

CITY OF BRAWLEY
MITIGATED NEGATIVE DECLARATION
RIO VISTA APARTMENTS

Annexation No. 1-24, Adjustment Plat (AP #26-01), Site Plan (SP #26-02)
Zone Change and General Plan Amendment (ZC #26-03, GPA #26-03)

I. DESCRIPTION OF PROJECT

This project includes the Annexation of approximately 4.26 acres of unincorporated land within Imperial County to the City of Brawley, a Lot Merger to consolidate five parcels into a single parcel, a Zone Change, and a General Plan Amendment to allow the development of a multi-family apartment complex on an approximately 7.87-acre site straddling the city's current northwestern boundary. The project would allow development of a 133-unit multi-family residential complex consisting of:

- Five apartment buildings
- 36 one-bedroom units and 97 two-bedroom units
- A clubhouse and swimming pool
- Approximately 278 surface parking spaces
- Internal circulation
- Stormwater retention facilities
- A sewer lift station
- Half-width frontage improvements along River Drive
- Dedication and half-width improvements along Rio Vista Avenue
- Coordination with Imperial Irrigation District utilities
- A 26-foot multipurpose trail and emergency fire access adjacent to Pat Williams Park

The site is mostly vacant with a previous use as an equestrian facility. Primary access would be provided via River Drive, with an additional access point along the eastern boundary via Rio Vista Avenue. A third fire access point is proposed along the north via the aforementioned 26-foot multipurpose trail along Pat Williams Park

II. DESCRIPTION OF ENVIRONMENTAL SETTING

- *North* – New River open space
- *South* – Single-family homes, vacant lots, equestrian facilities, River Drive
- *East* – Single-family homes, Rio Vista Avenue
- *West* – Pat Williams Park

About half of the project site is located within City limits, while the remaining portion of the project site is located in unincorporated Imperial County within the Brawley Sphere of Influence. It is designated for urban development under the City of Brawley General Plan, and the site is designated as Urban Area by Imperial County. Surrounding land uses include a mix of residential development and open space.

III. ENVIRONMENTAL IMPACT AND PHYSICAL EFFECT

The City of Brawley prepared a CEQA Initial Study evaluating potential impacts pursuant to CEQA Guidelines Appendix G. The City circulated the Mitigated Negative Declaration for public review on Monday, July 27, 2026. The Brawley Development Review Committee (DRC) reviewed the project on February 12, 2026. City staff, responsible agencies, and interested parties were provided the opportunity to comment during the public review period.

1. There is no substantial evidence, based on the whole record before the public agency, that the project, as mitigated, may have a significant effect on the environment.
2. Feasible mitigation measures will be incorporated into the project to reduce all potentially significant impacts to a level of insignificance.
3. The project is consistent with the General Plan and Zoning Ordinance of the City of Brawley.
4. The project will not have a demonstrable negative aesthetic effect because development standards included in the Brawley Zoning Ordinance will ensure a high quality of architectural and landscape design.
5. The City will provide adequate public services to serve the project and will perform any improvements required.
6. The developer will provide adequate public services to serve the project and will perform any improvements required.
7. There are no unusual geologic hazards or flooding problems that would not be adequately addressed by compliance with city development requirements and the California Building Code (CBC).

IV. LESS THAN SIGNIFICANT IMPACTS

Based on the whole record before the City, it was determined that the project would have less than significant impacts related:

- Aesthetics
- Agriculture and Forestry Resources
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use/Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities/Service Systems
- Wildfire
- Mandatory Findings of Significance

V. POTENTIAL SIGNIFICANT IMPACTS

Based on the whole record before the City, it was determined that the project would have significant impacts on the following:

AIR QUALITY

The regional air quality plan applicable to the project is the Air Quality Attainment Plan for Imperial County. The Air Quality Assessment prepared for the project evaluated both construction and operational emissions. Construction activities would generate temporary emissions of criteria pollutants and fugitive dust; however, compliance with Imperial County APCD rules and implementation of standard dust control and equipment emission reduction measures would reduce impacts to a less-than-significant level. Operational emissions would not exceed applicable thresholds and would not obstruct implementation of the regional air quality attainment plan. The project will include a sewer lift station, a potential odor source.

BIOLOGICAL RESOURCES

The Biological Resources Survey and Burrowing Owl Habit Assessment identified disturbed habitat with low potential for special-status species. One potentially suitable burrowing owl burrow was identified in the survey area buffer. No sensitive natural communities or jurisdictional wetlands were identified within the development footprint. Pre-construction surveys of burrowing owls and nesting birds along with other avoidance measures shall be implemented. With mitigation, impacts on biological resources would be less than significant.

CULTURAL RESOURCES

An Archaeological Resources Survey and records search identified no recorded archaeological resources within the project footprint. No historical or archaeological resources were identified on-site, but there is a potential for inadvertent discovery of buried archaeological resources due to the project's location near the New River floodplain. With mitigation, impacts to cultural resources would be less than significant.

GEOLOGY AND SOILS

A geotechnical report will be submitted prior to the issuance of grading and building permits. The applicant will implement measures to address any geological or soil hazards, as applicable, to ensure compliance with building safety regulations. The site is relatively flat and is located below the elevation of residential neighborhoods to the south and east. It is not within an Alquist-Priolo fault zone. Compliance with the CA Building Code will be required to address seismic hazards. Grading recommendations based on the Geotechnical Report shall be implemented prior to grading permit issuance to mitigate geological and soils-related impacts to be less than significant.

HYDROLOGY AND WATER QUALITY

The project site is currently a collection of vacant dirt lots with little vegetation. Development would increase impervious surface area, potentially increasing runoff. The project would comply with all applicable City of Brawley, Regional Water Quality Control Board, and State requirements, including preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Best Management Practices (BMP). These measures would reduce runoff and mitigate impacts to hydrology and water quality to less than significant.

NOISE

A Noise Analysis was prepared. Construction activities would result in temporary noise impacts. Compliance with City construction hour limitations and use of properly maintained equipment would reduce construction noise impacts. Operational noise from traffic would be compatible with surrounding land uses. The sewer lift station's exact design and equipment requirements are not known at this time. Station fans and generators may produce significant noise, so mitigation shall be required to ensure that the actual design of the station is consistent with the conclusions of the Noise Analysis.

TRIBAL CULTURAL RESOURCES

Tribal consultation notices were sent pursuant to AB 52. The Viejas Band of Kumeyaay Indians requested that an on-site Kumeyaay Cultural Monitor be present during ground disturbing activity to inform the tribe of new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains. If tribal cultural resources are identified, the City shall coordinate with affiliated tribes regarding appropriate treatment. With mitigation, impacts on tribal cultural resources would be less than significant.

VI. MITIGATION MEASURES

AIR QUALITY

MM-AQ-1 (Fugitive Dust Control):

Implement all ICAPCD-required dust control measures during construction.

MM-AQ-2 (Construction Equipment Emissions):

Limit construction equipment idling; ensure proper maintenance of equipment consistent with ICAPCD and CARB standards, and in accordance with manufacturer standards; and utilize best available control technologies where feasible.

MM-AQ-3 (Sewer Odors):

The design of the sewer lift station shall include all necessary odor control systems. Documentation of proper odor control measures shall be submitted to the City prior to the issuance of building permits for the sewer lift station.

BIOLOGICAL RESOURCES

MM-BIO-1 (Burrowing Owl Surveys):

Conduct pre-construction burrowing owl surveys and implement avoidance buffers or passive relocation if necessary, consistent with CDFW guidelines.

MM-BIO-2 (Nesting Birds):

If grading occurs during nesting season, conduct pre-construction nesting bird surveys during breeding season and implement appropriate buffers.

CULTURAL RESOURCES

MM-CUL-1 (Archaeological Monitoring):

An archaeologist shall be present on-site to monitor construction activities in the event that buried archaeological resources are unearthed.

MM-CUL-2 (Inadvertent Discovery):

If cultural resources are discovered during ground disturbance or construction, work shall cease within 100 feet of the discovery, and a qualified archaeologist shall evaluate the find in accordance with CEQA and State requirements.

MM-CUL-3 (Human Remains Notification):

If human remains are discovered, the developer shall comply with Health & Safety Code §7050.5 and notify the County Coroner.

GEOLOGY AND SOILS

MM-GEO-1 (Pre-Grading Recommendations):

Implement recommendations of the final geotechnical report prior to grading permit issuance.

HYDROLOGY AND WATER QUALITY

MM-HYD-1 (Stormwater Management):

Prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) prior to grading.

MM-HYD-2 (Construction Controls/BMPs):

Implement erosion and sediment control Best Management Practices (BMPs) during grading.

NOISE

MM-NOI-1 (Sewer Lift Station Analysis):

Prior to the issuance of building permits for the sewer lift station, if any above-ground noise-generating equipment such as an emergency generator or blower fans is required, a noise analysis shall be prepared demonstrating the operational noise levels would not exceed the applicable noise limits specified in Section 18.4 of the Municipal Code. The analysis shall identify noise barriers and equipment enclosures if necessary to achieve the applicable noise level limits.

MM-NOI-2 (Construction Hours):

Limit all construction activities to hours permitted by the Brawley Municipal Code.

MM-NOI-3 (Equipment Noise Control):

Maintain equipment and use properly functioning mufflers.

TRANSPORTATION AND TRAFFIC

MM-TRAF-1 (Frontage Improvements):

Implement required frontage, access, and roadway improvements along River Drive and Rio Vista Avenue; and ensure emergency access compliance.

TRIBAL CULTURAL RESOURCES

MM-TCR-1 (Tribal Cultural Resources):

If tribal cultural resources are identified, the City shall coordinate with affiliated tribes regarding appropriate treatment.

MM-TCR-2 (Kumeyaay Cultural Monitor):

A Kumeyaay Cultural Monitor shall be on site for ground disturbing activities and shall inform the Viejas Band of Kumeyaay Indians of new developments, such as the inadvertent discovery of cultural artifacts, cremation sites, or human remains.

VII. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Pursuant to CEQA Guidelines §15097, the City of Brawley shall adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures identified in this Mitigated Negative Declaration. The MMRP shall identify:

- Responsible parties
- Timing of implementation during design, construction, operation
- Monitoring procedures

VIII. MANDATORY FINDINGS OF SIGNIFICANCE

The project will not:

- Degrade the quality of the environment;
- Substantially reduce habitat of a fish or wildlife species;
- Result in cumulatively considerable impacts;
- Cause substantial adverse effects on human beings.

All potentially significant impacts have been mitigated to less-than-significant levels.

IX. FINDINGS

Based on the Initial Study and the whole record before the City, the City of Brawley finds:

1. The project will not have a significant effect on the environment with mitigation incorporated.
2. There is no substantial evidence that the project, as mitigated, may have a significant effect on the environment.
3. A Mitigated Negative Declaration is appropriate pursuant to CEQA Guidelines §15070.

X. REASONS TO SUPPORT FINDING OF A MITIGATED NEGATIVE DECLARATION

Based on this analysis, the City of Brawley hereby determines that any environmental impacts of the Rio Vista Apartments project are nonexistent or would not be significant with appropriate mitigation measures incorporated. Therefore, a Mitigated Negative Declaration is appropriate for this project.

A MITIGATED NEGATIVE DECLARATION IS THEREFORE APPROVED FOR THIS PROJECT.

Cristhian Barajas
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City of Brawley