

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE
FROM: PLANNING & DEVELOPMENT SERVICES

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

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

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

Winterhaven, CA 92283 PARCEL SIZE: N/A

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

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

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

PLANNING COMMISSION DECISION:

HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: 07-11-2024

INITIAL STUDY: #24-0013

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

REQUESTED ACTION:

See attached.

☒ **NEGATIVE DECLARATION**
☐ **MITIGATED NEGATIVE DECLARATION**

*Initial Study & Environmental Analysis
For:*

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



Prepared By:

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

July 2024

EEC ORIGINAL PKG

TABLE OF CONTENTS

	<u>PAGE</u>
<u>SECTION 1</u>	
I. INTRODUCTION	3
<u>SECTION 2</u>	
II. ENVIRONMENTAL CHECKLIST	8
PROJECT SUMMARY	10
ENVIRONMENTAL ANALYSIS	13
I. AESTHETICS.....	14
II. AGRICULTURE AND FOREST RESOURCES.....	14
III. AIR QUALITY.....	15
IV. BIOLOGICAL RESOURCES.....	16
V. CULTURAL RESOURCES.....	17
VI. ENERGY.....	17
VII. GEOLOGY AND SOILS.....	16
VIII. GREENHOUSE GAS EMISSION.....	19
IX. HAZARDS AND HAZARDOUS MATERIALS.....	19
X. HYDROLOGY AND WATER QUALITY.....	20
XI. LAND USE AND PLANNING.....	21
XII. MINERAL RESOURCES.....	21
XIII. NOISE.....	21
XIV. POPULATION AND HOUSING.....	22
XV. PUBLIC SERVICES.....	22
XVI. RECREATION.....	23
XVII. TRANSPORTATION.....	23
XVIII. TRIBAL CULTURAL RESOURCES.....	21
XIX. UTILITIES AND SERVICE SYSTEMS.....	23
XX. WILDFIRE.....	23
<u>SECTION 3</u>	
III. MANDATORY FINDINGS OF SIGNIFICANCE	23
IV. PERSONS AND ORGANIZATIONS CONSULTED	24
V. REFERENCES	25
VI. NEGATIVE DECLARATION - COUNTY OF IMPERIAL	26
27 FINDINGS	27
<u>SECTION 4</u>	
VIII. RESPONSE TO COMMENTS (IF ANY)	28
IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)	29

SECTION 1 INTRODUCTION

A. PURPOSE

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

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

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

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

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

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

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

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

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

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

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in

preparation of this Initial Study and Negative Declaration.

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

VI. **NEGATIVE DECLARATION – COUNTY OF IMPERIAL**

VII. **FINDINGS**

SECTION 4

VIII. **RESPONSE TO COMMENTS (IF ANY)**

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

E. **SCOPE OF ENVIRONMENTAL ANALYSIS**

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

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Potentially Significant Unless Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. **POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS**

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

G. **TIERED DOCUMENTS AND INCORPORATION BY REFERENCE**

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

1. **Tiered Documents**

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

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared

for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- These documents must summarize the portion of the document being incorporated by reference or briefly

describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

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

II. Environmental Checklist

1. **Project Title:** Conditional Use Permit (CUP) #24-0002 / Initial Study #24-0013
California Department of Transportation (CALTRANS)
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Rocio Yee, Planner I, (442)265-1736, ext. 1750
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** rociyee@co.imperial.ca.us
6. **Project location:** Sand Hills Safety Roadside Rest Area, within the Interstate Right of Way between Hwy 8 & Kumeyaay Hwy
7. **Project sponsor's name and address:** David Webb Inc.
P.O. Box 1982 Yucca Valley CA. 92286
8. **General Plan designation:** Recreation
9. **Zoning:** S-2 (Open Space Preservation) BLM, Within I-8 Right of Way (ROW)
10. **Description of project:** The California Department of Transportation, Caltrans, hereby requests the issuance of a Conditional Use Permit for the purpose of drilling, developing and maintaining a new water well at the Sand Hills Safety Roadside Rest Area. The proposed well will be located entirely within the Interstate Right of Way. The new well is intended to replace the existing dilapidated and unrepairable well that currently exists at this location. The new well will serve to ensure the health, safety and sanitary needs of the traveling public throughout the Interstate 8 corridor in Imperial County and the consumption from the new well is expected to be approximately 1/2 of an acre foot per year.
11. **Surrounding land uses and setting:** The project site in the Sand Hills Safety Roadside Rest Area, that is located within the right of way, between Fwy 8 & Kumeyaay Hwy. Surrounding land on North, South, East and West are vacant Land under BLM (Bureau of Land Management).
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Planning Commission, Imperial County Air Pollution Control District, Imperial County Environmental Health Services, and Imperial County Fire Department.

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

EEC VOTES

PUBLIC WORKS
ENVIRONMENTAL HEALTH SVCS
OFFICE EMERGENCY SERVICES
APCD
AG
SHERIFF DEPARTMENT
ICPDS

YES

☐
☒
☒
☒
☒
☒
☒
☒

NO

☐
☐
☐
☐
☐
☐
☐
☐

ABSENT

☒
☐
☐
☐
☐
☒
☐
☐

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

Date: 11-11-2024

EEC ORIGINAL PKG

PROJECT SUMMARY

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

Exhibit "A"
Vicinity Map

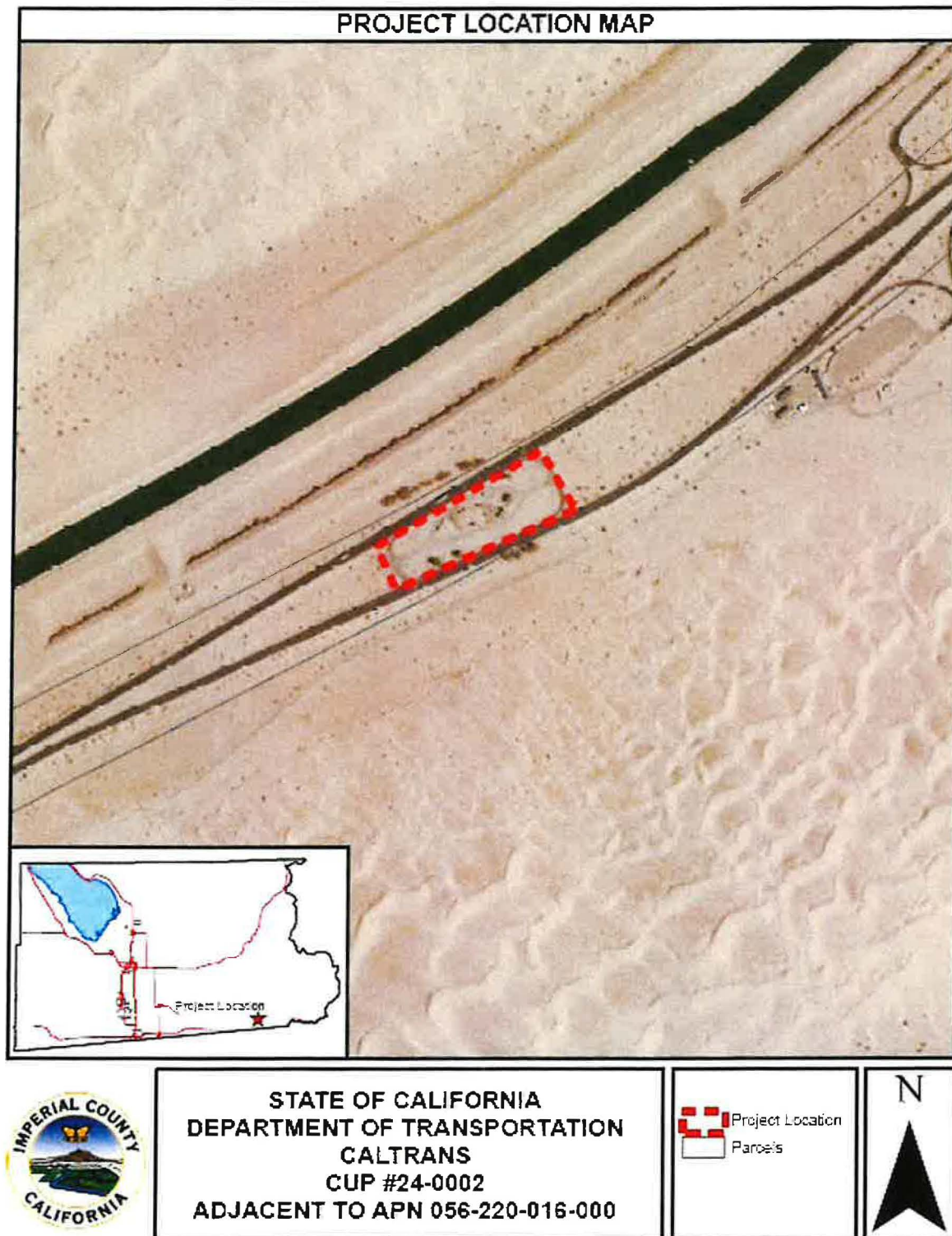


Exhibit "B" Site Plan/Tract Map/etc.



EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

I. AESTHETICS

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

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

II. AGRICULTURE AND FOREST RESOURCES

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

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The proposed project site is not zoned for, nor does it contain forest land or timber land. As such, the project would not impact forest or timberlands. No impact is expected.				
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 under item (II)(c) above, the proposed project is not located in forest land, therefore, it is not expected to result in the loss of forest land or conversion of forest land to non-forest. No impacts are expected.				
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) There is no existing farmland or forestland on or in the immediate vicinity. Development of the proposed project would not result in the loss or conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, no impacts are expected.				

III. AIR QUALITY

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

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

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

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

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

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

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

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

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

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

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

- a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: ☐ ☐ ☒ ☐
- a) **The construction and replacement of the proposed water well does not appear to conflict with the geology and soil of adjacent parcels in the area. Any developments on the parcel will be subject to compliance with the latest edition of the California Building Code as well as to go through a ministerial building permit review. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects regarding impacts to geology and soils. Any impacts are expected to be less than significant.**
- 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? ☐ ☐ ☒ ☐
- 1) **The proposed project is not located or near a known fault. The Quadrangle Official Map Effective January 1, 1990, does not indicate any active faults in or near the project area. The Algodones Fault is approximately 5 miles west of the proposed project site. Therefore, a less than significant impact is expected.**

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

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

expected.

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

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐
- a) The proposed replacement of the water well is located in an already disturbed land; therefore, the action is not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Additionally, as previously stated on item (III)(a) above, adherence and compliance to ACPD's rules and regulations will bring any impacts to less than significant levels.**
- b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐
- b) The proposed project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The facility site was previously utilized for recreational uses. Therefore, less than significant impacts are expected.**

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

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ☐ ☐ ☐ ☒
- a) The proposed project is not expected to create a significant hazard to the public or the environment as it does not involve the handling of any hazardous materials. No impacts are expected.**
- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☐ ☒
- b) The proposed residential water well is not expected to create a significant hazard to the public or environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment as no hazardous materials are anticipated as part of the project. No impacts are expected.**
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☐ ☒
- c) The proposed project does not anticipate the emitting of hazardous emissions, or the handling of hazardous or acutely hazardous materials, substance, or waste as previously stated on items (IX)(a) and (IX)(b) above; therefore, no impacts are expected.**
- d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ☐ ☐ ☐ ☒
- d) The proposed project is not located on a site included on a list of hazardous materials sites according to California Department of Toxic Substances Control EnviroStor¹⁶; therefore, no impacts are expected.**
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ☐ ☐ ☒ ☐
- e) The proposed project is not located within an airport land use plan per Imperial County Airport Land Use Compatibility Maps¹⁷; therefore, any impacts are expected to be less than significant.**
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☐ ☒
- f) The proposed replacement of the water well would not interfere with an adopted emergency response plan or emergency evacuation plan. The applicant will meet any requirements requested by the Fire/OES Department. No impacts are**

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
expected.				
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) The proposed project site is located within an unincorporated Local Responsibility Area classified as LRA "Unzoned" per Cal Fire Draft Fire Hazard Severity Zones in LRA for Imperial County. Therefore, it is not expected that it would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impact is expected.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) The proposed project is for the replacement of an existing and dilapidated water well to supply Sand Hills Rest Area with a projected annual water extraction of half an acre foot per year (1/2) and would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Any impacts are expected to be less than significant				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) As previously stated on item (X)(a) above, the proposed replacement of the water well anticipates an annual water extraction of half an acre foot per year (1/2) and does not expect to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Any impacts are expected to be less than significant.				
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Since the proposed project is located in an existing Rest Area, does not anticipate a physical alteration to the site, that would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course or a stream or river or through the addition of impervious surfaces. Any impacts are expected to be less than significant.				
(i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) According to Imperial County General Plan's Seismic and Public Safety Element ¹⁴ , "Erosion Activity Map ^{14b} ," Figure 3, the proposed project site is not located within an area of substantial soil erosion or siltation on- or off-site. Therefore, any impacts are expected to be less than significant.				
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) The proposed water well replacement is not expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or offsite. Compliance with Imperial County Department of Public Works rules and regulations would bring any impacts to less than significant.				
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) The proposed project does not anticipate creating or contributing runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As previously stated on items (X)(c) and (X)(c)(ii) above, any proposed grading will require drainage review and approval from the Imperial County Public Works Department. Compliance with Imperial County Public Works Department standards would ensure that any runoff water impacts would be reduced to less than significant levels.				
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) The proposed project is for the construction and operation of a water well replacement to supply the existing Sand Hills Rest Area and is not expected to impede or redirect flood flows. According to the Federal Emergency Management Agency (FEMA) Flood Map Service Center ¹⁵ , Flood Insurance Rate Map, the proposed project site is located within "Zone X" of flood map 06025C2200C, effective September 26, 2008. Therefore, compliance with ICDPW's standards regarding drainage would				

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

bring any impacts to be less than significant.

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

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

- a) Physically divide an established community? ☐ ☐ ☐ ☒
a) The proposed project is for the construction and replacement of the existing dilapidated and unrepairable water well at this location to supply the Sand Hills Rest Area, which would not physically divide an established community; therefore, it does not anticipate changing the existing land use designation and zoning established. No land use nor planning impacts are expected.
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☒ ☐
b) The proposed project is consistent with the intent of the County General Plan, and the County's Land Use Ordinance. The project is not located in or conflicts with habitat conservation or natural community conservations area or plans. The proposed project is located in the Winterhaven area zoned for recreational uses and will not physically divide an established community. Therefore, less than significant impacts are expected.

XII. MINERAL RESOURCES *Would the project:*

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ☐ ☐ ☐ ☒
a) The proposed project does not anticipate the removal of mineral resources and it is not located within the boundaries of an active mine per Imperial County General Plan's Conservation and Open Space Element⁶, "Existing Mineral Resources Map^{6a}" Figure 8. No impacts are expected.
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ☐ ☐ ☐ ☒
b) The proposed commercial water well will not result in the loss of availability of locally important mineral resources recovery site delineated on a local general plan, specific plan or other land use plan. No impacts are expected.

XIII. NOISE *Would the project result in:*

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

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

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

☐ ☐ ☐ ☒

c) The proposed project is to replace the existing well; it is not within the vicinity of a private airstrip or an airport. No impact is expected.

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

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

☐ ☐ ☐ ☒

a) The proposed project is to replace the existing dilapidated water well and does not appear to induce substantial population growth in the area, either directly or indirectly; therefore, no impact is expected.

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

☐ ☐ ☐ ☒

b) The proposed project is to replace the existing dilapidated water well and it's located within a Recreational area. Therefore, it will not displace substantial numbers of exiting housing, necessitating the construction of replacement housing elsewhere; no impact is expected

XV. **PUBLIC SERVICES**

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

☐ ☐ ☐ ☒

a) The proposed project is to replace an existing water well and will not physically impact any local government facilities or require for a new or altered government facility for any possible required services for proposed water well; therefore, no impact is expected.

- 1) Fire Protection?

☐ ☐ ☐ ☒

1) An approved water supply capable of supplying the required fire flow consisting of underground pressure mains and hydrants was provided for the project; the issuance of an emergency building permit was completed for the construction and operation of a water well replacement to serve the existing Sand Hills Rest Area and the property in general, which will assist in the fire protection of the site. No Impact is expected.

- 2) Police Protection?

☐ ☐ ☐ ☒

2) The project site is currently a Rest Area. The proposed water will not have an impact on police protection. Both the California Highway Patrol and sheriff's office have active patrol in the area as well. No Impact is expected.

- 3) Schools?

☐ ☐ ☐ ☒

3) The project would not result in an increase in population or housing and would not require additional school services. The project site is not near any schools. No Impact is expected.

- 4) Parks?

☐ ☐ ☐ ☒

4) The project would not result in an increase in population or housing and would not increase demand/use for local parks. No Impact is expected.

- 5) Other Public Facilities?

☐ ☐ ☐ ☒

5) The project would not appear to put an increased burden on off-site public services, including existing fire, police, school and other governmental services. Therefore, no impact is expected.

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

XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- ☐ ☐ ☒ ☐
- a) The proposed project is for the construction and operation of a water well replacement, to supply the existing Sand Hills Rest Area. Subsequently, the proposed water well would not increase the use of the existing neighborhood and regional parks or other recreational facilities; therefore, any impacts are expected to be less than significant.**
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
- ☐ ☐ ☒ ☐
- b) As mentioned above in XVI a); the proposed project is for the construction and operation of a water well replacement of an existing Rest Area and would not appear to include an expansion of recreational facilities'; therefore, any impact is expected to be less than Significant.**

XVII. TRANSPORTATION *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- ☐ ☐ ☐ ☒
- a) The proposed project is to replace the existing dilapidated water well; the applicant will comply with all applicable conditions and regulations with the County's circulation plan, land use ordinance, and transportation planning. No impact is expected.**
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
- ☐ ☐ ☐ ☒
- b) The proposed project is for a water well replacement in an existing Rest Area. Therefore, it does not appear to impact any public transit, bicycle or pedestrian facility. No impacts are expected.**
- c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- ☐ ☐ ☐ ☒
- c) The project site is on a previously constructed site, Sand Hills Rest Area, and it is compatible with the Imperial County General Plan Land Use Designation. The new water well site design is not expected to increase hazards; therefore, no impact is expected.**
- d) Result in inadequate emergency access?
- ☐ ☐ ☐ ☒
- d) All on-site traffic areas exist with at least all-weather access for fire protection vehicles. The proposed water well will not affect the existing emergency access. No impact is expected.**

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:
- ☐ ☐ ☒ ☐
- a) The construction and operation a water well replacement to serve the existing Sand Hills Rest Area, and the property in general is located on an existing disturbed site; the impacts appear to be less than significant for tribal cultural resources as defined in Public Resources Code Section 21074. Therefore, a less than significant impact is expected.**

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or (i) The project would not appear to cause an adverse change in the significance of a tribal cultural resource. The property site has previously been impacted by general recreational uses allowed in the current zone. AB 52 letters have been sent out to the Quechan Tribe and Campo Band of Mission Indians for consultations. The County hasn't received any responses of the tribes, therefore, a less than significant impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe. (ii) No significant resources listed as defined in the Public Resources Code Section 5024.1 are expected to be impacted by the proposed water well replacement. Any impacts are expected to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XX. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) As previously stated on item (IX)(g) – “Hazards and Hazardous Materials” above, per Cal Fire “Fire Hazard Severity Zones in State Responsibility Areas – Imperial County¹⁸” adopted November 7, 2007, the proposed project site is located in an unincorporated Local Responsibility Area (LRA) adjacent to a Moderate Fire Hazard Severity Zone (MFHSZ) on the west. The proposed project is to construct and operate a replacement of a water well, that action does not appear to adversely affect either the existing operations on the property or impact infrastructure. Compliance with Imperial County Fire Department’s standards would bring any impacts to less than significant.				
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) As previously stated on item (XX)(a) above, the proposed project is a water well replacement to an already disturbed land, since the water well is underground no exacerbating wildfire risks are expected; therefore, no impacts are expected.				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The proposed project is to construct and operate a replacement of a water well, that action does not appear to adversely affect either the existing operations on the property or impact infrastructure. Therefore, a less than significant impact is expected.				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The project is located on flat and moderately sloped desert terrain. The proposed project is to construct and operate a replacement water well, that action does not appear to adversely affect the existing drainage. Therefore, a less than significant impact is expected.				

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)
---	--	--	-------------------

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"/> |
| 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"/> |
| 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"/> |

IV. PERSONS AND ORGANIZATIONS CONSULTED

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

A. COUNTY OF IMPERIAL

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

B. OTHER AGENCIES/ORGANIZATIONS

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

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

V. REFERENCES

1. Imperial County General Plan: Circulation and Scenic Highway Element
<https://www.icpds.com/assets/planning/circulation-scenic-highway-element-2008.pdf>
2. California State Scenic Highway System Map
<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>
3. California Farmland Mapping & Monitoring Program: Imperial County Important Farmland Map 2018
<https://maps.conservation.ca.gov/DLRP/CIFF/>
4. Ocotillo/Nomirage Community Area Plan
<https://www.icpds.com/assets/planning/community-plans/ocotillo-nomirage-community-area-plan.pdf>
5. Imperial County Air Pollution Control District comment letter dated September 26, 2022
6. Imperial County General Plan: Conservation and Open Space Element
<https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
 - a) Figure 1: Sensitive Habitat Map
 - b) Figure 2: Sensitive Species Map
 - c) Figure 5: Areas of Heighten Historic Period Sensitivity Map
 - d) Figure 6: Known Areas of Native American Cultural Sensitivity Map
 - e) Figure 8: Existing Mineral Resources Map
7. National Wetlands Inventory: Surface Waters and Wetlands Map
<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>
8. Quechan Indian Tribe comment email dated September 13, 2022
9. Imperial Irrigation District comment letter dated September 27, 2022
10. California Geological Survey Hazard Program: Alquist-Priolo Fault Hazard Zones
<https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=32.538703%2C-110.920388%2C6.00>
11. California Department of Conservation: Fault Activity Map
<https://maps.conservation.ca.gov/cgs/fam/>
12. United States Geological Survey's Quaternary Faults Map
<https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>
13. California Tsunami Data Maps
<https://www.conservation.ca.gov/cgs/tsunami/maps>
14. Imperial County General Plan: Seismic and Public Safety Element
<https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>
 - a) Figure 2: Landslide Activity Map
 - b) Figure 3: Erosion Activity Map
15. Imperial County Division of Environmental Health comment email dated October 19, 2022
16. California Department of Toxic Substances Control: EnviroStor
<https://www.envirostor.dtsc.ca.gov/public/>
17. Imperial County Airport Land Use Compatibility Maps
<https://www.icpds.com/planning/maps/airport-land-use-compatibility-maps>
18. Cal Fire: Fire Hazard Severity Zones Maps – Imperial County
https://osfm.fire.ca.gov/media/6680/fhszs_map13.pdf
19. Federal Emergency Management Agency (FEMA) Flood Map Service Center: Flood Insurance Rate Map
<https://msc.fema.gov/portal/search?AddressQuery=851%20pitzer%20road%20heber%20ca#searchresultsanchor>
20. Imperial County General Plan: Noise Element
<https://www.icpds.com/assets/planning/noise-element-2015.pdf>
21. California Historic Resources: Imperial County
<https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=13>
22. Imperial Valley Desert Museum comment letter dated October 28, 2022
23. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
24. County Executive Office (CEO) Comment letter received April 11, 2024
25. Air Pollution Control District (APCD) comment letter received April 16, 2024.

NEGATIVE DECLARATION – County of Imperial

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

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

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

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

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

VI. FINDINGS

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



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



The Initial Study identifies potentially significant effects but:

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

A MITIGATED NEGATIVE DECLARATION will be prepared.

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

NOTICE

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

7-11-2024 
Date of Determination Jim Minnick, Director of Planning & Development Services

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


Applicant Signature

7/11/24
Date

EEC ORIGINAL PKG

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

COMMENT LETTERS

EEC ORIGINAL PKG

COUNTY EXECUTIVE OFFICE


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



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

April 11, 2024

TO: Rocio Yee, Planning and Development Services Department

FROM: Rosa Lopez-Solis, Executive Office 

SUBJECT: Comments – Caltrans - APN 056-220-016-000

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

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

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

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

EEC ORIGINAL PKG

AIR POLLUTION CONTROL DISTRICT



April 16, 2024

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

RECEIVED

By Imperial County Planning & Development Services at 9:50 am, Apr 17, 2024

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

Dear Mr. Minnick,

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

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

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

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

Respectfully,

CUP#24-0002
APPLICATION

EEC ORIGINAL PKG

CONDITIONAL USE PERMIT

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

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

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

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

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

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

David Webb for Caltrans 2/24/24
Print Name Date
[Signature]
Signature

Print Name Date

Signature

REQUIRED SUPPORT DOCUMENTS

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

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

CUP #

24-0002

EEC ORIGINAL PKG

Rocio Yee

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

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

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

Thank you,
David Webb
D. Webb, Inc.

IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

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

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at San Diego California on 2/24, 2024

APPLICANT

Name: D. Webb, Inc.

By David Webb

Title President

Mailing Address:

P.O. Box 1982
Yuma Valley, CA 92286

REAL PARTY IN INTEREST

(If different from Applicant)

Name David Webb for Caltrans

By David Webb

Title Agent

Mailing Address:

P.O. Box 1982
Yuma Valley, CA 92286

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

S:\FORMS_LISTS\General Indemnification FORM 041516.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1736 FAX: (442) 265-1735 E-MAIL: planning@co.imperial.ca.us

EEC ORIGINAL PKG



Jim Minnick
DIRECTOR

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

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

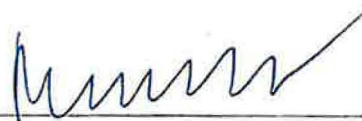
Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

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

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

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY:  DATE: 2/24/24

INDEX OF PLANS

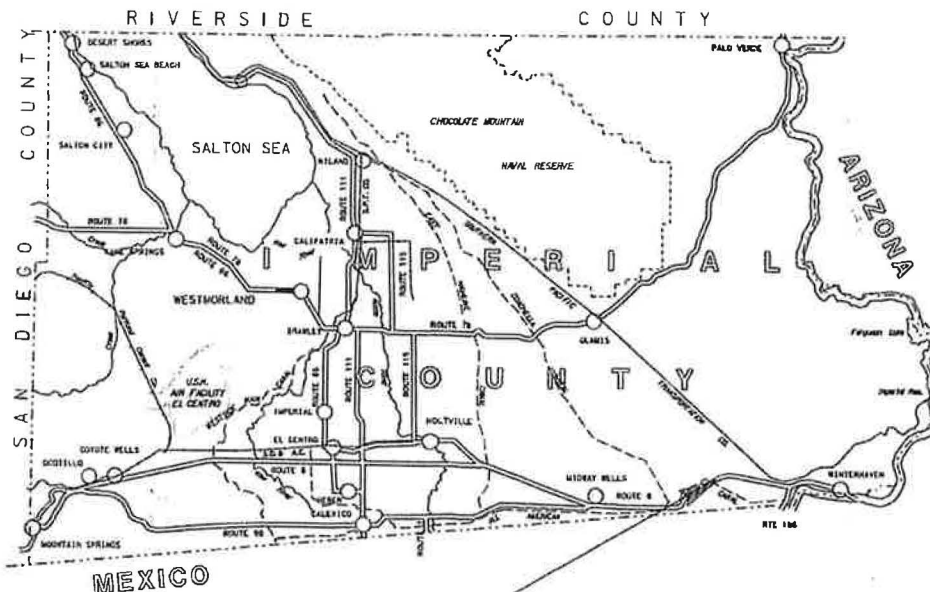
- 1 TITLE SHEET
- 2 LAYOUT

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

IN IMPERIAL COUNTY ALONG ROUTE 8 AT THE SAND HILLS SRRA

TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2023

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
11	IMP	008	80.2	1	2



MEXICO

PROJECT LOCATION
SAND HILLS REST AREA
1-8 PM 80.2

NO SCALE

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

Derek A. Carpenter 01-30-24
PROJECT ENGINEER
REGISTERED CIVIL ENGINEER

01-30-2024

PLANS APPROVAL DATE
THE STATE OF CALIFORNIA OR ITS
EMPLOYEES OR AGENTS SHALL NOT BE
RESPONSIBLE FOR THE ACCURACY OR
COMPLETENESS OF SEPARATE COPIES OF THIS PLAN SHEET.

CONTRACT No. 11-
PROJECT ID 1124000232



BORDER LAYOUT (REVISION 9/30/2013) CALTRANS REG. SEC. 15: [HTTP://WWW.DOT.CA.GOV/](http://www.dot.ca.gov/)

RELATIVE BORDERS SCALE 1" = 100' HORIZ. 1" = 10' VERT. USERNAME: 43 4356134 DON FILE: 43 4356134232001.dgn

UNIT 2767 Mc No. 24-163 EA 11-3A8063 PID 1124000232

EEC ORIGINAL PKG

DESIGNER: JARED BRITNEY
CHECKER: DEREK A. CARPENTER

DATE: 01-30-24
TIME: 01:30:24

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
EMERGENCY FORCE ACCOUNT AGREEMENT (EFA)
ADM-4043 EFA (REV 12/2023)

Agreement Number _____
SCPRS Registration Date _____ Page 1 of 4

District EA Number <u>11-3A8064</u>		RQS Number _____											
1. This Agreement is entered into between the State Agency and the Contractor named below: STATE AGENCY'S NAME: <u>California Department of Transportation (Caltrans)</u> CONTRACTOR'S NAME <u>D. Webb, Inc</u>													
2. The term of this Agreement is: <u>01/22/2024</u> through <u>01/22/2025</u> Estimate of Working Days: <u>60</u> Working Days		3. The maximum amount of this Agreement is: \$ <u>380,000.00</u>											
4. Contractor agrees to furnish all labor, equipment and materials, proof of license, and insurance to perform emergency work described below: <table border="1"><tr><td>County</td><td><u>Imperial</u></td></tr><tr><td>Route(s)</td><td><u>8</u></td></tr><tr><td>Post Mile(s)</td><td><u>80.2</u></td></tr><tr><td>Scope of Work</td><td><u>Replace water well system at the Sand Hills Safety Roadside Rest Area.</u></td></tr><tr><td colspan="2"><input type="checkbox"/> Additional Pages Attached</td></tr></table>				County	<u>Imperial</u>	Route(s)	<u>8</u>	Post Mile(s)	<u>80.2</u>	Scope of Work	<u>Replace water well system at the Sand Hills Safety Roadside Rest Area.</u>	<input type="checkbox"/> Additional Pages Attached	
County	<u>Imperial</u>												
Route(s)	<u>8</u>												
Post Mile(s)	<u>80.2</u>												
Scope of Work	<u>Replace water well system at the Sand Hills Safety Roadside Rest Area.</u>												
<input type="checkbox"/> Additional Pages Attached													
5. The parties agree to comply with the terms and conditions of the following documents, which are by this reference made a part of the Agreement <ul style="list-style-type: none">• Caltrans EFA Terms and Conditions Can be viewed at: https://dot.ca.gov/programs/procurement-and-contracts/contractor-resources• Contractors Certification Clause (CCC) 04/2017 Can be viewed at: https://www.dgs.ca.gov/OLSR/Resourcing/Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language• List of Labor Compliance Offices Can be viewed at: https://dot.ca.gov/programs/construction/labor-compliance													
IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.													
6. CONTRACTOR		CONTRACTOR											
CONTRACTOR'S NAME <u>D. Webb, Inc.</u>		DATE SIGNED <u>1-22-24</u>											
BY (Authorized Signature) <u>[Signature]</u>		BUSINESS PHONE NUMBER <u>(760) 401-2034</u>											
PRINTED NAME AND TITLE OF PERSON SIGNING <u>David Webb - President</u>													
ADDRESS <u>P.O. Box 1982 Yucca Valley CA 92286</u>													
SB/DVBE <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, Certification No. <u>1752812</u>		DIR Registration No. <u>1000015969</u> CSLB License No. <u>794667</u>											
Federal Identification Number (FEIN) <u>75-2983069</u>		Email <u>Dwebb@yucca-valley.com</u>											
Required Attachments <input checked="" type="checkbox"/> STD 204 <input type="checkbox"/> Iran Contracting Act (if \$1 Million or over) <input checked="" type="checkbox"/> ADM-2046 <input checked="" type="checkbox"/> Payment Bond <input checked="" type="checkbox"/> Insurance Certificates <input checked="" type="checkbox"/> ADM-4015													
<input checked="" type="checkbox"/> CA Civil Rights Laws Certification (if \$100,000 or over) <input checked="" type="checkbox"/> ADM-3023 <input checked="" type="checkbox"/> ADM-4012 <input checked="" type="checkbox"/> Darfur Contracting Act Certification <input checked="" type="checkbox"/> ADM-0227F													
7. CALTRANS		CALTRANS											
DIVISION NAME <u>Maintenance - Lands & Buildings</u>		DISTRICT NUMBER <u>11</u>											
BY (Contract Manager Signature) <u>[Signature]</u>		DATE SIGNED <u>1-22-24</u>											
PRINTED CALTRANS CONTRACT MANAGER NAME <u>Jodi Nelmark</u>		BUSINESS PHONE NUMBER <u>(619) 857-4332</u>											
ADDRESS <u>4050 Taylor Street MS 221, San Diego, CA 92110</u>		Does this service utilize Environmental Preference Purchasing? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO											
8. FUNDING													
SOURCE UNIT <u>2767</u>	PROJECT ID <u>1124000232</u>	PHASE <u>4</u>	OBJECT CODE <u>040</u>	AMOUNT <u>\$380,000.00</u>	FISCAL YEAR <u>23/24</u>								
AGENCY BILLING CODE <u>060121</u>	FUND TITLE	BUDGET ITEM	FUND CHAPTER	STATUTE	FUND SOURCE								
I CERTIFY upon my own knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.													
PRINTED NAME		ACCOUNTING OFFICER SIGNATURE		DATE SIGNED	PHONE NUMBER ()								
9. DPAC		DPAC		DPAC									
BY (Contract Officer Signature)				DATE SIGNED									
PRINTED CONTRACT OFFICER NAME				BUSINESS PHONE NUMBER ()									

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

EEC ORIGINAL PKG

EMERGENCY FORCE ACCOUNT CONTRACT REQUIREMENTS (State and Federal)

1. The Contractor agrees to provide all labor, materials, tools, equipment and incidentals necessary to perform work described in Section 4 of the ADM-4043 EFA Agreement in accordance with the documents referenced in Section 5 of this Agreement. Contractor will not be paid for any work unless and until Caltrans Division of Procurement and Contracts has approved the Agreement.
 2. Contractor agrees to perform not less than 50 percent of the total contract cost with its own company/organization.
 3. A Disabled Veteran Business Enterprise (state funded Agreements) or Disadvantaged Business Enterprise (Federal-funded Agreements) Participation Goal of up to 5 percent is encouraged for the work to be performed.
 4. Contractor will perform the work on a "time and materials" basis in accordance with the terms and conditions contained in Section 9-1.04 "Force Account" of the 2023 Standard Specifications except the markup rates on labor, materials and equipment rental in Sections 9-1.04B "Labor," 9-1.04C "Materials" and 9-1.04D "Equipment Rental" which are superseded as follows:
Prime Contractor: 21 percent markup applied to direct costs for labor, materials and equipment rental. Non-Specialist Subcontractor: 21 percent markup applied to direct costs for labor, materials and equipment rental. Specialist Subcontractor: No markup. In addition to these markups, a 10 percent markup will be added to the total cost of the work performed by specialist and non-specialist Subcontractors. This markup will be full compensation to the Contractor for administration and oversight of work performed by Subcontractors.
 5. Contractor must pay prevailing wages in compliance with Section 7, "Legal Relations and Responsibility to the Public," of the 2023 Standard Specifications. Upon request, Contractor must provide certified copies of payroll records.
 6. Caltrans may alter, cancel, reduce or change the Scope of Work described in Section 4 of the ADM-4043 EFA Agreement.
 7. Except as otherwise provided, all work must be performed in accordance with the 2023 Standard Specifications. The terms of this Agreement shall supersede any conflicting provisions of the 2023 Standard Specifications. All references to Engineer shall mean the Contract Manager under this Agreement.
 8. Contractor must hold an appropriate license issued by the California Contractors State License Board. If the work requires a specialty class license, such license must be issued to and held by Contractor or the Subcontractor performing such work. Contractor shall ensure all Subcontractors have appropriate licenses for the work being performed under this Agreement.
 9. Contractor must furnish a payment bond, as described in Section 3-1.05, "Contract Bonds" of the 2018 Standard Specifications equal to 100 percent of the project cost and maintain the original payment bond until full payment is rendered to the Contractor. A performance bond will not be required.
 10. Caltrans reserves the right to terminate the work contemplated under this Agreement prior to the fully executed Agreement. Total compensation for Contractor's work performed and accepted by Caltrans will be pursuant to Section 8-1.14E, "Payment Adjustment for Termination," of the 2023 Standard Specifications.
 11. Contractor must maintain the following insurance during the work performed under this Agreement:
 - A. Workers' Compensation Insurance. Limits of:
 1. \$1,000,000 for each accident for bodily injury by accident
 2. \$1,000,000 policy limit for bodily injury by disease
 3. \$1,000,000 for each employee for bodily injury by disease
 - B. General Liability and Umbrella or Excess Liability insurance. Coverage for premises, operations, mobile equipment, explosion, collapse, underground hazards, personal injury, contractual-liability and broad form property damage (including completed operations) with the following minimum limits:
Contracts ≤ \$1 million: \$1 million for each occurrence; \$2 million aggregate for products and completed operation; \$2 million general aggregate; and \$5 million umbrella or excess liability.
Contracts > \$1 million and ≤ \$10 million: \$1 million for each occurrence; \$2 million aggregate for products and completed operation; \$2 million general aggregate; and \$10 million umbrella or excess liability.
Contracts > \$10 million and ≤ \$25 million: \$2 million for each occurrence; \$2 million aggregate for products and completed operation; \$4 million general aggregate; and \$15 million umbrella or excess liability.
Contracts > \$25 million: \$2 million for each occurrence; \$2 million aggregate for products and completed operation; \$4 million general aggregate; and \$25 million umbrella or excess liability.
 - C. Automobile insurance for owned, hired and non-owned vehicles. Minimum of \$1 million combined single-limits for each accident resulting in bodily injury and/or property damage and the Umbrella or Excess coverage in Section B above.
- | Limits | Contracts ≤ \$1 million | Contracts > \$1 million and ≤ \$10 million | Contracts > \$10 million and ≤ \$25 million | Contracts > \$25 million |
|--|-------------------------|--|---|--------------------------|
| each occurrence | \$1 million | \$1 million | \$2 million | \$2 million |
| aggregate for products and completed operation | \$2 million | \$2 million | \$2 million | \$2 million |
| general aggregate | \$2 million | \$2 million | \$4 million | \$4 million |
| umbrella or excess liability | \$5 million | \$10 million | \$15 million | \$25 million |
12. Contractor shall pursue completion of the work with diligence and without undue delay. The working days estimated in Section 2 of the ADM-4043 EFA are an approximation, and the estimate is not an express nor implied promise regarding the actual contract duration. Contractor is expected to complete the work as soon as reasonably possible.

EMERGENCY FORCE ACCOUNT CONTRACT REQUIREMENTS (State and Federal) Continued

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

CONTRACTOR INSTRUCTIONS

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

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

CALTRANS CONTRACT MANAGER INSTRUCTIONS

1. ADM-4043 EFA

- | | |
|--|--|
| <ul style="list-style-type: none">• Caltrans Contract Manager• Contractor• District/Division Resource Manager• DPAC | <p>Completes District EA#, RQS#, and Sections 1,2,3,4,5 and 7
Submits ADM-4043 EFA forms and applicable attachments to DPAC using:
EFA-ELB.Contract.Submittal@dot.ca.gov
Completes Section 6 and provides all applicable attachments
District Director's Approval (above \$333,000) or Director's Order with approvals/signatures
Conflict of Interest and Confidentiality Statement Certification (ADM-3080)</p> |
|--|--|

2. ADM-4043 EFA DOCUMENT CHECKLIST

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

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

3. ADM-2009 ORIGINAL PAYMENT BOND

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