8110

5. ASSESSOR'S PARCEL NO. 041-020-019/041-020-029	ZONING (existing) A2R	ZONING (proposed) A3
6. PROPERTY (site) ADDRESS 1594 Gonder Rd., Brawley, CA 92227	SIZE OF PROPERTY (in acres or square foot) 132 +/- acres	
7. GENERAL LOCATION (i.e. city, town, cross street) approx. 2600 feet east of intersection of HWY 115 and Gonder Rd.		
8. LEGAL DESCRIPTION Please see attachment		

8. DESCRIBE CURRENT USE ON / OF PROPERTY (list and describe in detail)

Property owner current utilizes the above mentioned APNs for cattle feeding operations. The existing facility houses approximately 20,000 head of cattle with a composting facility located on APN: 041-020-029. Of the two APNS, approximately 93 percent (93%) of the cattle pens are within the appropriate A3 zone.

9. PLEASE STATE REASON FOR PROPOSED USE (be specific)

The proposed project is meant to create clear zoning parameters where currently two zones lie within one piece of property. The northern portions of APNs: 041-020-019 & 041-020-029 are currently zoned A2R while the remainder of the parcels are zoned A3. The proposed project is meant to allow for contiguous zoning among both APNs.

10. DESCRIBE SURROUNDING PROPERTY USES

Surrounding uses include farming operations, a few residential homes to the north, south and southwest.

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

Tom E DuBose 9/19/19
Print Name Date

[Signature]
Signature

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN
- B. PRELIMINARY TITLE REPORT (6 months or newer)
- C. FEE _____
- D. OTHER _____

APPLICATION RECEIVED BY: _____	DATE <u>9/19/19</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"/> _____

ZC #
19-0005

IS-19-0025

The form of policy of title insurance contemplated by this report is:

A.L.T.A Homeowner's Policy (2/03/10)

See attached disclosure.

Schedule "A"

The estate or interest in the land hereinafter described or referred to covered by this report is:

A Fee

Title to said estate or interest at the date hereof is vested in:

Thomas F. Moiola, a married man, as to an undivided 3.491 percent interest, as his sole and separate property;
Thomas Moiola, as to an undivided 5.665 percent interest;
Craig S. Moiola and Jerry R. Moiola, the acting Co-Trustees of the Testamentary Trust under the Will of Fred Moiola, as to an undivided 16.667 percent interest.
Craig S. Moiola and Jerry R. Moiola, the acting Co-Trustees under the Declaration of Trust dated October 1, 1976 established by Joan Moiola Fox, as to an undivided 16.667 percent interest.
Moiola Brother Cattle Feeders, LP, as to an undivided 57.8565 percent interest, as to Parcel A, and Moiola Brothers Cattle Feeders, LTD, a California Limited Partnership, as to Parcel B subject to paragraph no(s). 24-30 of Schedule B.

The land referred to in this report is situated in the City of Brawley, the County of Imperial, State of California, and is described as follows:

Parcel A: (APN: 041-020-019)

That portion of Tract 147, Township 14 South, Range 15 East, S.B.M., in the County of Imperial, State of California, according to the Official Plat thereof, shown as designated as Parcel 2 of Parcel Map No. M- 1616 on file in Book 6, Page 73 of Parcel Maps on file in the Office of the County Recorder of Imperial County.

Excepting therefrom the mineral, steam, and thermal rights as same were excepted in Deed from Lawrence Moiola as Trustee of the Lawrence Moiola Family Trust established January 3, 1972, recorded May 22, 1979, in Book 1434, Page 369, as Document No. 129, Official Records.

Excepting therefrom all oil, oil rights, minerals, mineral rights, natural gas rights, and other hydrocarbons by whatsoever name known, geothermal steam and all products derived from said land hereto, that may be within or under said land, together with the perpetual right of drilling, mining, exploring, and operating therefore and storing in and removing the same from said land or any other land, including the right to whipstock or directionally drill and mine from lands other than said land, oil or gas wells, tunnels and shafts into, through or across the subsurface of said land, and to bottom such whipstocked or directionally drilled wells, tinmels, and shafts under and beneath or beyond the exterior limits thereof and to redrill, retunnel, equip, maintain, repair, deepen and operate any such wells or mines.

Excepting therefrom any and all rights to drill, mine, store, explore and operate through the surface of the upper 500 feet of the subsurface of said land as granted to James Wilhelm, Trustee, by deeds recorded December 3, 1985, as Document No. 44 to 54 inclusive.

Parcel B: (APN: 041-020-029)

That portion of Parcel 1 of Parcel Map No. M-1616, in a unincorporated area of the County of Imperial, State of California, according to Map on file in Book 6, Page 73 of Parcel Maps, in the office of the County Recorder of Imperial County shown and designated as Parcel 2 of Parcel Map No. 02406, on file in Book 13, Page 13, of Parcel Maps, in the office of the County Recorder of Imperial County.

Excepting therefrom all oil, gas, other hydrocarbons and geothermal deposits in and underlying said real property, as reserved in deed from Joan Moiola, as Trustee et al., recorded October 21, 1985 as Document No. 26, in Book 1548, Page 1312 of Official Records.

Assessor's Parcel Numbers(s):

1: 041-020-019

2: 041-020-029

Zone Change: Cattle Equipment & Land/Moiola Bros. Cattle Feeders

Property Cattle Equipment and Land, LLC (APN: 041-020-029)
Owners: Moiola Brothers Cattle Feeders Ltd (APN: 041-020-019)

Planner: DuBose Design Group, Inc.

Location: Located east of the intersection of State HWY 115 and Gonder Rd., approximately 3,000 feet from intersection

Address: 1592 & 1594 Gonder Rd., Brawley, CA 92227

Parcel Size: 132 +/- Acres

Date: 9/06/2019

Proposed Activities:

The Moiola Bros. Cattle Feeders Ltd and Cattle Equipment and Land, LLC (“applicant”) proposes a Zone Change of their property from A2R (General Agricultural/Rural Zone) to A3 (Heavy Agriculture) in order to create clear zoning parameters where currently two zones lie within one piece of property. The northern portions of APNs: 041-020-019 & 041-020-029 are currently zoned A2R while the remainder of the parcels are zoned A3, please see *Appendix A*. The proposed project is meant to allow for contiguous zoning among both APNs but does not reflect a change in the current operating size or functionality. In order to comply with County of Imperial *Title 9 Division 5 Section 90501.01*, stating “Every lot or parcel of land or portion thereof within the unincorporated areas of the County of Imperial shall be classified in only one of the base zoning areas established in this section”, the applicant proposes this Zone Change.

Project Background:

On May 7th, 2019 the applicant received a violation notice from the County of Imperial Planning and Development Services (ICPDS) for violations on their existing feedlot facility (APNs: 041-020-019 & 041-020-029). These violations are shown in *Table 1*, below.

Table 1: Violation Notice

Violations located on 1592 & 1594 Gonder Rd., Brawley, CA	
Assessor's Parcel Number (APN)	Violation Description
041-020-019	Cattle pens located within 300-foot setback on Gonder & Griffin Rd.
041-020-019	Cattle pens installed without proper building permits
041-020-029	Cattle pes installed without proper building permits

The essential purpose for this zone change is to rectify the violation located on APN: 041-020-019 where cattle pens have been constructed within the 300-foot setback. Per *Title 9 Division 5: Zoning Area Established*, livestock feed yards are conditionally allowed in A2R zones with an approved Conditional Use Permit (CUP). Instead of filing for a CUP, the applicant has chosen to change the zoning from A2R to A3, in which raising of animals including cattle is permitted by right. Concurrently, the applicant intends to file for a variance which if approved, would allow the applicant to keep the cattle pens within the setback. Furthermore, the applicant intends to file building permits for cattle pens that were installed without the proper permits.

Project Site and Circulation:

The entire feedlot facility located on APNs: 041-020-019, -029 is currently situated on approximately 132 +/- acres of land located within the County of Imperial, about 4 miles north of the City of Holtville. The facility is bounded on the south by Gonder Rd., a paved road traveled by the general public and on the north bounded by Griffin Rd., an unpaved road not normally traveled by the public. Currently, the north portion of the project site is zoned A2R (General Agricultural/Rural Zone), as seen in *Appendix A*. When/if the zone change and variance is approved, the cattle pens will continue to be located at their existing location. No further improvements will be requested beyond what is existing today.

The primary entrance for the existing facility will continue to be off of Gonder Rd, with the secondary entrance being off of Griffin Rd. Recently, the applicant submitted with the County of Imperial a grading plan required for their CUP time extension. Incorporated in the grading plan are construction details for the required commercial driveway improvements to the primary entrance and improvements to the secondary entrance. The improvements to the primary entrance, from top to bottom includes; 4 inches of Caltrans Type B AC, 12 inches of Caltrans Class 2 AB and 12 inches of Native Clay Subgrade compacted to a minimum of 90 percent (90%). The

improvements to the secondary entrance, from top to bottom includes; 6 inches of Caltrans Class 2 AB and 12 inches of compacted native soil.

Traffic activity will include employees, visitors as well as feeding and delivery trucks. As a result of the proposed project, the number of employees is expected to stay the same. The hours of traffic operation will stay the same, which are generally from 6 AM– 4 PM for 7 days a week, so the vast majority of the operations do not impact peak traffic periods

Site Plan:

With the submittal of this Zone Change application, the applicant has provided a site plan as shown in *Appendix B*. As you can see, the site plan accurately shows the existing zoning along with the proposed zoning.

Utilities:

Potable water will continue to be brought in by the applicant to supply the potable water tanks at the existing offices. No new buildings will be constructed. Employees have access to required utilities provided within office buildings located at the existing feedlot. Applicant will adhere to all Imperial County land use and zoning regulations required for this location.

Jurisdictions:

- 1) County of Imperial

Applications:

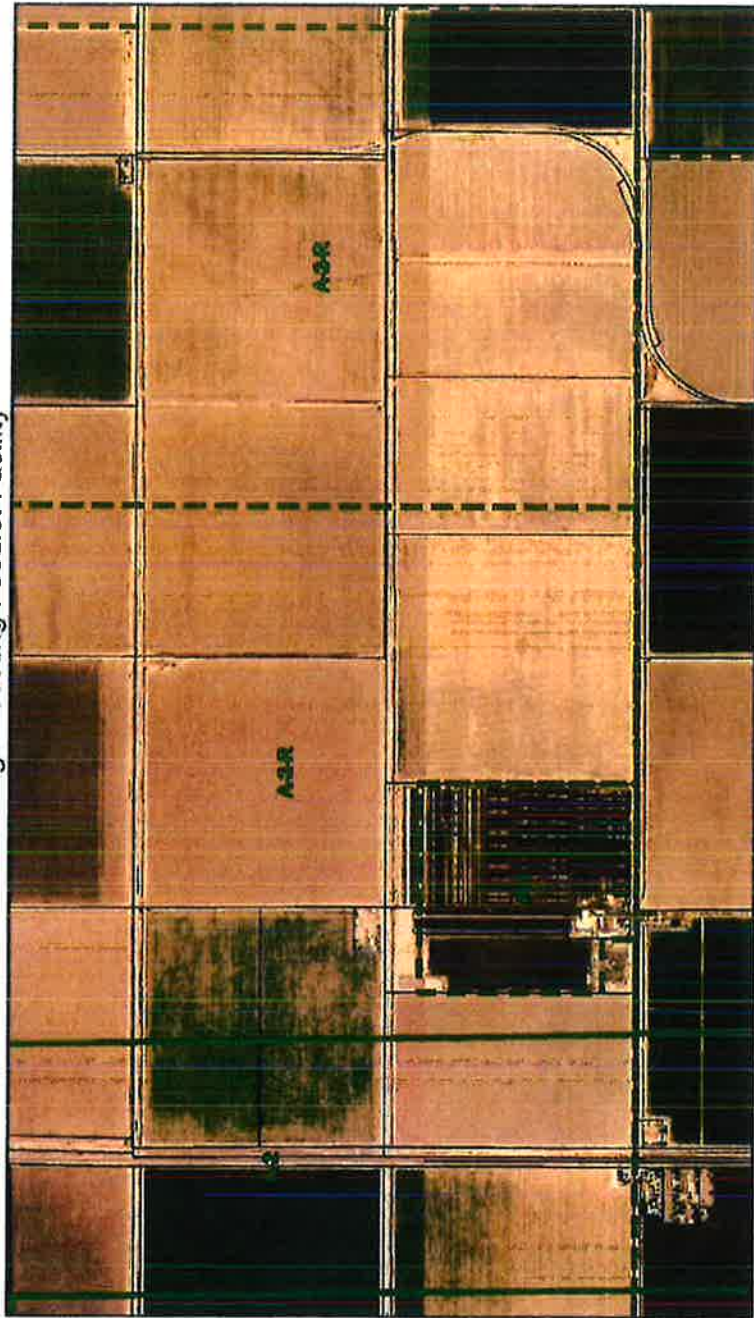
- 1) Zone Change
- 2) Site Plan
- 3) Variance
- 4) Grading Plan
- 5) Compliance Report

Planned Studies:

To be determined by County of Imperial Staff.

Appendix A

Zone Change- Existing Feedlot Facility



9/9/2019, 8:59:33 AM

- Land Use Zoning
- Assessor's Parcels

1:13,056

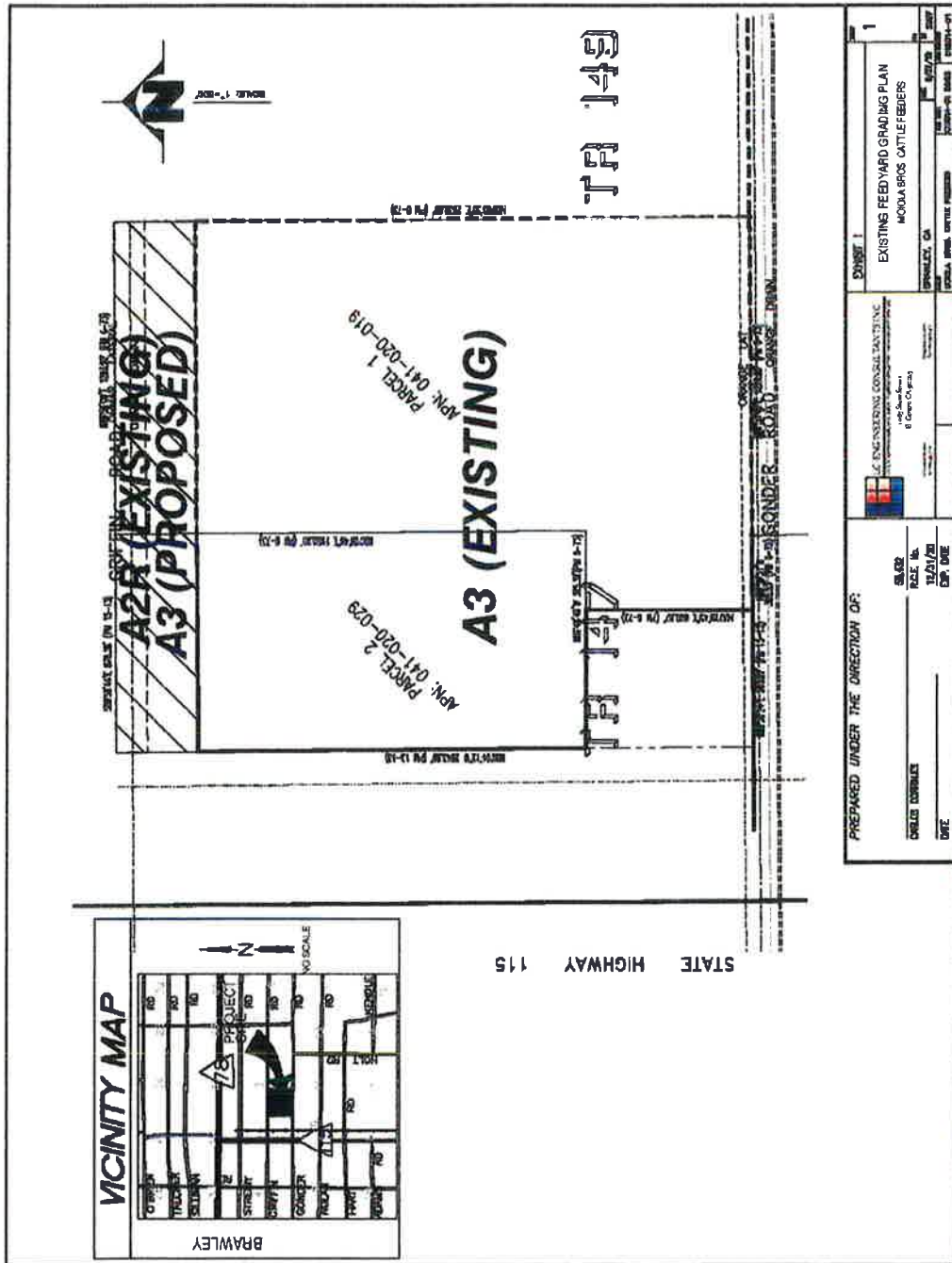
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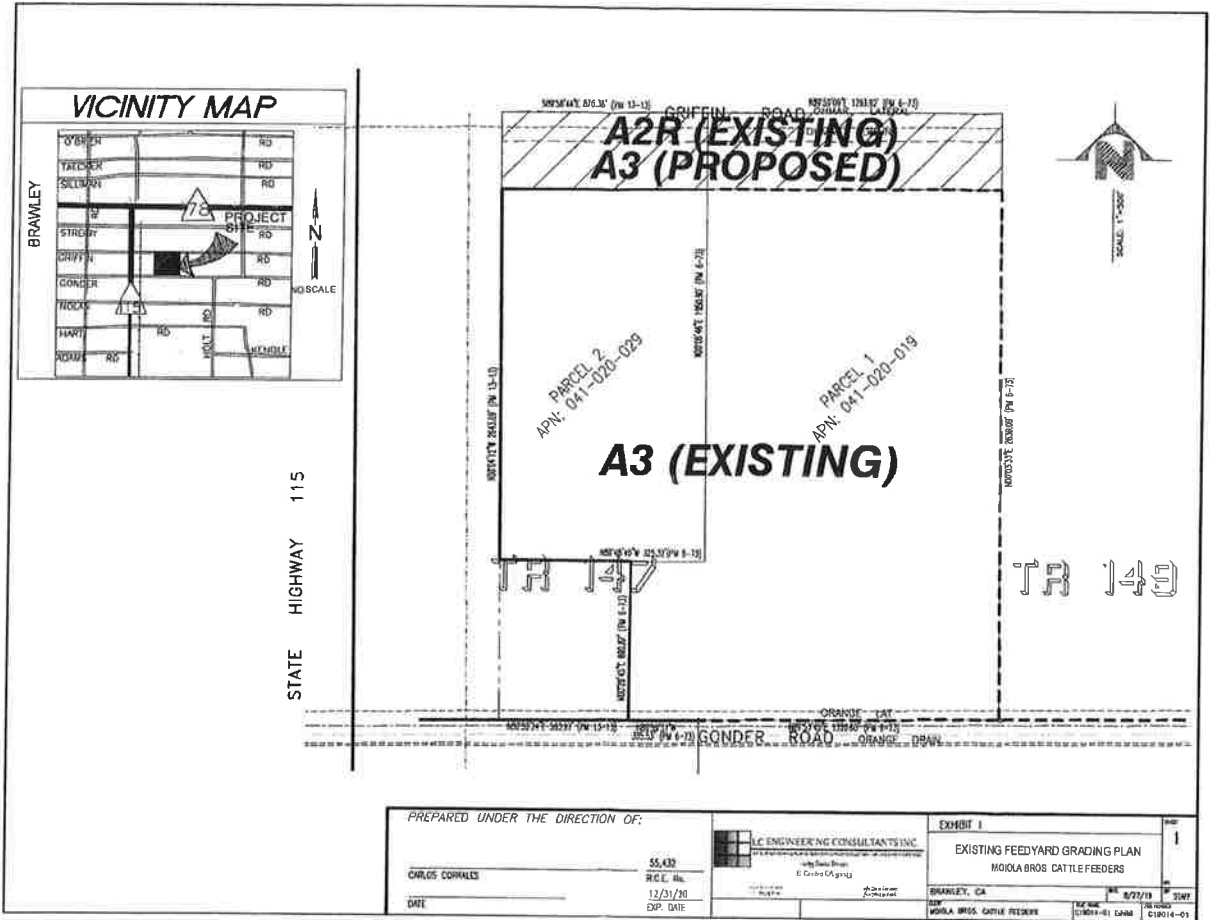
0 0.2 0.4 0.8 KM

Source: Esri, DigitalGlobe, GeoEye, Earthstar OpenStreetMap contributors, CNR/SwiftHub, DA
Web: USGS, AeroGRID, IGN, and the GIS User Community

Web Application for ArcGIS
USDA FSA, Conservation, CITE/Salmon DSI

Appendix B





PREPARED UNDER THE DIRECTION OF:		 J.C. ENGINEERING CONSULTANTS INC. 11500 S. GILBERT AVE. SUITE 100 GILBERT, AZ 85234 (480) 837-8888 www.jc-engineering.com	EXHIBIT I	FIG. 1
CARLOS CORVALES DATE	55,432 R.C.E. No. 12/31/20 EXP. DATE		EXISTING FEEDYARD GRADING PLAN MOJALA BROS. CATTLE FEEDERS	BRAWLEY, CA MOJALA BROS. CATTLE FEEDERS