

# PROJECT REPORT

**TO: ENVIRONMENTAL EVALUATION COMMITTEE**

**AGENDA DATE: July 23, 2020**

**FROM: PLANNING & DEVELOPMENT SERVICES**

**AGENDA TIME 1:30 PM/ No. 3**

Initial Study #20-0008

PROJECT TYPE: Hot Spa Solid Waste Site Final Closure SUPERVISOR DIST # 4

LOCATION: 10466 Spa Road, APN: 002-040-078-000

Niland, CA 92257 PARCEL SIZE: 40 +/- AC

GENERAL PLAN (existing) Special Purpose Facility GENERAL PLAN (proposed) N/A

ZONE (existing) G/S-RE (Government/Special- Renewable Energy) ZONE (proposed) N/A

GENERAL PLAN FINDINGS  CONSISTENT  INCONSISTENT  MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: N/A

APPROVED  DENIED  OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: N/A

APPROVED  DENIED  OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07-23-20

INITIAL STUDY: 20-0008

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 type="checkbox"/>	NONE	<input checked="" 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			<input type="checkbox"/>	ATTACHED

Quechan and CalRecycle

## REQUESTED ACTION:

**(See Attached)**

**NEGATIVE DECLARATION**  
 **MITIGATED NEGATIVE DECLARATION**

*Initial Study & Environmental Analysis  
For:*

**County Project Number: 6559SW  
Hot Spa Solid Waste Site Final Closure**



*Prepared By:*

**Geosyntec Consultants, Inc.**  
2355 Northside Dr., Suite 250  
San Diego, CA 92108

and reviewed by

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

**Revised 29 July 2020**

**EEC ORIGINAL PKG**

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## SECTION 1 INTRODUCTION

### A. PURPOSE

This document is a  policy-level,  project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Hot Spa Solid Waste Site Final Closure (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 Mitigated Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Mitigated 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

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

### **C. INTENDED USES OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

This Initial Study and Mitigated 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 Mitigated 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 & MITIGATED NEGATIVE DECLARATION**

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

#### **SECTION 1**

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

#### **SECTION 2**

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

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

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

#### **SECTION 3**

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

**IV. PERSONS AND ORGANIZATIONS CONSULTED** identifies those persons consulted and involved in preparation of this Initial Study and Mitigated Negative Declaration.

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

VI. MITIGATED NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Mitigated 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;

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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

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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.

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## II. *Environmental Checklist*

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1. **Project Title:** Hot Spa Solid Waste Site Final Closure
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Jeanine Ramos, (442) 265-1736
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** [JeanineRamos@co.imperial.ca.us](mailto:JeanineRamos@co.imperial.ca.us)
6. **Project location:** The proposed Project includes completion of final closure of the Hot Spa Solid Waste Site (HSSWS or Site) landfill. The HSSWS is located in the northwestern portion of the Imperial County approximately 3/4-miles southeast of the community of Hot Spa (Exhibit A). The Site address is 10466 Spa Road, Niland, California 92257.
7. **Project sponsor's name and address:** Imperial County Department of Public Works, 155 South 11<sup>th</sup> Street, El Centro, CA 92243
8. **General Plan designation:** Special Purpose Facility
9. **Zoning:** G-S-RE (Government / Special Public / Renewable Energy)

10. **Description of project:** The HSSWS property is owned and operated by the Imperial County Department of Public Works (ICDPW). The HSSWS began operations as a municipal solid waste landfill in the mid 1960's and operated until July 29, 2018. The landfill is located on approximately 40 acres with a total disposal area footprint of approximately 6.4 acres. The landfill ceased operation in 2018 and was converted to a transfer station in 2019. The landfill has reached the maximum permitted capacity and therefore requires closure in accordance with California Code of Regulations, Title (27 CCR) Section 21110.

This proposed project is for the closure of the Hot Spa Solid Waste Site, as such, closure will include waste relocation, borrow soil excavation and placement as cover soil, engineered fill placement and compaction, and installation of stormwater management features. Relocated waste will be placed in areas to promote positive drainage and limit cover soil excavation. Onsite engineered fill material will be placed to provide drainage and will meet project criteria to support the construction of the final cover design. The purpose of the final soil cover is to minimize surface water intrusion, accommodate settlement and subsidence, isolate waters from the surface, and reduce the potential for odors and gas emissions. Earthen diversion berms and surface channels will be constructed to divert stormwater runoff away from the slopes toward the nearest drainage conveyance. Equipment used for construction will include but are not limited to the following: motor graders, soil compactors, front-end loaders, bulldozers and skid steers. The estimated time frame to complete the closure tasks described for the site is approximately 2 to 3 months.

The transfer station will temporarily close during construction; therefore, customers will be directed to the Niland Solid Waste Site (NSWS) during this time. Once construction is completed, the transfer station will reopen at the HSSWS.

11. **Surrounding land uses and setting:** Briefly describe the project's surroundings:

The Site is located approximately 3.25 miles northeast of the current Salton Sea shoreline. Operating RV park and spas are located approximately 0.3 and 1.6 miles east and north of the Site, respectively. The remaining Site area is generally undeveloped open space. Some local springs and seeps related to nearby faulting are found in the area. The northwest-southeast trending Orocopia Mountains are located approximately one mile east of the Site. No bodies of water traverse across or are located adjacent to the Site. Ephemeral flows occur in nearby channels located northwest of the Site or parallel to Spa Road and generally flow to the southwest into the Salton Sea.

12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.):

- 
- CalRecycle
  - Imperial County Department of Environmental Health acting as the Local Enforcement Agency for CalRecycle
  - Regional Water Quality Control Board – Colorado River Region
  - Air Quality Management District- Imperial District
  - United States Army Corps of Engineers – Federal Emergency Management Agency

**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.?**

In accordance with Assembly Bill 52 and Section 21080.3.1(d) of the California Public Resources Code, Imperial County Planning and Development Services issued a letter on May 14, 2020 to the Fort Yuma Quechan Indian Tribe for notification of the proposed project. The Tribe was given a time frame to review whether Tribal Cultural Resources are present within the project area. A response from the Tribe is pending the June 22, 2020 due date. However, the project is not anticipated to impact Tribal Cultural Resources.

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION**

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

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

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

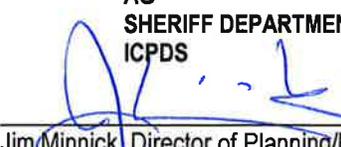
Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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

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

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

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ICPDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Date: 7/31/20

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## **PROJECT SUMMARY**

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### **A. Project Location:**

The HSSWS is located in the northwestern portion of the Imperial County approximately 3/4-miles southeast of the community of Hot Spa (Exhibit A). The Site address is 10466 Spa Road, Niland, California 92257.

### **B. Project Summary:**

The proposed Project includes completion of final closure of the Hot Spa Solid Waste Site (HSSWS or Site) landfill. The Site address is 10466 Spa Road, Niland, California 92257.

The HSSWS property is owned and operated by the Imperial County Department of Public Works (ICDPW). The HSSWS began operations as a municipal solid waste landfill in the mid 1960's and accepted waste until July 29, 2018. In 2009, the County of Imperial Department of Public Works approved a Landfill Gas Perimeter Probe Plan, and Ninyo and Moore issued a Construction and Certification Report (2010) for the installations. The landfill is located on approximately 40 acres with a total disposal area footprint of approximately 6.4 acres. The landfill has reached the maximum permitted capacity and therefore requires closure in accordance with California Code of Regulations, Title 27 (27 CCR) Section 21110.

Closure will include waste relocation, engineered fill placement and compaction, and installation of stormwater management features. Approximately 250 cubic yards (cy) of relocated waste will be placed in areas to promote positive drainage and limit cover soil import. The proposed final cover for the HSSWS will consist of a minimum one-foot thick foundation layer composed of soil materials, a minimum four-foot thick layer of multi-layered soil cover, and an erosion protection soil sealant during closure activities. The source for final cover at the HSSWS is anticipated to come from the on-site borrow area. Earthen diversion berms and surface channels will be constructed on the cover and around the Site to divert stormwater runoff away from the slopes toward the nearest drainage conveyance. The proposed Project includes the following construction components:

1. Excavate, load, haul, approximately 100,000 cy of materials for the monolithic soil cover from the on-site borrow area.
2. Excavate, relocate on Site, and compact approximately 250 cy of waste from the northwestern edge of the landfill to the top deck of the landfill.
3. Place and spread 35,000 cy of coarse-grained soil and 60,000+ cy of sufficient fine-grained soil for the final soil cover.
4. Compact approximately 100,000 cy of materials for the final soil cover.
5. Install landfill stormwater conveyance system.

Equipment used for construction will include but are not limited to the following: motor graders, soil compactors, front-end loaders, bulldozers and skid steers. The estimated time frame to complete the closure tasks described for the site is approximately 2 to 3 months.

Attached as Exhibit B are selected sheets from the Final Closure Post-Closure Maintenance Plan and include:

- Drawing No. 03, the Site Plan, showing the existing limits of waste, site boundaries and fence lines, explorations locations, and other existing site features, including landfill gas monitoring probes, groundwater monitoring wells, and survey monuments.
- Drawing No. 05, Waste Relocation Plan, indicating the waste removal areas and intermediate cover/fill excavation areas.
- Drawing No. 06, Final Cover Grading Plan, indicating the proposed new grades created as part of this project.

- 
- Drawing No. 08, Borrow Grading Plan, indicating the proposed new grades in the borrow area created as part of this project, as well as the approximate limits of the coarse-grained soil material used for the final cover construction.

**C. Environmental Setting:**

The Site is located approximately 3.25 miles northeast of the current Salton Sea shoreline. Operating RV park and spas are located approximately 0.3 and 1.6 miles east and north of the Site, respectively. The remaining Site area is generally undeveloped open space. Some local springs and seeps related to nearby faulting are found in the area. The northwest-southeast trending Orocopia Mountains are located approximately one mile east of the Site. No bodies of water traverse across or are located adjacent to the Site. Ephemeral flows occur in nearby channels located northwest of the Site or parallel to Spa Road and generally flow to the southwest into the Salton Sea.

**D. Analysis:**

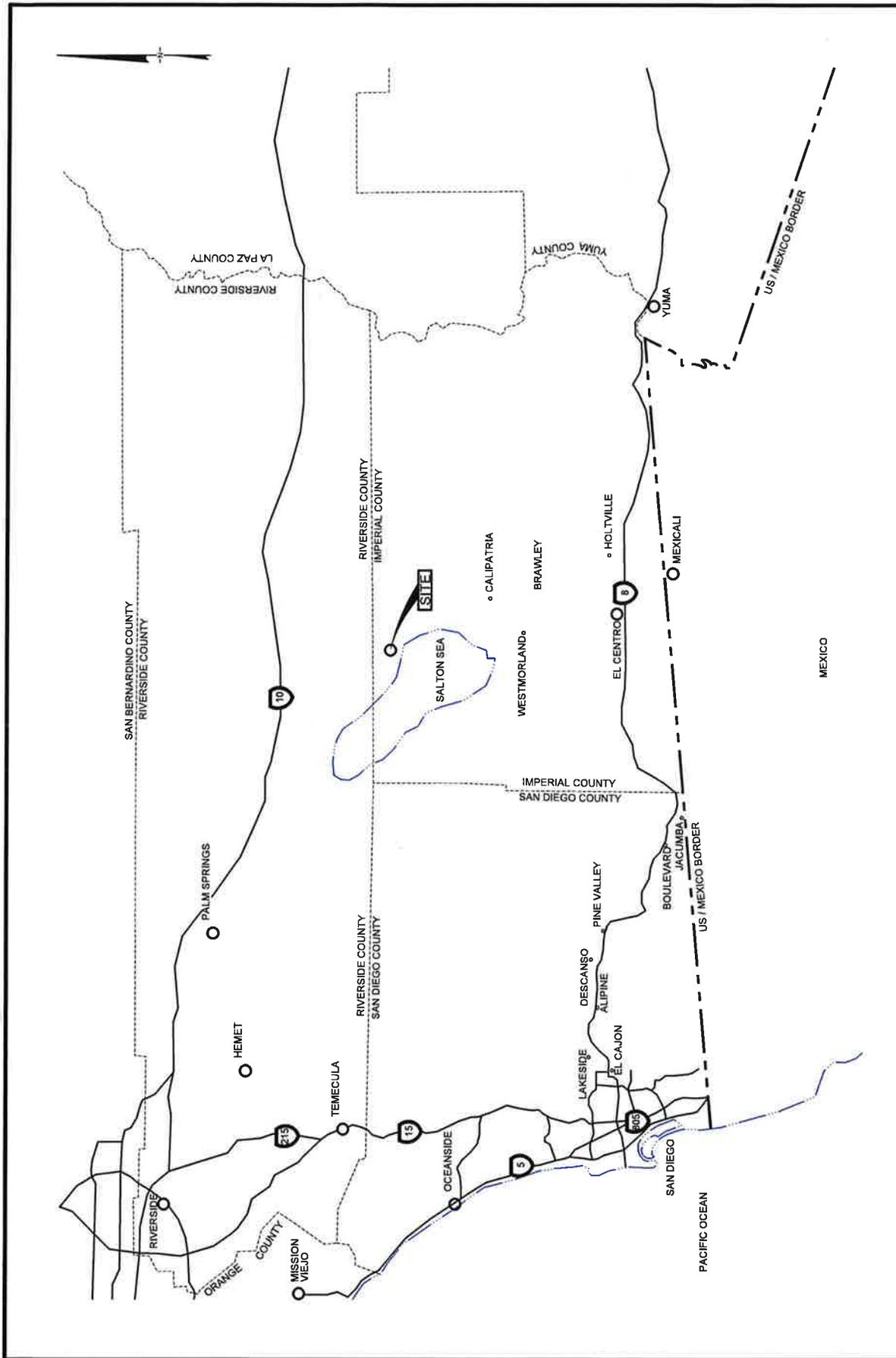
The Project involves the closure of the HSSWS requiring waste relocation, placement and compaction of engineered fill, and drainage and stormwater improvements. There will be temporary increases in site activities and traffic; however, the activities will be short in duration (less than 4-months) and based on studies and analyses performed, have no impact on the environment. Long-term, the closed landfill will benefit the environment by providing open-space, stormwater controls, and reduced percolation of precipitation through waste.

**E. General Plan Consistency:**

The existing General Plan land use designation is "Special Purpose Facility". The project site is currently zoned G-S - RE (Government / Special Public / Renewable Energy).

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Exhibit "A"  
Vicinity Map



**VICINITY MAP**  
**HOT SPA SOLID WASTE SITE**  
**IMPERIAL COUNTY, CALIFORNIA**

<b>Geosyntec</b> consultants	DATE: <b>JANUARY 2020</b>	FIGURE <b>1</b>
	PROJECT NO. <b>SC0975</b>	



LEGEND:

— PROPERTY BOUNDARY



SITE LOCATION  
 HOT SPA SOLID WASTE SITE  
 IMPERIAL COUNTY, CALIFORNIA

**Geosyntec**  
 consultants

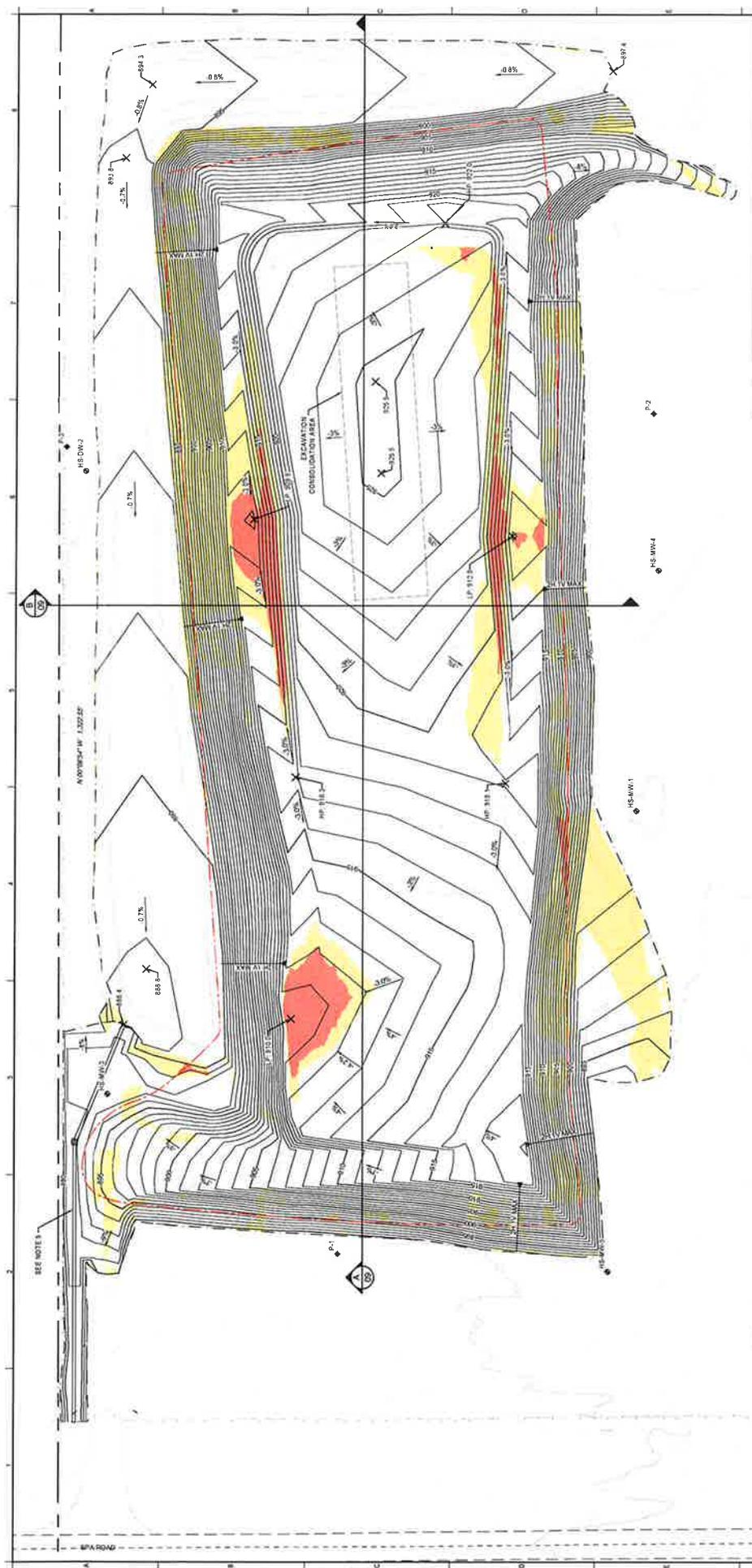
DATE: JANUARY 2020  
 PROJECT NO. SC0975

FIGURE  
**2**

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





REV	DATE	DESCRIPTION	BY	APP

**Geosyntec**  
consultants  
3144 WOODLAND AVENUE, SUITE 200  
SAN ANTONIO, TEXAS 78247  
TELEPHONE 214.737.7532

INTERNATIONAL  
CONSULTANTS  
DESIGN  
PROJECTS  
TELEPHONE 407.246.1114

**WASTE RELOCATION PLAN**

HOT SPA SOLID WASTE SITE FINAL CLOSURE

COUNTY OF IMPERIAL, CALIFORNIA

DATE	05/14/2005
PROJECT NO.	SC0975 04A
CHECKED BY	MS
DATE CHECKED	05/14/05
DESIGNED BY	MS
DATE DESIGNED	05/14/05
SCALE	AS SHOWN

**WASTE RELOCATION EARTHWORK**

EXISTING GROUND SURFACE (NOTE 1)  
EXCAVATION LAYER SURFACE

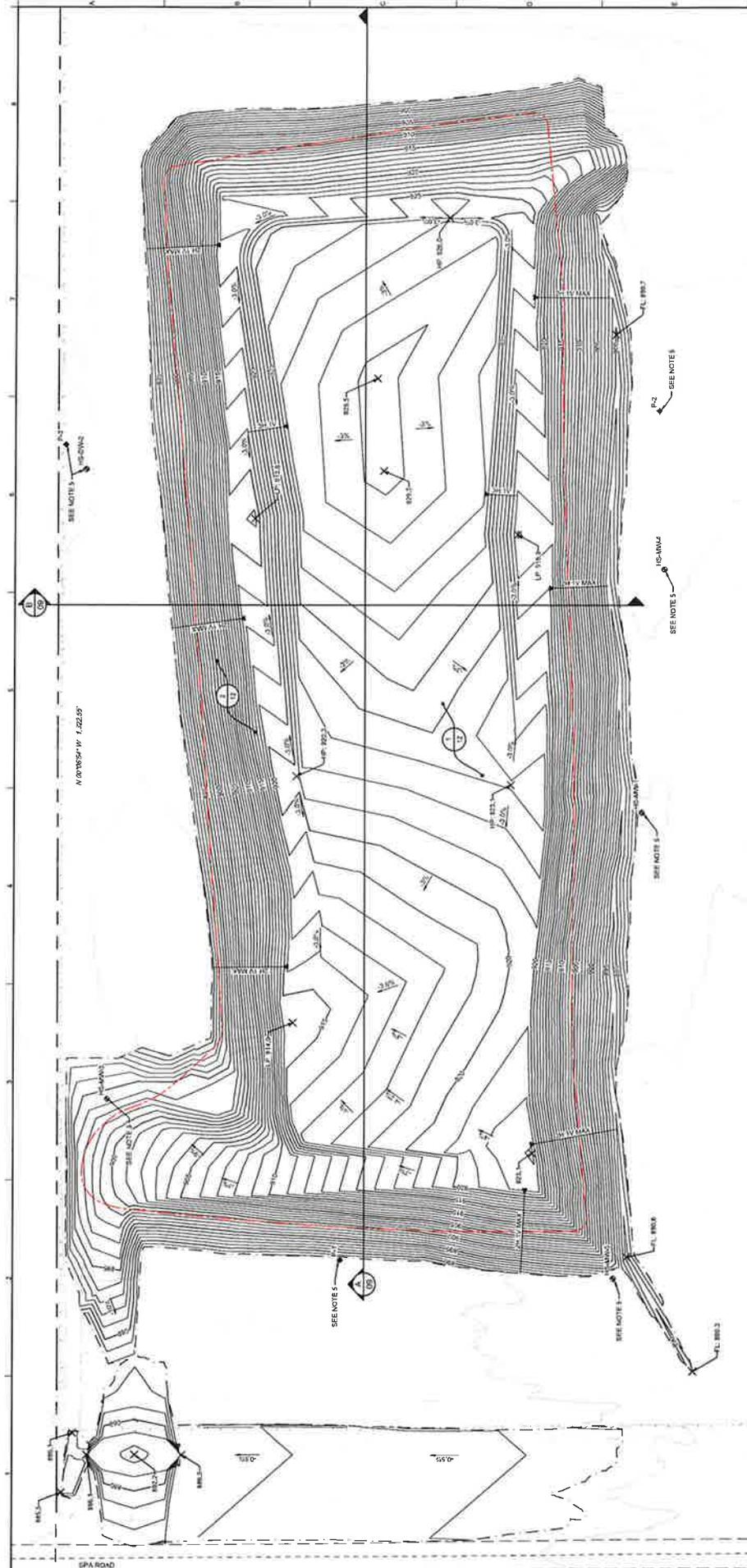
NET = 3,296 CY\*\*  
FILL = 4,021 CY  
NET = 3,278 CY (FILL)  
\* INCLUDES APPROXIMATE 750 CY OF WASTE  
EXCAVATION CONSOLIDATION AREA CAPACITY = 3,200 CY\*\*  
\*\* SEE TOTAL EXCAVATION TOTAL FOUNDATION LAYER EXCAVATION VOLUME

- NOTES**
- EXISTING TOPOGRAPHY BASED ON AN UNMANNED AIRCRAFT SYSTEM LASER SURVEY CONDUCTED ON 8/20/04
  - BASED ON HORIZONTAL CONTROL IN IMPERIAL (M 2811) (2010) & SP002 VERTICAL CONTROL IN IMPERIAL (M 2811) (2010)
  - INVESTIGATION CONDUCTED IN SEPTEMBER 2004 BY GEOSYNTEC CONSULTANTS
  - PROTECT IN PLACE
  - RCP SHALL BE INSTALLED IN ACCORDANCE WITH THE DRAINAGE PLAN (DRAWING 07 AND DRAINAGE PROFILE 4, DRAWING 11)

- LEGEND**
- 20' EXISTING GROUND MAJOR CONTOUR (5) (NOTES 1 AND 2)
  - 20' EXISTING GROUND MINOR CONTOUR (1) (NOTES 1 AND 2)
  - PROPOSED FOUNDATION LAYER GRADING MAJOR CONTOUR (5)
  - PROPOSED FOUNDATION LAYER GRADING MINOR CONTOUR (1)
  - PROPOSED FOUNDATION LAYER GRADING LIMIT
  - PROPOSED FOUNDATION LAYER BREAK LINE
  - EXISTING FENCE/PROPERTY LINE
  - LIMIT OF WASTE (NOTE 3)
  - INTERIM COVER/FILL EXCAVATION AREAS
  - ESTIMATED WASTE EXCAVATION AREAS
  - EXCAVATION CONSOLIDATION AREA
  - EXISTING MONITORING WELL (NOTE 4)
  - EXISTING LANDFILL GAS PROBE (NOTE 4)

SCALE = BASED ON 7" x 31" NON-REDUCED SHEET (ORDER - 21" x 31")

PERMIT LEVEL DESIGN - NOT FOR CONSTRUCTION



REV	DATE	BY	CHKD	APP'D
 2340 AVENUE OF THE SCIENCES SUITE 1000 ROCKVILLE, MD 20850 TEL: 301.215.2400 WWW.GEOSYNTEC.COM				
 ILLINOIS COMMISSION ON DEPARTMENT OF WATER RESOURCES 615 SOUTH CALIFORNIA STREET SPRINGFIELD, ILLINOIS 62762-1000				
<b>FINAL COVER GRADING PLAN</b> <b>HOT SPA SOLID WASTE SITE FINAL CLOSURE</b> COUNTY OF IMPERIAL, CALIFORNIA				
DATE	DESIGNED BY	NO.	DATE	NO.
JANUARY 2009			JANUARY 2009	
PROJECT NO.	DRAWN BY	NO.	PROJECT NO.	NO.
SC035			SC035	
CHECKED BY	INVESTIGATED BY	NO.	CHECKED BY	NO.
APPROVED BY	NO.	APPROVED BY	NO.	

**PERMIT LEVEL DESIGN - NOT FOR CONSTRUCTION**

**LEGEND**

- EXISTING GROUND MAJOR CONTOUR (S) (NOTES 1, 2, AND 4)
- EXISTING GROUND MINOR CONTOUR (T) (NOTES 1, 2, AND 4)
- - - PROPOSED FINAL GRADING MAJOR CONTOUR (S)
- - - PROPOSED FINAL GRADING MINOR CONTOUR (T)
- - - PROPOSED FINAL GRADING BULKHEAD
- - - PROPOSED FINAL GRADING BULKHEAD
- - - EXISTING FENCE/PROPERTY LINE
- - - LIMIT OF WASTE (NOTE 5)
- ◆ EXISTING MONITORING WELL (NOTE 6)
- ◆ EXISTING LANDFILL GAS PROBE (NOTE 6)

**NOTES**

1. EXISTING TOPOGRAPHY BASED ON AN UNMANNED AIRCRAFT SYSTEM (UAS) SURVEY CONDUCTED ON 02/09/09.
2. BASIS FOR HORIZONTAL CONTROL IS NAD83 (NAD 83) DATUM. BASIS FOR VERTICAL CONTROL IS NAVD83 (NAVD 83) DATUM. HORIZONTAL AND VERTICAL CONTROL POINTS ARE SHOWN ON THIS PLAN.
3. INVESTIGATION CONDUCTED IN SEPTEMBER 2008 BY GEOSYNTEC CONSULTANTS.
4. EXISTING SURFACE IS A COMPOSITE SURFACE THAT INCLUDES ALL EXISTING SURFACES. SURFACE ELEVATIONS ARE BASED ON THE NAVD83 DATUM. SURFACE ELEVATIONS ARE NOT TO BE USED FOR DESIGN PURPOSES.
5. PROTECT IN PLACE.
6. CONSTRUCTION SHALL BE CONDUCTED IN ACCORDANCE WITH SPECIFICATION ITEMS 1000 AND 1001.
7. FINAL COVER SHALL BE CONSTRUCTED IN ACCORDANCE WITH SPECIFICATION ITEMS 1000 AND 1001.

SCALE: BASED ON 20' X 30' NONPRODUCED SHEET. SEE SHEETS 21-1 & 21-2.

**LEGEND**

- EXISTING GROUND MAJOR CONTOUR (S) (NOTES 1, 2 AND 4)
- EXISTING GROUND MINOR CONTOUR (T) (NOTES 1, 2 AND 4)
- PROPOSED BORROW GRADING MAJOR CONTOUR (S)
- PROPOSED BORROW GRADING MINOR CONTOUR (T)
- PROPOSED BORROW LIMIT OF GRADING
- EXISTING FENCE/PROPERTY LINE
- LIMIT OF WASTE (NOTE 3)
- EXISTING SITE SURVEY CONTROL POINT
- FINAL COVER COMPOSITE GRAINED LAYER REDUCE MATERIAL

**NOTES**

1. EXISTING TOPOGRAPHY BASED ON ALL INFORMATION AVAILABLE FROM SURVEY CONDUCTED ON 8/20/19
2. BASIS FOR HORIZONTAL CONTROL IS NAD83 NA 2011 (12010 00 EPOCH, VERTICAL DATUM IS BASED ON NAVD83)
3. LIMIT OF WASTE BOUNDARY BASED ON A GEOTECHNICAL FIELD INVESTIGATION CONDUCTED IN SEPTEMBER 2019 BY GEOSYNTEC CONSULTANTS
4. EXISTING SITE SURVEY CONTROL POINTS THAT INCLUDES GRAVING STAKES ON DRAWING 3718 CONSTRUCTED.



17 202024.17  
N 202025.18  
E 18317.04

ES 122'1" M.P.S.H. 00 N

17 202024.17  
N 202025.18  
E 18317.04

N 69°27'34" E 1337.14'

N 89°23'55" E 1340.27'

17 202024.17  
N 202025.18  
E 18317.04

N 69°27'34" E 1337.14'

SCALE IS BASED ON 24" X 36" UNRETRACTED SHEET SIZE. DIMENSIONS > 31' X 32'

REV	DATE	DESCRIPTION	DESIGN	APP

Geosyntec  
consultants  
3050 SAND CANYON AVENUE SUITE 100  
SANTA ANA, CALIFORNIA 92705  
TELEPHONE 714.927.3330

ICDPW  
IMPERIAL COUNTY DEPARTMENT OF WATER  
1000 EAST MAIN STREET  
IMPERIAL, CALIFORNIA 92543  
TELEPHONE 435.285.5119

**BORROW GRADING PLAN**

PROJECT: HOT SPA SOLID WASTE SITE FINAL CLOSURE

SITE: COUNTY OF IMPERIAL, CALIFORNIA

DESIGNED BY	NS	DATE	JANUARY 2020
DRAWN BY	NS	PROJECT NO.	SC0375
CHECKED BY	NS	FILE	SC0375 05
APPROVED BY	NS	DRAWING NO.	08
			14

PERMIT LEVEL DESIGN - NOT FOR CONSTRUCTION

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## 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)
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**I. AESTHETICS**

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

- a) Have a substantial adverse effect on a scenic vista or scenic highway?      
 According to the Imperial County Conservation and Open Space Element (2016) Section E, Number 2, no State scenic highways have been designated in Imperial County. In addition, according to Figure 9 of the Imperial County Conservation and Open Space Element the project is mapped in an area designated to have a Low Value of Maintenance of Visual Quality. The project site is not located near a designated scenic vista. No Impact is projected.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?      
 There are no historic buildings near or around this project site. The project site and surrounding area are mostly open space with little to no vegetation or rock outcroppings. No impact is projected.
- 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?      
 The project will temporarily increase the amount of equipment onsite changing the existing view; however, after construction, the site will have the same visual character as it currently has. In addition, according to Figure 9 of the Imperial County Conservation and Open Space Element (2016), the project is mapped in an area designated to have a Low Value of Maintenance of Visual Quality. No impact is projected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?      
 No light or glare sources as noted in Section E, Number 4 of the Imperial County Conservation and Open Space Element (2016), will be added as a result of the project. No impact is projected.

**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?      
 The Site is located on land designated for government/special (G/S) use purposes and the project will not result in the conversion of adjacent farmland to non-agricultural use. No impact is projected.
- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?      
 The Site is located on land designated for government/special (G/S) use purposes and the project will not result in the conversion of adjacent farmland to non-agricultural use. No impact is projected.
- 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))?      
 There are no timber resources on or near the proposed project. No impact is projected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Result in the loss of forest land or conversion of forest land to non-forest use? There are no timber resources on or near the proposed project. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? The Site is located on land designated for government/special (G/S) use purposes and the project will not result in the conversion of adjacent farm land to non-agricultural use. There are no timber resources on or near the proposed project. As a result, the proposed project will have no impact on agricultural or forest resources. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?

Imperial County is designated by the United States Environmental Protection Agency (USEPA) as non-attainment for the ozone and particulate matter less than ten microns in diameter (PM10) National Ambient Air Quality Standards (NAAQS) with a portion of the County designated as non-attainment for the particulate matter less than 2.5 microns in diameter (PM2.5) NAAQS. Similarly, the area does not attain California ambient air quality standards (CAAQS) for ozone, PM10 and PM2.5. Based on similar earthwork construction activities, mitigated construction-related emissions are estimated to be below the daily threshold of significance for construction activities. Mitigation during construction includes:

- MM AQ-1: Preparation of a Dust Control Plan in accordance with Rule 801 of the Imperial County Air Pollution Control District requirements with written notification to the Air District 10 days prior to construction/earthmoving commencement.
- MM AQ-2: Cover soil in haul trucks.
- MM AQ-3: Cover or wet debris, soil, and other sources of fugitive dust when not in use.
- MM AQ-4: Minimize drop heights during loading and unloading.
- MM AQ-5: Clean vehicles and tires.
- MM AQ-6: Sweep adjacent streets of oils and mud if needed.
- MM AQ-7: Water exposed areas at least three times per day.
- MM AQ-8: Limit vehicle speeds on unpaved roads to 15 miles per hour.
- MM AQ-9: Apply water or soil stabilizer on unpaved road.
- MM AQ-10: Suspend earth-moving or dust producing activities during periods of winds greater than 25 miles per hour as needed to meet the exemption provided by ICAPCD Rule 801, Section D.2.

In accordance with California Code of Regulations, Title 13, Section 2485(c)(1), the following mitigation measures MM AQ-11 and MM AQ-12 will be implemented to reduce exhaust emissions from highway-licensed diesel-fueled vehicles with gross weight rating over 10,000 pounds that are not equipped with alternative technologies listed in Section 2485(c)(2):

- MM AQ-11: Diesel engines shall not be permitted to idle for greater than five minutes at any location.
- MM AQ-12: Diesel auxiliary power engines shall not be used to power a heater, air conditioner or any ancillary equipment on the vehicle during sleeping or resting for greater than five minutes at any location when within 100 feet of a restricted area (i.e., residential area).

- MM AQ-13: Limit, to the extent feasible, the hours of operation of heavy-duty equipment and/or the amount of equipment in use.
- MM AQ-14: Replace fossil fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set). Should any transformers/generators be used on-site, an Authority to Construct/Permit to Operate application shall be submitted to the APCD.
- MM AQ-15: Construction equipment operating on-site should be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- MM AQ-16: Construction equipment used for the project should utilize EPA Tier 2 or better engine technology.
- MM AQ-17: Maintain vehicles and equipment to prevent leaks and minimize emissions and encourage employees to do the same.
- MM AQ-18: Cover exposed waste daily with daily cover in accordance with Technical Specification.
- MM AQ-19: Odors will be minimized using odor suppressants.
- MM AQ-20: During waste excavation, a photoionization detector (PID) will be used to monitor volatile organic compounds (VOCs) emissions.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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As a result, impacts are potentially significant unless mitigation is incorporated. Mitigation measures are included in the CEQA Project Description included as Attachment A [Geosyntec, 2020] and in the Mitigation Monitoring and Reporting Program (MMRP) in Section 4, IX.

- 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?

Imperial County is designated by the United States Environmental Protection Agency (USEPA) as non-attainment for the ozone and particulate matter less than ten microns in diameter (PM10) National Ambient Air Quality Standards (NAAQS) with a portion of the County designated as non-attainment for the particulate matter less than 2.5 microns in diameter (PM2.5) NAAQS. Similarly, the area does not attain California ambient air quality standards (CAAQS) for ozone, PM10 and PM2.5. Air quality impacts are anticipated to be minimal and short-lived (less than 6 months).

As a result, impacts are potentially significant unless mitigation measures MM AQ-1 through MM AQ-20 are implemented during construction. Mitigation measures are also included in the CEQA Project Description included as Attachment A [Geosyntec, 2020] and in the Mitigation, Monitoring, and Reporting Program (MMRP) in Section 4, IX..

- c) Expose sensitive receptors to substantial pollutants concentrations?      
There are no populated areas within 1,000 feet of the project site. No impact is projected.

- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Waste relocation may result in odors. Odors will be minimized with the use of daily cover and/or odor suppressants. No receptors are within 1,000 feet of the project site. Less than significant impact is projected.

**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?

The Project site is highly disturbed with little vegetation or other habitat for candidate, sensitive, or special status species. Due to the potential presence of burrowing owls or nesting birds in the future, the following mitigation measures should be implemented:

MM BR-1: A qualified biologist(s) will conduct a pre-construction presence/absence survey for burrowing owls 14 days prior to ground disturbing activities and 24 hours immediately before ground disturbing activities. If burrowing owls are documented on site, then a plan for avoidance or passive exclusion shall be made in coordination with CDFW. If the survey is negative, the project may proceed without further restrictions related to burrowing owls.

MM BR-2: Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (January 15 to August 31). Due to the potential for nesting birds to occur, a qualified biologist will conduct a nesting bird survey within three (3) days prior to any disturbance of the site, including tree and shrub removal, diking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor species will have an avoidance buffer of 500 feet and other bird species will have an avoidance buffer of 300 feet. These buffers may be reduced in consultation with the CDFW.

As a result, potentially significant impact is projected unless the above mitigation measures are implemented.

- 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?      
No work within sensitive natural communities is anticipated. No impact is projected.

- c) Have a substantial adverse effect on state or federally

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? No wetlands are present in the Project site. No impact is projected.				
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? The Project site is highly disturbed with little vegetation or other habitat for candidate, sensitive, or special status species. The project will 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. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance? The project does not conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? The project does 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. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                          |                          |                          |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?<br>There are no historical resources at the Project site. No impact is projected.                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?<br>The site is disturbed without archaeological resources. No impact is project.                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?<br>The site is highly disturbed. The site has not been used for cemetery purposes nor are there any cemeteries nearby. In addition, the local Native American Tribe has been contacted by the County in pursuant to AB52 as discussed in Section II-13 regarding the potential impact to Tribal Cultural Resources [PDS, 2020]. A response from the Tribe is pending. However, no impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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?<br>Construction activities would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic; however, no energy will be consumed after landfill closure. Construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with local, state, and federal regulations limiting engine idling times would reduce the amount of transportation fuel demand during project construction. Less than significant impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?<br>The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impact is projected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <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)
--------------------------------------	----------------------------------------------------------------	-------------------------------------	----------------

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

- |                                                                                                                                                                                                                                                                                        |                          |                          |                                     |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:                                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The Site is subject to strong ground motions resulting from seismic events due to its location within the Salton trough, the boundary between the Pacific and North American Tectonic plates. Due to the deep depth of groundwater (over 85 feet), relatively flat surrounding terrain, and relatively dense nature of the subsurface materials below the HSSWS, the probability of soil liquefaction adversely impacting the project is considered low. Subsequently, the potential for seismic settlement and lateral spreading adversely impacting the project is also considered low. Due to the inland Site location and distance from a large body of water, the potential for a tsunami or seiche to affect the Site is also considered extremely low. The design event selected for the evaluation is a moment magnitude (Mw) 7.9 event on the San Andreas (Coachella) Fault located approximately 4.3 miles from the site. The resulting peak horizontal ground acceleration (PHGA) from this event is estimated as 0.77g based on the seismic design spectrum from the ASCE 7-10 design code (SEAOC, et. al, 2019). The final cover was evaluated considering the seismic event and estimates of seismically-induced displacement was calculated to be less than currently accepted displacements for unlined landfills. Less than significant impact is projected.

- |                                   |                          |                          |                                     |                          |
|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2) Strong Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

The Site is subject to strong ground motions resulting from seismic events due to its location within the Salton trough, the boundary between the Pacific and North American Tectonic plates. Due to the deep depth of groundwater (over 85 feet), relatively flat surrounding terrain, and relatively dense nature of the subsurface materials below the HSSWS, the probability of soil liquefaction adversely impacting the project is considered low. Subsequently, the potential for seismic settlement and lateral spreading adversely impacting the project is also considered low. Due to the inland Site location and distance from a large body of water, the potential for a tsunami or seiche to affect the Site is also considered extremely low. The design event selected for the evaluation is a moment magnitude (Mw) 7.9 event on the San Andreas (Coachella) Fault located approximately 4.3 miles from the site. The resulting peak horizontal ground acceleration (PHGA) from this event is estimated as 0.77g based on the seismic design spectrum from the ASCE 7-10 design code (SEAOC, et. al, 2019). The final cover was evaluated considering the seismic event and estimates of seismically-induced displacement was calculated to be less than currently accepted displacements for unlined landfills. A less than significant impact is projected.

- |                                                                               |                          |                          |                          |                                     |
|-------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3) Seismic-related ground failure, including liquefaction and seiche/tsunami? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

The effects of seismic events on the landfill and closure were evaluated as part of closure design. The analysis was performed for Maximum Credible Earthquake (MCE) in accordance with 27 CCR Section 21750(f)(5). The design event for the Site is a moment magnitude (Mw) 7.9 event on the San Andreas (Coachella) Fault located approximately 4.3 miles from the site. The final cover was evaluated considering the seismic event and estimates of seismically-induced displacement was calculated to be less than currently accepted displacements for unlined landfills. Due to the elevation and distance to the Salton Sea, the potential for a tsunami or seiche to affect the Site is also considered extremely low. Due to the relatively dense, fine grained (clay) soils beneath the site, the site is not considered prone to liquefaction. No impact is projected.

- |                                                                                                                                                      |                          |                          |                          |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4) Landslides?<br>The site is not subject to adverse effects from landslides. The site will remain open space after closure. No impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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- |                                                                                                                                                                                    |                          |                          |                          |                                     |
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| b) Result in substantial soil erosion or the loss of topsoil?<br>The erosion protection soil sealant on the cover minimizes soil loss due to soil erosion. No impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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- |                                                                                                                                                                                                                                    |                          |                          |                          |                                     |
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| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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The Site is not subject to liquefaction resulting from seismic events. The final cover was evaluated considering the seismic event and estimates of seismically-induced displacement was calculated to be less than currently accepted displacements for unlined landfills. No impact is projected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property? Potentially expansive clays were observed at the Site. However, fine-grained soils placed during grading for cover material will be properly moisture conditioned prior to placement and the proposed volumes to be placed are not great enough to create a substantial risk to life or property. Cover material and miscellaneous fill are not considered to have a high potential for expansion and do not create substantial direct or indirect risk to life or property. Less than significant impact is projected.	<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? The soil at the Site is considered capable of adequately supporting a septic tank or alternative waste water disposal systems (depending on the system proposed- infiltration/percolation at the site is considered very low); however, the land use for the site is to remain open space without permanent structures requiring waste water disposal. During construction, portable toilet units will be provided for construction workers. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? The Project site has been disturbed with landfilling activities. No unique paleontological resource or site or unique geologic features will be impacted. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                                     |                          |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?<br>During construction, GHGs would be emitted through the use of equipment and various construction-related vehicle trips for transport and site access. During waste relocation, methane gas may be emitted when waste is exposed. The construction is subject to MM AQ-11 through MM AQ-16 and should also implement the following mitigation measures to minimize greenhouse gas emissions during construction:<br><br>MM GG-1: Cover exposed waste daily with daily cover in accordance with the Technical Specifications.<br><br>As a result, no impact with mitigation is projected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?<br>Performance standards and the requirements for LFG monitoring and control for solid waste disposal sites are dictated in 27 CCR Sections 20921 through 20939. 27 CCR Section 20921 stipulates that the concentration of methane gas must not exceed 1.25 percent by volume (%v) in air within any portion of any on-site structures, and that the concentration of methane gas migrating from the disposal site must not exceed 5 %v in soil gas at the disposal site permitted facility boundary or an alternative boundary approved in accordance with 27 CCR Section 20925. The following mitigation measures should be implemented after completion of construction:<br><br>MM GG-2: The landfill cover will minimize surface emissions of landfill gas including methane. Landfill gas will be monitored at perimeter probes for migration as required by CalRecycle in 27 CCR Section 20921 [Bryan A. Stirrat, 2009]. If migration is identified, a control system may be implemented to extract and treat landfill gas.<br><br>As a result, no impact with mitigation is projected. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                          |                                     |                          |                          |
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| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?<br>During landfill operations, load checks were performed by Site personnel to ensure that hazardous materials were not being disposed of at the Site. During implementation of the proposed project, municipal solid waste will be relocated within the project boundary to reduce slope inclinations; hazardous waste is not anticipated. The following mitigation measures will be implemented: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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MM HHM-1: Hazardous materials will not be used during site closure.

MM HHM-2: The project will adhere to the Waste Relocation Plan [Geosyntec, 2020a] to provide monitoring and contingency planning in the event hazardous wastes are encountered. Hazardous wastes, if encountered, will be segregated and disposed of offsite in accordance with local, state, and federal regulations.

No impact is projected provided proper mitigation measures are performed.

- |                                                                                                                                                                                                                                                                                                                                                                                                     |                          |                          |                                     |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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?<br>During implementation of the proposed project, municipal solid waste will be relocated within the project boundary. No impact is projected.                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?<br>There are no schools within one-quarter mile of an existing or proposed school. No impact is projected.                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?<br>The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Less than significant impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?<br>The Site is not located within two miles of a public airport or public use airport. No impact is projected.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?<br>The proposed project will not interfere with an adopted emergency response or evacuation plan. No impact is projected.                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?<br>The proposed project is not located at a wildland/urban interface and will not interfere with an adopted emergency response or evacuation plan, or expose people or structures to risk associated with wildfires. No impact is projected.                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                          |                                     |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?<br>In general, surface water flows follow existing natural contours into natural drainage courses in a southwesterly direction. Run-off from the Site and surrounding tributary areas discharges to road-side drainage along Spa Road and ultimately into a wash located west of the Site that flows to the Salton Sea. The Project is located outside of the 100-year floodplain associated with the un-named wash. Additionally, the groundwater monitoring wells at the HSSWS are monitored in accordance with RWQCB Order No. 93-071 and specifically Order No. R7-2017-0003 for HSSWS. In addition, a ground water monitoring network remains onsite and monitoring is performed semi-annually as required in 27 CCR Section 20380 through Section 20435. As a result, a less than significant impact to hydrology and water quality is anticipated as a result of the proposed project. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?<br>The project site is located in the Imperial Valley Groundwater Basin (Basin 7-30) of the Colorado River Hydrologic Region. The Salton                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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Sea bounds the basin to the west and acts as the discharge point for the basin's groundwater. The Site is currently a landfill with minimal groundwater recharge potential. The cover will improve groundwater quality and the proposed drainage improvements will provide run-off from the site into a stream located west of the site that flows to the Salton Sea. As a result, the proposed project does not substantially decrease groundwater supplies or interfere with groundwater recharge. No impact is projected.

- 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
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Currently, surface water flows follow existing natural contours into natural drainage courses in a southwesterly direction. Proposed drainage improvements will provide a flow line for run-off at the site. No impact is projected.

- (i) result in substantial erosion or siltation on- or off-site;
- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
|  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

The following Mitigation Measures will be performed to minimize erosion or siltation on- or off-site:

MM HWQ-1: Erosion control measures are implemented in the closure grading design at the site. The uppermost layer of the final cover system on the side slopes will be constructed of a six inch blanket of pit run rock to reduce the potential for erosion from wind and water for the underlying monolithic select soil layer. To help reduce erosion or rill formation on slopes, diversion berms from six inches to twelve inches high will redirect surface water flow. These berms will also be surfaced with rock as required in the Technical Specifications for the erosion protection rock on the side slopes. Surface channels are to be incorporated into the drainage design along access roads in the northwestern corner of the site. The surface channels are lined with rock to protect against scour and reduce erosion. High density polyethylene (HDPE) pipe anchored at regular intervals along the landfill surface convey the stormwater runoff from the top deck and concentrated flow locations along the surface channels to the discharge locations. Riprap energy dissipators are constructed to promote positive drainage toward drainage structures and provide a means for decreasing the amount of erosion.

MM HWQ-2: In addition, the landfill drainage facilities must be operational and free of debris. Maintenance of the drainage system is based on the site inspection program to identify potential and existing problems, and the general program of responsible and timely corrective action. Inspections will be performed quarterly and after significant precipitation or seismic events. Inspections will include review of the site for the following conditions:

- Open channels and ditches are draining and free of debris;
- No areas of excessive sedimentation or scour;
- Diversion berms are intact and operable; and/or
- Downdrains are free of debris and vegetation and cracks.

MM HWQ-3: During closure construction, a SWPPP will be developed to identify BMPs to minimize discharge of pollutants to the New River during construction. Following closure, the site will be stabilized to minimize soil erosion.

Therefore, impacts are potentially significant unless mitigation is incorporated.

- (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 type="checkbox"/> | <input checked="" type="checkbox"/> |
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The proposed project does not increase the rate of surface runoff in a manner which would result in flooding. No impact is projected.

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

The proposed project does not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. No impact is projected.

- (iv) impede or redirect flood flows?
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project does not impede or redirect flood flows. No impact is projected.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The proposed project does not risk release of pollutants due to project inundation. Less than significant impact is projected.

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- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?      
 The proposed project does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Less than significant impact is projected.

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

- a) Physically divide an established community?      
 The proposed project does not divide an established community. No impact is projected.
- 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?      
 The proposed project does not conflict with habitat conservation plans. No impact is projected.

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?      
 The proposed project does not result in the loss of availability of a known mineral resource. According to the Imperial County Conservation and Open Space Element (2016) Existing Mineral Resources map, gypsum-anhydrite and sand and gravel resources are present near the Site [PDSD, 2016]. However, no impact is projected.
- 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?      
 According to the Imperial County Conservation and Open Space Element (2016) Existing Mineral Resources map, gypsum-anhydrite and sand and gravel resources are present near the Site [PDSD, 2016]. However, no impact is projected.

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?

Noise at the Site may temporarily increase as a result of the Project. Working hours are anticipated to be 8 to 12 hours per day beginning in the morning hours and per the contractor's direction. In accordance with the General Plan, construction equipment operation will be limited to the hours of 7 am to 7pm Monday through Friday and 9 am to 5pm on Saturdays. Temporary increases may result from traffic to the site and operation of construction equipment. Equipment used for construction will include but are not limited to the following: motor graders, soil compactors, front-end loaders, bulldozers and skid steers. Construction noise, from a single piece of equipment or a combination of equipment, will not exceed the Construction Noise Standards of 75 dB Leq (Equivalent Continuous Sound Level) when averaged over an eight (8) hour period, and as measured at the Fountain of Youth Spa RV Resort [PDSD, 2015a]. Noise levels will be maintained as outlined in the Imperial County General Plan Noise Element (2015). In addition, no sensitive noise receptors are located near the site. Less than significant impact is projected.

- b) Generation of excessive groundborne vibration or groundborne noise levels?      
 Strong ground vibration equipment (impact pile drivers, hydraulic breakers, blasting, etc.) is not anticipated during construction and in most cases, vibration induced by typical construction equipment does not result in adverse effects on people and structures. Noise from the equipment generally overshadows any meaningful ground vibration effects on people [CalTrans, 2013]. In accordance with the General Plan, construction equipment will be limited to the hours of 7 am to 7pm Monday through Friday and 9 am to 5 pm on Saturday. However, no impact is projected.
- c) For a project located within the vicinity of a private airstrip or

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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?  
 The proposed project is not located within two miles of a public airstrip. No impact is projected.

**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)?<br>There is no housing at the Site. No impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?<br>There is no housing at the Site. No impact is projected.                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XV. PUBLIC SERVICES**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                          |                                     |                                     |
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| 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.<br>Due to bmps in place, chances for emergencies are insignificant. The project would not result in substantial adverse physical impacts associated with governmental or public services facilities. No impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 1) Fire Protection?<br>The project site will be primarily earthen with seasonal scattered vegetation. Fire prevention measures/BMPs will be in place per CalRecycle closure regulations and the FCPCMP. Periodic landscape maintenance/weed control will be performed to reduce the potential risk (fuel source) for fire as dictated per CCR 27 Section 21140. The proposed project will have a less than significant impact to fire protection.                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2) Police Protection?<br>There are no facilities at the site and site access will be restricted through fencing and a locked gate. The proposed project will have no impact to police protection.                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3) Schools?<br>The proposed project will have no impact to schools, there are none in the vicinity of the project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4) Parks?<br>The proposed project will have no impact to public parks, there are none in the vicinity of the project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 5) Other Public Facilities?<br>The proposed project will have no impact to any public facilities, there are none in the vicinity of the project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**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?<br>The Project will not affect parks, or recreational facilities. No impact is projected. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- 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?  
The Project will not affect parks, or recreational facilities. No impact is projected.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**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?  
Construction activities will be limited to onsite hauling of cover and engineered fill borrow materials. Water will likely be obtained from the Coachella Canal approximately 1-mile east on Spa Road. Water truck traffic will be limited and will not adversely affect traffic on Spa Road. Traffic to and from the Site may be temporarily increased with worker commutes; however, given the limited population near the site, it will not increase congestion on local roads. Further, Site access and roads will not be affected as part of the Project. Therefore, no impact is projected.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?  
The proposed project will not conflict with the CEQA Guidelines section 15064.3, subdivision (b). No impact is projected.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  
The proposed project will not increase hazards due to any design features. No impact is projected.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
- d) Result in inadequate emergency access?  
The project will not result in inadequate emergency access. No impact is projected.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**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:
- (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or  
It is not listed or eligible for listing in the California or local register of Historic Resources as defined in Public Resources Code Section 5020.1 (k). No impact is projected.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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.  
In accordance with Assembly Bill 52 and Section 21080.3.1(d) of the California Public Resources Code, Imperial County Planning and Development Services issued a letter on May 14, 2020 to the Fort Yuma Quechan Indian Tribe for notification of the proposed project [PDSD, 2020]. The Tribe was given a time frame to review whether Tribal Cultural Resources are present within the project area. A response from the Tribe is pending the June 22, 2020 due date. However, the project is not anticipated to impact Tribal Cultural Resources.
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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**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?      
 The Project will not generate wastewater or require new water services except temporary pumps and stand pipes for construction. The stormwater discharged from the site will utilize existing drainage features sized to manage flows. Less than significant impact is projected.
- b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?      
 Approximately 3 million gallons of water will be utilized for closure construction. This amount is considered typical for a grading project of this size and in this climate. This water will be used for moisture conditioning material for compaction, but primarily dust control during construction activities. The Project site does not have existing water service. Water for use during construction will be acquired by the grading contractor through Imperial Irrigation District (IID) or another Municipal Agency. The grading contractor will be responsible for acquiring the proper permits and paying the required fees. Post-closure/construction, the site owner will be responsible for any water use necessary at the site. Therefore, less than significant impact is projected.
- 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?      
 The proposed project will not result in a determination by the wastewater treatment provider. No impact is projected.
- 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?      
 The landfill ceased operations in 2018 and was converted to a transfer station in 2019. The transfer station will temporarily close during construction; therefore, customers will be directed to the Niland Solid Waste Site (NSWS) during this time. The Imperial County Department of Public Works will issue a Public Service Announcement (PSA) prior to this closure. In addition, posted signage during construction activities will direct customers to and provide the location of, the NSWS. No waste originating from the HSSWS will be relocated to the NSWS. Following closure completion, it is anticipated that the transfer station will reopen at the site. Any solid waste brought to the transfer station will not remain at the site and will be transported to the NSWS within the requirements of State and local standards. Waste volumes will not exceed the capacity of the local infrastructure or impair the attainment of solid waste reduction goals. All waste accepted will comply with federal, state, and local management such as CFR and CCR regulations pertaining to solid waste. waste will not be in excess of State or local standards. No impact is projected.
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?      
 Solid waste will comply with federal, state, and local management such as CFR and CCR regulations pertaining to solid waste. No impact is projected.

**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?      
 The proposed project will not impair an adopted emergency response plan or emergency evacuation plan. No impact is projected.
- 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?      
 The on-site conditions are arid and sparse of vegetation. The proposed project will not exacerbate wildfire risks. No impact is projected.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? The proposed project does not require the installation of infrastructure that may exacerbate fire risk. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? The proposed project does not expose people to significant risks. The Project is not located within or near a very high fire hazard severity zone nor a state responsibility zone; therefore, there will be no wildfire impact. No impact is projected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Arador Waterways v. Arador 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

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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**SECTION 3**  
**III. MANDATORY FINDINGS OF SIGNIFICANCE**

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                                     |                                     |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>                                                                                                                                                                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</p>                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> | <input type="checkbox"/>            | <input 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
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

##### **B. OTHER AGENCIES/ORGANIZATIONS**

- **Local Enforcement Agency**
- **Rocks Biological Consulting**

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

## V. REFERENCES

1. [Brian, 1993] "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.
2. [CalTrans, 2013] "Transportation and Construction Vibration Guidance Manual", prepared by CalTrans, September 2013.
3. [CCR, 2020] California Code of Regulations (CCR), Title 27, Environmental Protection, Solid Waste
4. [Geosyntec, 2020] "California Environmental Quality Act, Project Description with Supporting Information, Hot Spa Solid Waste Site", prepared by Geosyntec Consultants, January 2020.
5. [Geosyntec, 2020a] "Final Closure and Post-Closure Maintenance Plan, Hot Spa Solid Waste Site", prepared by Geosyntec Consultants, January 2020.
6. [Geosyntec, 2020b] "Imperial County Department of Public Works, Hot Spa Solid Waste Site Final Closure", grading plans prepared by Geosyntec Consultants, January 2020.
7. [Geosyntec, 2020c] "Waste Relocation Plan, Hot Spa Solid Waste Site", prepared by Geosyntec Consultants, January 2020.
8. [FHA, 2006] "Hydraulic Engineering Circular No. 14, Third Edition Hydraulic Design of Energy Dissipators for Culverts and Channels, 2006. U.S. Department of Transportation, Federal Highway Administration
9. [PDSD, 2020] "Notice of Opportunity to Consult for the Hot Spa Solid Waste Site Final Closure Project in Imperial County; APN#002-040-078-000", prepared by Planning & Development Services, Department County of Imperial, May 14<sup>th</sup>, 2020.
10. [PDSD, 2016] "Imperial County Conservation and Open Space Element", prepared by Planning and Development Services Department, County of Imperial, March 8, 2016.
11. [PDSD, 2015] "Land Use Element of the Imperial County General Plan", prepared by Planning & Development Services, Department County of Imperial, October 6, 2015.
12. [PDSD, 2015a] "Noise Element", prepared by Planning & Development Services, County of Imperial, October 6, 2015.
13. [Ninyo & Moore, 2010] "Construction and Certification Report, Landfill Gas Monitoring Well Installations, Hot Spa Solid Waste Site, Imperial County, California", prepared by Ninyo & Moore, May 11, 2010.
14. [Rocks Bio, 2019] "Hot Spa Solid Waste Site Project, Biotic Resources Report", prepared by Rocks Biological Consulting, October 30, 2019.

## VI. MITIGATED NEGATIVE DECLARATION – County of Imperial

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*The following Mitigated 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.*

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**Project Name:** Hot Spa Solid Waste Site Final Closure

**Project Applicant:** Imperial County Department of Public Works

**Project Location:** 10466 Spa Road, Niland, California 92257

**Description of Project:** The HSSWS property is owned and operated by the Imperial County Department of Public Works (ICDPW). The HSSWS began operations as a municipal solid waste landfill in the mid 1960's and operated until July 29, 2018. The landfill is located on approximately 40 acres with a total disposal area footprint of approximately 6.4 acres. This proposed project is for the closure of the Hot Spa Solid Waste Site, as such, closure will include waste relocation, cover soil import, engineered fill placement and compaction, and installation of stormwater management features. Relocated waste will be placed in areas to promote positive drainage and limit cover soil import. Imported engineered material will be placed to provide drainage and will meet project criteria to support the construction of the final cover design. Earthen diversion berms and surface channels will be constructed to divert stormwater runoff away from the slopes toward the nearest drainage conveyance. Equipment used for construction will include but are not limited to the following: motor graders, soil compactors, front-end loaders, bulldozers and skid steers. The estimated time frame to complete the closure tasks described for the site is approximately 2 to 3 months.

**VII. FINDINGS**

**This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Mitigated 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 Mitigated 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 Mitigated Negative Declaration during the review period.**

7/31/20  
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

7/31/2020  
Date

**SECTION 4**

**VIII. RESPONSE TO COMMENTS**

(ATTACH DOCUMENTS, IF ANY, HERE)

## IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

### AIR QUALITY

Imperial County is designated by the United States Environmental Protection Agency (USEPA) as non-attainment for the ozone and particulate matter less than ten microns in diameter (PM10) National Ambient Air Quality Standards (NAAQS) with a portion of the County designated as non-attainment for the particulate matter less than 2.5 microns in diameter (PM2.5) NAAQS. Similarly, the area does not attain California ambient air quality standards (CAAQS) for ozone, PM10 and PM2.5. Due to the size of the project site greater than 5 acres, per Rule 801 – Construction and Earthmoving Activities, a dust control plan will be included and will include the following:

**MM AQ-1:** Preparation of a Dust Control Plan in accordance with Rule 801 of the Imperial County Air Pollution Control District requirements with written notification to the Air District 10 days prior to construction/earthmoving commencement. [Monitoring Responsibility: Imperial County Department of Public Works (ICDPW) & Imperial County Air Pollution Control District (ICAPCD, Timing: prior to construction as noted]

**MM AQ-2:** Cover soil in haul trucks. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-3:** Cover or wet debris, soil, and other sources of fugitive dust when not in use. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-4:** Minimize drop heights during loading and unloading. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-5:** Clean vehicles and tires. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-6:** Sweep adjacent streets of oils and mud if needed. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-7:** Water exposed areas at least three times per day. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-8:** Limit vehicle speeds on unpaved roads to 15 miles per hour. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-9:** Apply water or soil stabilizer on unpaved roads. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-10:** Suspend earth-moving or dust producing activities during periods of winds greater than 25 miles per hour as needed to meet the exemption provided by ICAPCD Rule 801, Section D.2. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

In accordance with California Code of Regulations, Title 13, Section 2485(c)(1), the following mitigation measures MM AQ-11 and MM AQ-12 will be implemented to reduce exhaust emissions from highway-licensed diesel-fueled vehicles with gross weight rating over 10,000 pounds that are not equipped with alternative technologies listed in Section 2485(c)(2):

**MM AQ-11:** Diesel engines shall not be permitted to idle for greater than five minutes at any location. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-12:** Diesel auxiliary power engines shall not be used to power a heater, air conditioner or any ancillary equipment on the vehicle during sleeping or resting for greater than five minutes at any location when within 100 feet of a restricted area (i.e., residential area). [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-13:** Limit, to the extent feasible, the hours of operation of heavy-duty equipment and/or the amount of equipment in use. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-14:** Replace fossil fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set). Should any transformers/generators be used on-site, an Authority to Construct/Permit to Operate application shall be submitted to the APCD. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-15:** Construction equipment operating on-site should be equipped with two to four degree engine timing retard or pre-combustion chamber engines. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-16:** Construction equipment used for the project should utilize EPA Tier 2 or better engine technology. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-17:** Maintain vehicles and equipment to prevent leaks and minimize emissions and encourage employees to do the same. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-18:** Cover exposed waste daily with daily cover in accordance with Technical Specification. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-19:** Odors will be minimized using odor suppressants. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM AQ-20:** During waste excavation, a photoionization detector (PID) will be used to monitor volatile organic compounds (VOCs) emissions. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

## **BIOLOGICAL RESOURCES**

According to the Imperial Solid Waste Site Project Biotic Resources Report prepared by Rocks Biological Consulting (CEQA Project Description Attachment 1, 2019), The following project-specific mitigation/avoidance measures should be conducted due to the potential presence of burrowing owl and nesting birds at the Site:

### **Burrowing Owl**

As noted above, burrowing owls, active burrows, or burrowing owl sign were not observed at the project site during the habitat assessment, and limited suitable habitat is present on site. The potential for burrowing owl to occur on site is moderate, therefore a pre-construction burrowing owl survey should be conducted prior to project construction to ensure that burrowing owls have not colonized the site. To avoid impacts on burrowing owl, the following mitigation measure is recommended:

**MM BR-1:** A qualified biologist(s) will conduct a pre-construction presence/absence survey for burrowing owls 14 days prior to ground disturbing activities and 24 hours immediately before ground disturbing activities. If burrowing owls are documented on site, then a plan for avoidance or passive exclusion shall be made in coordination with CDFW. If the survey is negative, the project may proceed without further restrictions related to burrowing owls. [Monitoring Responsibility: ICDPW, Timing: prior to construction phase as noted]

## **Nesting Birds**

As noted above, the project site has the potential to support nesting birds. To avoid impacts on nesting birds the following mitigation measure is recommended:

**MM BR-2:** Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (January 15 to August 31). Due to the potential for nesting birds to occur, a qualified biologist will conduct a nesting bird survey within three (3) days prior to any disturbance of the site, including tree and shrub removal, disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor species will have an avoidance buffer of 500 feet and other bird species will have an avoidance buffer of 300 feet. These buffers may be reduced in consultation with the CDFW. [Monitoring Responsibility: ICDPW, Timing: prior to construction phase as noted]

## **GREENHOUSE GAS**

### **Greenhouse Gas Emission Generation**

As noted above, greenhouse gases have the potential to be emitted through the use of equipment and various construction-related vehicle trips for transport and site access. During waste relocation, methane gas may be emitted when waste is exposed. Through implementation of MM AQ-11 through MM AQ-16, greenhouse gas emissions will be minimized from the project during construction. Additionally, the following mitigation measure is recommended for greenhouse gas minimization:

**MM GG-1:** Cover exposed waste daily with daily cover in accordance with the Technical Specifications. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

**MM GG-2:** The landfill cover will minimize surface emissions of landfill gas including methane. Landfill gas will be monitored at perimeter probes for migration as required by CalRecycle in 27 CCR Section 20921 [Bryan A. Stirrat, 2009]. If migration is identified, a control system may be implemented to extract and treat landfill gas. [Monitoring Responsibility: ICDPW & ICAPCD, Timing: during construction phase]

## **HAZARDS AND HAZARDOUS MATERIALS**

### **Transport, Use, or Disposal of Hazardous Materials**

As noted above, the project site has the potential to transport hazardous materials. To avoid impacts to the public and/or environment, the following mitigation measure is recommended:

**MM HHM-1:** Hazardous materials will not be used during site closure. [Monitoring Responsibility: ICDPW, Timing: during construction phase]

**MM HHM-2:** The project will adhere to the Waste Relocation Plan [Geosyntec, 2020a] to provide monitoring and contingency planning in the event hazardous wastes are encountered. Hazardous wastes, if encountered, will be segregated and disposed of offsite in accordance with local, state, and federal regulations. [Monitoring Responsibility: ICDPW, Timing: during construction phase]

## **HYDROLOGY AND WATER QUALITY**

**MM HWQ-1:** Erosion control measures are implemented in the closure grading design at the site. The uppermost layer of the final cover system on the side slopes will be constructed of a six inch blanket of pit run rock to reduce the potential for erosion from wind and water for the underlying monolithic select soil layer. To help reduce erosion or rill formation on slopes, diversion berms from six inches to twelve inches high will redirect surface water flow. These berms will also be surfaced with rock as required in the Technical Specifications for the erosion protection rock on the side slopes. Surface channels are to be incorporated into the drainage design along access roads in the northwestern corner of the site. The surface channels are lined with rock to protect against scour and reduce erosion. High density polyethylene (HDPE) pipe anchored at regular intervals along the landfill surface convey the stormwater runoff from the top deck and concentrated flow locations along the surface channels to the discharge locations. Riprap energy dissipators are

constructed to promote positive drainage toward drainage structures and provide a means for decreasing the amount of erosion. [Monitoring Responsibility: ICDPW, Timing: during construction phase]

**MM-HWQ-2:** In addition, the landfill drainage facilities must be operational and free of debris. Maintenance of the drainage system is based on the site inspection program to identify potential and existing problems, and the general program of responsible and timely corrective action. Inspections will be performed quarterly and after significant precipitation or seismic events. Inspections will include review of the site for the following conditions:

- Open channels and ditches are draining and free of debris;
- No areas of excessive sedimentation or scour;
- Diversion berms are intact and operable; and/or
- Downdrains are free of debris and vegetation and cracks.

[Monitoring Responsibility: ICDPW, Timing: during construction phase]

**MM-HWQ-3:** During closure construction, a SWPPP will be developed to identify BMPs to minimize discharge of pollutants to the New River during construction. Following closure, the site will be stabilized to minimize soil erosion. [Monitoring Responsibility: ICDPW, Timing: during construction phase]

**ATTACHMENT A**  
**CEQA PROJECT DESCRIPTION**



engineers | scientists | innovators

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# **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

## **PROJECT DESCRIPTION WITH SUPPORTING INFORMATION**

**Hot Spa Solid Waste Site  
(Facility No. 13-AA-0010)  
10466 Spa Road, Niland,  
California 92257**

*Prepared for*

**County of Imperial Department of Public Works**

*Prepared by*

Geosyntec Consultants, Inc.  
2355 Northside Drive, Ste. 250  
San Diego, CA 92108

Project SC0975

January 2020 revised July 2020

## 1.0 Site History and Description

The proposed Project includes completion of final closure of the Hot Spa Solid Waste Site (HSSWS or Site) landfill. The HSSWS is located in the northwestern portion of the Imperial County approximately 3/4-miles southeast of the community of Hot Spa (Figure 1). The Site address is 10466 Spa Road, Niland, California 92257.

The HSSWS property is owned and operated by the Imperial County Department of Public Works (ICDPW). The HSSWS began operations as a municipal solid waste landfill in the mid 1960's and operated until July 29, 2018. The landfill is located on approximately 40 acres with a total disposal area footprint of approximately 6.4 acres.

The HSSWS was permitted to accept mixed municipal refuse that is classified Class III non-hazardous solid waste and construction/demolition waste. No liquid or hazardous waste has been knowingly accepted at the site. The majority of waste received at the HSSWS consists of non-hazardous residential, commercial, and construction and demolition solid waste.

### 1.1 Surrounding Land Use and Features

The Site is located approximately 3.25 miles northeast of the current Salton Sea shoreline. Operating RV park and spas are located approximately 0.3 and 1.6 miles east and north of the Site, respectively. The remaining Site area is generally undeveloped open space. Some local springs and seeps related to nearby faulting are found in the area. The northwest-southeast trending Orocopia Mountains are located approximately one mile east of the Site. No bodies of water traverse across or are located adjacent to the Site. Ephemeral flows occur in nearby channels located northwest of the Site or parallel to Spa Road and generally flow to the southwest into the Salton Sea.

## 2.0 Closure Details

CalRecycle issued Notice and Order No. EA-2019-04 for the HSSWS for submittal of a Final Closure and Post-Closure Maintenance Plan (FCPCMP) by January 31, 2020 and for obtaining regulatory approval of the FCPCMP by July 31, 2020 and initiating closure in accordance with the schedule described in the approved FCPCMP.

Closure of the HSSWS will be performed in accordance with all applicable regulatory standards. As discussed, the landfill has been closed since 2018 and currently operates as a transfer station. The transfer station will be closed during construction and customers redirected to the Niland Solid Waste Site (the closest location to HSSWS). Additionally, any resident with a permit will be allowed to dump waste at any of the County owned landfills. Therefore, no impact to municipal public waste disposal is anticipated. The components and systems required for closure of the HSSWS include the final grading plan, final cover design, surface water drainage and erosion control systems, landfill gas monitoring system, ground water monitoring system, and site security.

### 2.1 Monolithic Cover System

The proposed final cover for the HSSWS will consist of a minimum one-foot thick foundation layer composed of existing interim cover materials and a four-ft thick soil cover consisting of one-ft of clay and three-ft of gravelly and clayey sand. The final slopes of the HSSWS will be no greater than 2H:1V (Horizontal: Vertical). The earthen cover material will be excavated from a borrow area located in the eastern portion of the Site (see Figure 2). After completion of final cover and engineering fill excavation, the borrow area will be graded to provide positive drainage toward the southwest portion of the Site.

The final cover for the deck area will be set at a minimum gradient of three percent to provide adequate drainage from the top deck, while taking into account anticipated landfill settlement. General construction procedures will be utilized to promote lateral run-off of surface water and reduce the effects of the settlement.

During construction of the final cover, equipment and materials for closure will be stored within the landfill property boundaries. Truck traffic will be optimized to reduce roadway congestion and limit emissions in accordance with applicable regulations. No import of soil or other construction materials is anticipated. Construction water will be trucked from the Coachella Canal located approximately 1 mile east of the Site.

## 2.2. Landfill Stormwater Management

The proposed Project will also include regrading of an existing depression located to the west and north of the landfill footprint to limit the potential for ponding water. The depression will be backfilled and graded to drain to the southeastern portion of the Site. A culvert will be installed under the landfill access road to facilitate drainage. Surface water runoff from the closed landfill will be collected by a series of diversion berms, rock-lined channels and/or downdrains which will drain to the southwestern corner of the Site. Surface water runoff from the southeastern corner of the Site, will sheet flow offsite in a southwesterly direction. Riprap dissipators will be incorporated into the final closure design to slow the velocity of run-off, disperse water flow, and reduce erosion at the discharge locations.

During construction of the site storm water controls, equipment and materials will be staged within the landfill property in a designated equipment staging area(s).

## 2.3. Access and Monitoring Controls

The Site is currently fenced. Minor changes to the fencing will occur during construction to relocate a portion of the fence onto the HSSWS property. Access to the Site will be restricted and limited to personnel responsible for closure and post-closure activities. The current proposed post-closure use for the HSSWS is non-irrigated open space.

The existing landfill gas and groundwater monitoring systems meet the requirements of the California Code of Regulations Title 27 and do not require upgrading as part of the final closure. These features will be protected from disturbance during construction.

## 2.4. Waste Relocation

Relocation of waste is anticipated where grades are being lowered to facilitate drainage to the southwest portion of the Site. Waste is anticipated to be relocated to the top deck of the landfill to facilitate drainage and minimize engineered fill import. Waste relocation including requirements

for daily and interim cover and management of unanticipated materials will be conducted per the Waste Relocation Plan included with the FCPCMP.

## 2.5. Construction Components

Typical construction and grading equipment satisfying California Air Resources Board (CARB) Tier 3 requirements will be used during earthwork activities. BMPs, including fiber rolls, silt fences, stabilized gravel entrance, and other erosion and sediment controls will be installed during construction activities in accordance with the California State Water Resources Control Board's (SWRCB) Construction General Permit Order 2009-0009-DWQ (and its amendments) and the Site's Storm Water Pollution Prevention Plan (SWPPP). Dust control will be implemented during construction activities using water or other treatment to comply with the Air Pollution Control District (APCD) regulations.

The proposed Project includes the following construction components:

1. Clear and grub vegetation from on-site soil source area(s).
2. Excavate, load, haul, place and compact approximately 100,000 cy of materials for the soil cover, foundation soil, and engineered fill from on-site sources.
3. Excavate, relocate on site, and compact approximately 250 cy of waste from the southwestern corner of the landfill to the northern top deck of the landfill.
4. Grade borrow area to provide positive drainage.
5. Install landfill stormwater conveyance system.

## 2.6. Schedule

The anticipated duration and associated equipment for each of the proposed Project components is summarized in the following table. The overall duration of construction is anticipated to be approximately 28 days.

<b>Construction Component /Location</b>	<b>Duration (Days)</b>	<b>Number</b>	<b>Equipment Type/Name</b>
1, 2, and 4 / Borrow Site Excavation, Loading, and Landfill Cover and Backfill Depression	28	1	D-7H Dozer
		1	4K Water Truck
		4	627E Scrapers
		2	140H Graders
		1	825 C Soil Compactor
3 / Waste Relocation	5	4	TRU32-40 Dump Truck
		1	330CL Excavator
		1	4k Water Truck
		1	825C Soil Compactor

Construction Component /Location	Duration (Days)	Number	Equipment Type/Name
		1	D-7H Dozer
5 / Regrade Borrow	10	1	D-7H Dozer
		1	4K Water Truck
		4	627E Scrapers
		2	140H Graders
6 / Landfill Stormwater Conveyance System	5	1	320 Excavator
		1	D7R Dozer
		1	140G Blade
		1	4K Water Truck

### 3.0 Preliminary Environmental Review

The following sections describe the project components as they specifically relate to CEQA Appendix G, Environmental Checklist Form.

#### 3.1. Aesthetics

There are no scenic resources, scenic vistas, or scenic highways on or near the project boundary. The proposed project will not degrade the existing visual character or quality of the Site or surrounding area, and the proposed project will not create a new source of substantial light. Therefore, the proposed project will have no impact on aesthetic resources.

#### 3.2. Agricultural and Forestry Resources

The Site is located on land designated for government/special / renewable energy (GS-RE) use purposes and the project will not result in the conversion of adjacent farm land to non-agricultural use. There are no timber resources on or near the proposed project. As a result, the proposed project will have no impact on agricultural or forest resources.

#### 3.3. Air Quality

Imperial County is designated by the United States Environmental Protection Agency (USEPA) as non-attainment for the ozone and particulate matter less than ten microns in diameter (PM10) National Ambient Air Quality Standards (NAAQS) with a portion of the County designated as non-attainment for the particulate matter less than 2.5 microns in diameter (PM2.5) NAAQS. Similarly, the area does not attain California ambient air quality standards (CAAQS) for ozone, PM10 and PM2.5.

Dust emissions are anticipated to decrease once the final cover is complete. Project construction is anticipated to occur over a period of 28 days. The main construction activities that contribute

to emissions are as follows:

- Grubbing
- Excavation
- Waste relocation
- Soil import and placement
- Grading
- Temporary electricity generation

The proposed project will incorporate the following dust control measures to reduce fugitive dust emissions during the construction activities:

- Cover soil in haul trucks;
- Cover or wet debris, soil, and other sources of fugitive dust when not in use;
- Minimize drop heights during loading and unloading;
- Clean vehicles and tires;
- Sweep adjacent streets of oils and mud if needed;
- Water exposed areas at least three times per day;
- Limit vehicle speeds on unpaved roads to 15 miles per hour;
- Apply water or soil stabilizer on unpaved roads; and
- Suspend earth-moving or dust producing activities during periods of winds greater than 25 miles per hour as needed to meet the exemption provided by ICAPCD Rule 801, Section D.2.

Minimal water will be added to relocated waste to suppress dust generation; however, waste will not be saturated.

In accordance with California Code of Regulations, Title 13, Section 2485(c)(1), the following mitigation measures will be implemented to reduce exhaust emissions from highway-licensed diesel-fueled vehicles with gross weight rating over 10,000 pounds that are not equipped with alternative technologies listed in Section 2485(c)(2):

- Diesel engines shall not be permitted to idle for greater than five minutes at any location; and
- Diesel auxiliary power engines shall not be used to power a heater, air conditioner or any ancillary equipment on the vehicle during sleeping or resting for greater than five minutes at any location when within 100 feet of a restricted area (i.e., residential area).

Additionally, the following measures will be implemented to minimize air quality impacts:

- Limit, to the extent feasible, the hours of operation of heavy-duty equipment and/or the amount of equipment in use;
- Replace fossil fueled equipment with electrically driven equivalents (provided they are not run via a portable generator set). Should any transformers/generators be used on-site, an Authority to Construct/Permit to Operate application shall be submitted to the APCD;

- Construction equipment operating on-site should be equipped with two to four degree engine timing retard or pre-combustion chamber engines;
- Construction equipment used for the project should utilize EPA Tier 2 or better engine technology; and
- Maintain vehicles and equipment to prevent leaks and minimize emissions and encourage employees to do the same.

During waste excavation, a photoionization detector (PID) will be used to monitor volatile organic compounds (VOCs) emissions.

It is anticipated that mitigated construction-related emissions will be below the threshold of significance for construction activities based on studies prepared for similar earthwork construction projects. As a result, air quality impacts are anticipated to be less than significant.

### 3.4. Biological Resources

A biological study was performed for the proposed project and is included as Attachment 1. The Biological Study had the following findings:

- There will be a less than significant impact to non-native vegetation communities or habitats due to highly disturbed existing conditions;
- There will be no impact to special-status plants and less-than-significant impact to special-species animals with mitigation described below;
- Impacts to nesting birds will be less-than-significant with implementation of mitigation measures described below;
- Indirect impacts such as noise, water quality, lighting will not result in significant impacts as a result of the previous disturbance of the Site and adjacent areas; and
- Cumulative impacts will be less-than-significant on biological resources due to the level of disturbance on the Site, adjacent developed land, and lack of sensitive biological resources.

The Biological Study identified the following mitigation measures to protect biological resources at the Project Site:

- A qualified biologist(s) will conduct a pre-construction presence/absence survey for burrowing owls 14 days prior to ground disturbing activities and 24 hours immediately before ground disturbing activities. If burrowing owls are documented on site, then a plan for avoidance or passive exclusion shall be made in coordination with CDFW. If the survey is negative, the project may proceed without further restrictions related to burrowing owls.
- Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (January 15 to August 31). Due to the potential for nesting birds to occur on site, a qualified biologist will conduct a nesting bird survey

within three (3) days prior to any disturbance of the site, including tree and shrub removal, disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests, depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor species will have an avoidance buffer of 500 feet and other bird species will have an avoidance buffer of 300 feet. These buffers may be reduced in consultation with the CDFW.

The Biological Study concluded that due to the level of disturbance on the project site, the adjacent developed land, and the lack of sensitive biological resources, as well as the implementation of mitigation measures, the proposed project will have less than significant impacts on biological resources.

### 3.5. Cultural Resources

The site has been disturbed with both landfill and borrow operations since approximately 1960. The site does not cause substantial adverse change in the significance of an historical resource or an archaeological resource. The site neither directly or indirectly destroys a unique paleontological resource or unique geologic feature. Nor does the site disturb any human remains, including those interred outside of dedicated cemeteries. Additionally, and in accordance with Assembly Bill 52 and Section 21080.3.1(d) of the California Public Resources Code, Imperial County Planning and Development Services issued a letter on May 14, 2020 to the Fort Uma Quechan Tribe for notification of the proposed project. The Tribe was given a time frame to review whether Tribal Cultural Resources are present within the project area. A response from the Tribe is pending the June 22, 2020 due date. As a result, there is no impact to cultural resources.

### 3.6. Energy

Construction activities would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic; however, no energy will be consumed after landfill closure. Construction is anticipated to occur over approximately 28 business days. Construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with local, state, and federal regulations limiting engine idling times would reduce the amount of transportation fuel demand during project construction. Considering these reductions in transportation fuel use, the proposed project would not result in the wasteful and inefficient use of energy resources during construction. The Project will not conflict with or obstruct a state or local plan for renewable energy. As a result, energy impacts are less than significant.

### 3.7. Geology and Soils

Subsurface borings completed at the Site indicate the HSSWS is underlain by two general soil types: a relatively thin veneer (up to three feet thick) of coarse-grained alluvium composed of sand and gravel, underlain by reddish brown clay to silty clay lacustrine deposits. Subsurface borings completed during the site's groundwater monitoring program well installation

(ENVIRON, 1995) encountered predominantly Holocene and Pleistocene deposits consisting of clay with interbedded lenses of fine to coarse sand with gravel from existing grade to the maximum depths drilled (approximately 140 feet). On-site surficial soils are composed primarily of light brown, gravely, fine to coarse sand with a predominant Unified Soil Classification of SP/SW and GM (ENVIRON, 1995). The Site is not prone to landslides and the proposed cover has been designed to minimize slope failure through slope inclinations no greater than 2H:1V.

The Site is subject to strong ground motions resulting from seismic events due to its location within the Salton trough, the boundary between the Pacific and North American Tectonic plates. Due to the deep depth of groundwater (over 85 feet), relatively flat surrounding terrain, and relatively dense nature of the subsurface materials below the HSSWS, the probability of soil liquefaction adversely impacting the project is considered low. Subsequently, the potential for seismic settlement and lateral spreading adversely impacting the project is also considered low. Due to the inland Site location and distance from a large body of water, the potential for a tsunami or seiche to affect the Site is also considered extremely low.

The design event selected for the evaluation is a moment magnitude ( $M_w$ ) 7.9 event on the San Andreas (Coachella) Fault located approximately 4.3 miles from the site. The resulting peak horizontal ground acceleration (PHGA) from this event is estimated as 0.77g based on the seismic design spectrum from the ASCE 7-10 design code (SEAOC, et. al, 2019). The final cover was evaluated considering the seismic event and estimates of seismically-induced displacement was calculated to be less than currently accepted displacements for unlined landfills.

The erosion protection layer on the cover minimizes soil loss due to soil erosion. Soil erosion calculations performed during closure design indicate soil loss within acceptable limits in accordance with 27 CCR. The Site is not located over any expansive soils and does not have the ability to inadequately support the use of septic tanks or other alternative waste water disposal systems.

As a result, the closure design has been developed and analyzed to confirm the geology and soil environmental impacts are less than significant.

### 3.8. Greenhouse Gas Emissions

During construction, GHGs would be emitted through the use of equipment and various construction-related vehicle trips for transport and site access. During waste relocation, methane gas may be emitted when waste is exposed. Steps to minimize greenhouse gas emissions during construction include the following:

- Limit, to the extent feasible, the hours of operation of heavy-duty equipment and/or the amount of equipment in use;
- Construction equipment operating on-site should be equipped with two to four degree engine timing retard or pre-combustion chamber engines;
- Construction equipment used for the project should utilize EPA Tier 2 or better engine technology; and
- Cover exposed waste daily with daily cover in accordance with the Technical Specifications.

After completion of construction, the landfill cover will minimize surface emissions of landfill gas including methane. Landfill gas will be monitored at perimeter probes for migration. If migration is identified, a control system may be implemented to extract and treat landfill gas.

As a result, greenhouse gas emissions are less than significant.

### 3.9. Hazards and Hazardous Materials

During implementation of the proposed project, municipal solid waste will be relocated within the project boundary to reduce slope inclinations; hazardous waste is not anticipated. The project will have site controls to limit public access including during waste relocation. The Waste Relocation Plan dictates controls to be implemented during waste relocation to minimize the potential for release of waste. Relocated waste will be isolated with construction of the final cover and drainage controls will be implemented to prevent erosion that could expose buried waste.

The proposed project is not located within an airport land use plan, or within two miles of a public airport, or private airstrip. The proposed project is not located at a wildland/urban interface and will not interfere with an adopted emergency response or evacuation plan or expose people or structures to risk associated with wildfires.

Impacts associated with hazards and hazardous materials are less than significant.

### 3.10. Hydrology and Water Quality

In general, surface water flows follow existing natural contours into natural drainage courses in a southwesterly direction. Run-off from the Site and surrounding tributary areas discharges to road-side drainage along Spa Road and ultimately into a wash located west of the Site that flows to the Salton Sea. The Project is located outside of the 100-year floodplain associated with the unnamed wash (FEMA, 2019).

The Salton Sea is included in the 2014/2016 Clean Water Act Section 303(d) list that identifies significantly polluted waters and proposes total maximum daily loads (TMDL) for specific pollutants contributing to the water's impairment. Ten TMDLs have been proposed for the Salton Sea, including bacteria, pesticides, toxicity, salinity, and nutrients, to reduce pollutant levels (SWRCB, 2017).

With closure of the landfill, surface water drainage will remain unchanged from current conditions with the exception that surface water which previously collected in the western/northern depression will drain to surface collection along Spa Road.

During landfill closure construction, a SWPPP will be developed to identify BMPs to minimize discharge of pollutants into nearby washes and subsequently the Salton Sea. Following closure, the Site will be stabilized to minimize soil erosion.

As a result, impacts to hydrology and water quality will be less than significant as a result of the proposed project.

### 3.11. Land Use and Planning

The project will not change the current land use of the site affect existing communities, or conflict with habitat conservation plans; therefore, there is no impact to land use and planning.

### 3.12. Mineral Resources

The Site has been an MSW landfill since the 1960's at which point mineral resources, if any, became difficult to access; therefore, there is no impact to mineral resources.

### 3.13. Noise

Noise at the Site may temporarily increase as a result of the Project. Temporary increases may result from traffic to the site and operation of construction equipment. The project is not within the vicinity of a public or private airstrip and does not expose persons working within the Project area to excessive noise levels. The nearest occupied structure is over 1,000-ft from the site; therefore, noise impacts are anticipated to be less than significant.

### 3.14. Population and Housing

There is no housing at the Site; therefore, there is no impact to population and housing.

### 3.15. Public Services

The landfill will have no impact to public services such as schools, police, fire, and/or parks.

### 3.16. Recreation

The Project will not affect parks or recreational facilities; therefore, the Project has no impact to recreation.

### 3.17. Transportation

Construction activities will be limited to onsite hauling of cover and engineered fill borrow materials. Water will likely be obtained from the Coachella Canal approximately 1-mile east on Spa Road. Water truck traffic will be limited and will not adversely affect traffic on Spa Road. Traffic to and from the Site may be temporarily increased with worker commutes; however, given the limited population near the site, it will not increase congestion on local roads. Further, Site access and roads will not be affected as part of the Project. As a result, there will be no significant impact on traffic as a result of the Project.

### 3.18. Tribal Cultural Resources

The site has been disturbed with both landfill and borrow operations since approximately 1960. It is not listed or eligible for listing in the California or local register of Historic Resources. In accordance with Assembly Bill 52 and Section 21080.3.1(d) of the California Public Resources Code, Imperial County Planning and Development Services issued a letter on May 14, 2020 to the Fort Uma Quechan Tribe for notification of the proposed project. The Tribe was given a time frame to review whether Tribal Cultural Resources are present within the project area. A response from the Tribe is pending the June 22, 2020 due date. However, the project is not anticipated to impact Tribal Cultural Resources.

### 3.19. Utilities and Service Systems

The landfill ceased operations in 2018 and was converted to a transfer station. The transfer station will be closed during construction and customers redirected to the Niland Solid Waste Site (the closest location to HSSWS). Additionally, any resident with a permit will be allowed to dump waste at any of the County owned landfills. Once construction is completed the site will reopen as a transfer station. The Project will not generate wastewater or require new water services except temporary pumps and stand pipes for construction. The stormwater discharged from the site will utilize existing drainage features sized to manage flows. As a result, the Project will have no impact on utilities and public service.

### 3.20. Wildfire

The Project is not located within or near a very high fire hazard severity zone nor a state responsibility zone; therefore, there will be no wildfire impact.

### 3.21. Mandatory Findings of Significance

The Project does not have the potential to degrade the quality of the environment, nor substantially reduce the habitat of a fish or wildlife species, nor cause a fish or wildlife population to drop below self-sustaining levels. The Project does not threaten to eliminate a plant or animal community, nor reduce the number or restrict the range of a rare or endangered plant or animal, nor eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory. The Project does not have impacts that are individually limited, but cumulatively considerable. Nor does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly. As a result, there are no mandatory findings of significance.

## 4.0 References

ENVIRON, 1995. Hot Spa Solid Waste Facility Logs of Boring and Well Construction Details. February.

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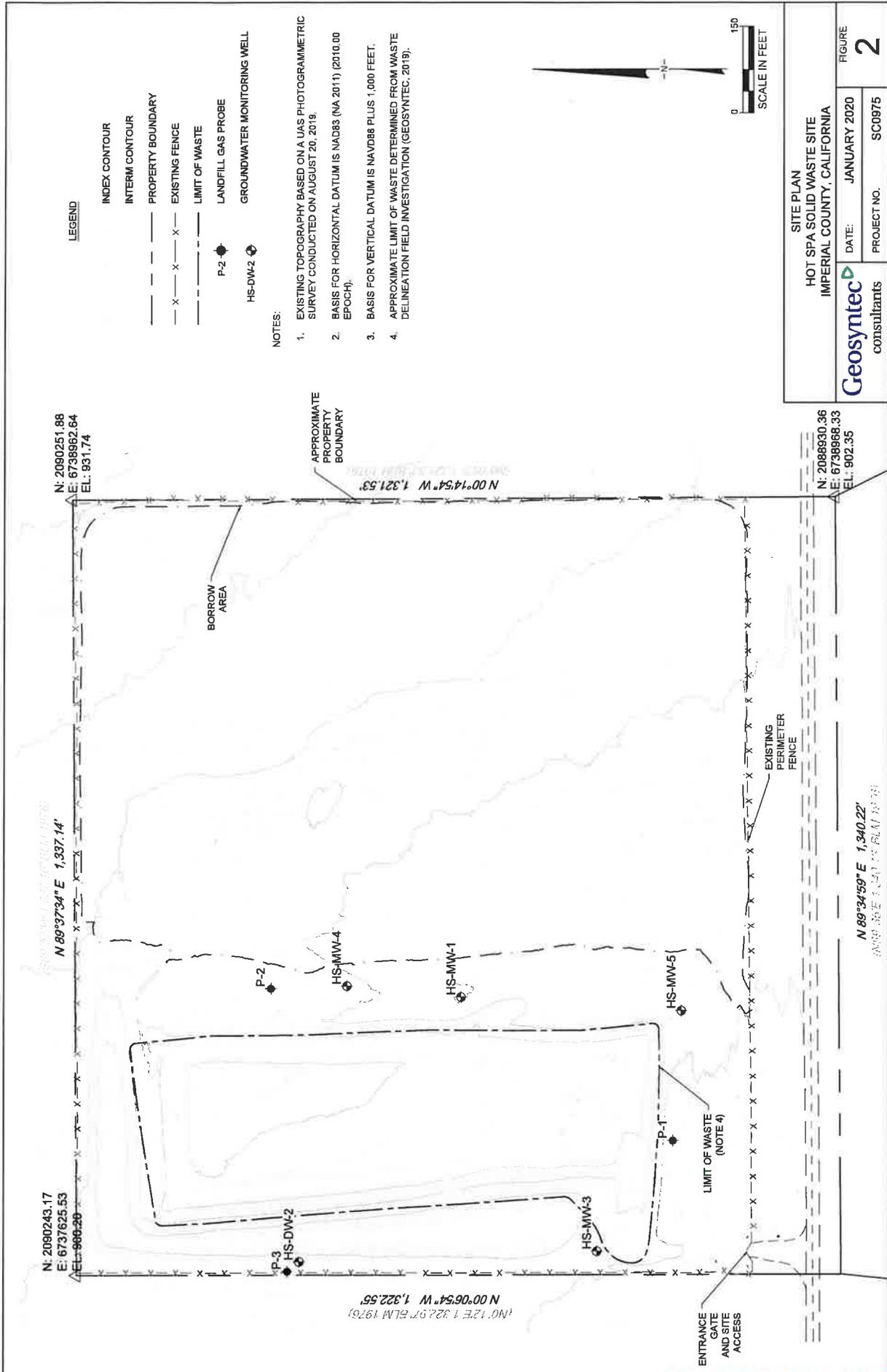
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## Figures



Attachment 1  
Biological Study



# HOT SPA SOLID WASTE SITE PROJECT

## BIOTIC RESOURCES REPORT

Imperial County, California

October 30, 2019

Prepared for:  
Geosyntec Consultants  
3990 Old Town Avenue, Suite B-101  
San Diego, CA 92110  
(619) 297-1530

Prepared by:  
Rocks Biological Consulting  
2621 Denver Street, Ste. B  
San Diego, CA 92110  
(619) 701-6798

EEC ORIGINAL PKG

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## 1 SUMMARY

This report summarizes the results of a biological resource assessment conducted by Rocks Biological Consulting (RBC) for the Hot Spa Solid Waste Site (HSSWS) Project (project) in the census-designated place Niland, Imperial County, California. The 36.07-acre project site supports creosote bush scrub, desert saltbush scrub, and desert sink scrub, with large areas that are disturbed. The site has moderate potential to support the California Department of Fish and Wildlife (CDFW) Species of Special Concern (SSC) burrowing owl (*Athene cunicularia*). The site does not support features that would be considered jurisdictional by the US Army Corps of Engineers (Corps), the CDFW, or the Regional Water Quality Control Board (RWQCB). Impacts on biological resources will be less than significant with implementation of the suggested mitigation measures outlined in this report.

## 2 INTRODUCTION

### 2.1 PROJECT LOCATION

The 36.07-acre project site is located north of Spa Road and east of Hot Mineral Spa Road within the census designated place, Niland, in Imperial County, California (Figure 1). The project site is located on Section 12, Township 9 South, Range 12 East, within the U.S. Geological Survey (USGS) Frink NW 7.5-minute quadrangles.

### 2.2 PROJECT DESCRIPTION

The HSSWS, owned and operated by the Imperial County Department of Public Works, began operations in the mid 1960's and is currently inactive with a plan to close the landfill in September 2021. The landfill is approximately 40 acres with a total disposal area footprint of approximately 6.4-acres and an anticipated final cover area of approximately 6.5 acres.

The HSSWS was permitted to accept mixed municipal refuse that is classified Class III non-hazardous solid waste and construction/demolition waste. On July 29, 2018, HSSWS ceased its landfill operation and transitioned to the operation of a limited volume transfer operation on the same site.

Closure of the HSSWS will be performed in accordance with all applicable regulatory standards. The components and systems required for closure of the HSSWS form the Final Closure and Post-Closure Maintenance Plan (FCPCMP) and include the final grading plan, final cover design, surface water drainage and erosion control systems, landfill gas monitoring system, ground water monitoring system, and site security.

### 2.3 SCOPE OF WORK

This report identifies and evaluates impacts on biological resources associated with the proposed project in the context of the California Environmental Quality Act (CEQA; Public Resources Code § 21000 et seq.), and state and federal regulations, such as the federal Endangered Species Act

(ESA; 16 U.S. Code [USC] § 1531 et seq.), Clean Water Act (CWA; 33 USC § 1251 et seq.), and the California Fish and Game Code (CFGC).

RBC conducted a site visit on September 4, 2019 to assess the project for significant biological resources pursuant to CEQA, including conducting: (1) general biological surveys; (2) vegetation mapping; (3) habitat assessments for special-status plant species and burrowing owl; and (4) an assessment for areas anticipated to be jurisdictional under the Corps pursuant to Section 404 of the CWA, under the RWQCB pursuant to Section 401 of the CWA and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act; Water Code Section 13000 et seq.), and under CDFW pursuant to Section 1602 of the CFGC.

## **2.4 EXISTING CONDITIONS**

The project site features flat areas and large constructed earthen berm with elevations ranging from approximately -145 to -135 feet above mean sea level. The project site supports creosote bush scrub and desert saltbush scrub with large areas that are disturbed or developed. Site photographs are presented in Appendix A.

## **2.5 REGULATORY FRAMEWORK**

Federal, state, and local agencies have established several regulations to protect and conserve biological resources. The descriptions below provide an overview of the agency regulations that may be applicable to the project. The final determination as to what types of permits are required will be made by the regulating agencies.

### **2.5.1 FEDERAL REGULATIONS**

#### *Federal Endangered Species Act*

The ESA provides for the listing of endangered and threatened species of plants and animals and the designation of critical habitat for these listed species. ESA regulates the “taking” of any endangered fish or wildlife species, per Section 9. As development is proposed, the responsible agency or individual landowner is required to consult with the U.S. Fish and Wildlife Service (USFWS) to assess potential impacts on listed species (including plants) or the critical habitat of a listed species, pursuant to Sections 7 and 10 of the ESA. USFWS is required to determine the extent a project would impact a particular species. If USFWS determines that a project is likely to potentially impact a species, measures to avoid or reduce such impacts must be identified. Following consultation and the issuance of a Biological Opinion, USFWS may issue an incidental take statement which allows for the take of a species if it is incidental to another authorized activity and will not adversely affect the existence of the species. Section 10 of the ESA provides for issuance of incidental take permits to non-federal parties in conjunction with the development of a habitat conservation plan (HCP). Section 7 of the ESA provides for permitting of projects where interagency cooperation is necessary to ensure that a federal action/decision does not jeopardize the existence of a listed species.

***Migratory Bird Treaty Act***

The Migratory Bird Treaty Act (MBTA; 16 USC § 703 et seq.) is a federal statute that implements treaties with several countries on the conservation and protection of migratory birds. The number of bird species covered by the MBTA is extensive and is listed at 50 Code of Federal Regulations (CFR) 10.13. USFWS enforces the MBTA, which prohibits “by any means or in any manner, to pursue, hunt, take, capture, [or] kill” any migratory bird, or attempt such actions, except as permitted by regulation.

***Rivers and Harbors Appropriation Act of 1899***

The Rivers and Harbors Appropriation Act of 1899 (Rivers and Harbors Act; 33 USC § 403) prohibits the discharge of any material into navigable waters of the United States, or tributaries thereof, without a permit. The act also makes it a misdemeanor to excavate, fill, or alter the course, condition, or capacity of any port, harbor, or channel; or to dam navigable streams without a permit.

Many activities originally covered by the Rivers and Harbors Act are now regulated under the CWA, discussed below. However, the 1899 act retains relevance and created the structure under which the Corps oversees permitting under CWA § 404.

***Clean Water Act***

Pursuant to Section 404 of the CWA, the Corps is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which includes those waters listed in 33 CFR 328.3 (as amended at 80 Federal Register [FR] 37104, June 29, 2015). The Corps, with oversight from the U.S. Environmental Protection Agency (EPA), has the principal authority to issue CWA Section 404 permits. The Corps would require a Standard Individual Permit (SIP) for more than minimal impacts to waters of the U.S. as determined by the Corps. Projects with minimal individual and cumulative adverse effects on the environment may meet the conditions of an existing Nationwide Permit (NWP).

A water quality certification or waiver pursuant to Section 401 of the CWA is required for all Section 404 permitted actions. The RWQCB, divisions of the State Water Resources Control Board (SWRCB), provides oversight of the 401-certification process in California. The RWQCB is required to provide “certification that there is reasonable assurance that an activity that may result in the discharge to waters of the United States will not violate water quality standards.” Water Quality Certification must be based on the finding that a proposed discharge will comply with applicable water quality standards.

The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into surface waters of the U.S. under Section 402 of the CWA.

## 2.5.2 STATE REGULATIONS

### *State of California Endangered Species Act*

CESA, in combination with the California Native Plant Protection Act of 1977 (NPPA; CFGC § 1900 et seq.), regulates the listing and take of plant and animal species designated as endangered, threatened, or rare within the state. California also lists SSC based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. CESA defines an endangered species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." CESA defines a threatened species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species." Candidate species are defined as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the California Fish and Game Commission. Unlike the federal ESA, CESA does not list invertebrate species.

Sections 2080 through 2085 of CESA address the take of threatened, endangered, or candidate species by stating "no person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided." Under CESA, "take" is defined as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Exceptions authorized by the state to allow "take" require permits or memoranda of understanding and can be authorized for endangered species, threatened species, or candidate species for scientific, educational, or management purposes and for take incidental to otherwise lawful activities. CFGC §§ 1901 and 1913 provide that notification is required prior to disturbance. CDFW is responsible for assessing development projects for their potential to impact listed species and their habitats. State-listed special-status species are addressed through the issuance of a 2081 permit (Memorandum of Understanding).

### *California Environmental Quality Act*

CEQA was established in 1970 as California's counterpart to the National Environmental Policy Act (NEPA; 42 USC § 4321 et seq.). This statute requires state and local agencies to identify significant environmental impacts related to their actions and to avoid or mitigate those impacts, where feasible.

A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project." A project is an activity undertaken by a public agency or a private activity that must receive some discretionary approval (meaning that the agency has the authority to deny the requested permit or approval) from a government agency that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

#### ***Natural Community Conservation Planning Act***

In 1991, the California Natural Community Conservation Planning Act (NCCP Act; CFGC § 1900 et seq.) was approved and the NCCP Coastal Sage Scrub program was initiated in Southern California. California law (CFGC § 2800 et seq.) established the NCCP program "to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth." The NCCP Act encourages preparation of plans that address habitat conservation and management on an ecosystem basis rather than one species or habitat at a time.

#### ***California Fish and Game Code Sections 1600-1602***

Pursuant to Division 2, Chapter 6, Section 1602 of the CFGC, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream, or lake that supports fish or wildlife. A Notification of Lake or Streambed Alteration must be submitted to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW has jurisdiction over riparian habitats associated with watercourses and wetland habitats supported by a river, lake, or stream. Jurisdictional waters are delineated by the outer edge of riparian vegetation (i.e., drip line) or at the top of the bank of streams or lakes, whichever is wider. CDFW jurisdiction does not extend to tidal areas or isolated resources. CDFW reviews the proposed actions and, if necessary, submits (to the applicant) a proposal that includes measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and the applicant is the Lake or Streambed Alteration Agreement.

#### ***California Fish and Game Code Sections 3503, 3511, 3513, 3800, 4700, 5050, and 5515***

Within California, fish, wildlife, and native plant resources are protected and managed by CDFW. The California Fish and Game Commission and/or CDFW are responsible for issuing permits for the take or possession of protected species. The following sections of the CFGC address protected species: Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish). In addition, the protection of birds of prey is provided for in Sections 3503, 3513, and 3800 of the CFGC.

#### ***Porter-Cologne Water Quality Control Act***

The Porter-Cologne Act provides for statewide coordination of water quality regulations. The SWRCB was established as the statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis.

The SWRCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Act.

Pursuant to the Porter-Cologne Act, the state is given authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if Section 404 of the CWA is not required for the activity. "Waste" is partially defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

### **3 METHODS**

RBC biologists Ian Hirschler and Brenda Bennett visited the project site on September 4, 2019 to conduct general biological surveys, vegetation mapping, habitat assessments for special-status plant and wildlife species including burrowing owl, and examined the project site for jurisdictional wetlands/waters features. Binoculars (10 x 42) were used to aid in the observation of species during the survey. RBC biologists identified plant species using *The Jepson Manual: Vascular Plants of California* (Baldwin et al. 2012) and local botanical knowledge. Plant and wildlife species observed on the project site are presented in Appendix B.

#### **3.1 BIOLOGICAL RESOURCE DATABASE REVIEW**

RBC queried the CDFW's California Natural Diversity Database (CNDDDB; CDFW 2019), the database of threatened/endangered USFWS species (USFWS 2019a), and the Information for Planning and Consultation (IPaC) database (USFWS 2019b) for a one-mile radius around the survey area. RBC queried the California Native Plant Society (CNPS) Electronic Inventory (CNPS 2019) for the nine USGS 7.5' quadrangles surrounding the project. RBC refined the potential for special-status species to occur within the project site by considering the habitat affinities of each species, the results of field habitat assessments, vegetation mapping, and knowledge of local biological resources.

#### **3.2 BURROWING OWL HABITAT ASSESSMENT**

RBC assessed burrowing owl habitat in accordance with CDFW's *Staff Report on Burrowing Owl Mitigation* (the Guidelines; California Department of Fish and Game 2012). Suitable burrowing owl habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation (Zarn 1974). Suitable burrowing owl habitat may also include trees and shrubs if the canopy covers less than 30 percent of the ground surface. Burrows are the essential component of burrowing owl habitat; both natural and artificial burrows provide protection, shelter, and nests for burrowing owl (Henny and Blus 1981). Burrowing owl typically use burrows made by rodents, such as ground squirrels or badgers, but may also use human-made structures, such as concrete culverts; concrete, asphalt, or wood debris piles; or openings beneath concrete or asphalt pavement.

### **3.3 VEGETATION MAPPING AND GENERAL PLANT AND WILDLIFE SURVEYS**

Vegetation mapping took place directly on a 150-scale (1" = 150') aerial photograph following *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986). RBC mapped vegetation on the project site including a 100-foot buffer and identified all observed flora and fauna for inclusion in plant and wildlife lists for the project site.

### **3.4 PRELIMINARY JURISDICTIONAL DETERMINATION**

The jurisdictional delineation began with an examination of the USGS topographic maps and the USGS National Hydrology Dataset to determine areas of potential jurisdiction by regulating agencies. Any suspected jurisdictional areas were field checked for the presence of definable channels and/or wetland vegetation, soils, and hydrology as described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (Corps 2008).

## **4 RESULTS**

### **4.1 BIOLOGICAL RESOURCE DATABASE REVIEW RESULTS**

The CNDDDB results include one special-status wildlife species and no historical occurrences of special-status plant species within one mile of the project site (Figure 4; Table 1). The CNPS Electronic Inventory search results included 12 plant species with a California Rare Plant Ranking (CRPR). Table 1 provides details regarding the potential for these special-status species to occur on site.

There are no USFWS historical occurrences of special-status species within one mile of the project site and no designated critical habitat within one mile of the project site.

### **4.2 BURROWING OWL HABITAT ASSESSMENT RESULTS**

RBC did not observe any burrowing owl individuals, active burrows or burrowing owl sign during the burrowing owl habitat assessment. However, based on the habitat conditions and proximity to extant burrowing owl populations in the Salton Sea region, the project site has moderate potential to support burrowing owl.

Table 1. Special-Status Plant and Wildlife Species – Potential for Occurrence

Species	Status	Habitat Description	Potential for Occurrence within Project Site
<b>PLANTS</b>			
California sawgrass ( <i>Cladium californicum</i> )	CRPR 2B.2	Perennial rhizomatous herb. Blooms June-September. Meadows and seeps, alkaline or freshwater marshes and swamps. Elev. 195-5,250 ft.	Low. Suitable desert sink scrub on site; however, it is limited and significantly disturbed.
Chaparral sand-verbena ( <i>Abronia villosa</i> var. <i>aurita</i> )	CRPR 1B.1	Annual herb. Blooms (January) March-September. Sandy soils within chaparral, coastal scrub, and desert dunes. Elev. 245-5,250 ft.	None. No suitable habitat within survey area.
Deep Canyon snapdragon ( <i>Pseudorontium cyathiferum</i> )	CRPR 2B.3	Annual herb. Blooms February-April. Rocky soils within washes or slopes in Sonoran Desert scrub. 0-2,625 ft.	None. Suitable desert scrub on site does not include washes or slopes necessary for this species.
Emory's crucifixion-thorn ( <i>Castela emoryi</i> )	CRPR 2B.2	Perennial deciduous shrub. Blooms (April) June-July (September-October). Gravelly soils within Mojavean desert scrub, playas, and Sonoran Desert scrub. Elev. 295-2,380 ft.	None. Would have been observed during survey if present.
Harwood's milk-vetch ( <i>Astragalus insularis</i> var. <i>harwoodii</i> )	CRPR 2B.2	Annual herb. Blooms January-May. Sandy or gravelly soils within desert dunes and Mojavean desert scrub. Elev. 0-2,330 ft.	Low. Suitable creosote bush scrub only within project buffer.
Las Animas colubrina ( <i>Colubrina californica</i> )	CRPR 2B.3	Perennial deciduous shrub. Blooms April-June. Mojavean desert scrub, Sonoran Desert scrub. Elev. 30-3,280 ft.	Low. Suitable creosote bush scrub only within the project buffer.
Mecca-aster ( <i>Xylorhiza cognata</i> )	CRPR 1B.2	Perennial herb. Blooms January-June. Slopes and bottoms of deep ravines in clay, rocky sand, and gravel within Sonoran Desert scrub. Elev. 65-1,310 ft.	None. Suitable desert scrub on site does not include slopes and deep ravines necessary for this species.
Narrow-leaf sandpaper-plant ( <i>Petalonyx linearis</i> )	CRPR 2B.3	Perennial shrub. Blooms (January-February) March-May (June-December). Sandy or rocky canyons in Mojavean desert scrub, and Sonoran Desert scrub. Elev. -83-3,659 ft.	None. Suitable desert scrub on site does not include canyons, would have been observed if present.
Orocopia sage ( <i>Salvia greatae</i> )	CRPR 1B.3	Perennial evergreen shrub. Blooms March-April. Alluvial slopes in Mojavean desert scrub, and Sonoran Desert scrub. Elev. -130-2,705 ft.	None. Suitable desert scrub on site does not include alluvial slopes necessary for this species.
Salton milk-vetch ( <i>Astragalus crotalariae</i> )	CRPR 4.3	Perennial herb. Blooms January-April. Sandy or gravelly Sonoran Desert scrub. Elev. -195-820 ft.	Low. Suitable creosote bush scrub only within the project buffer.

Species	Status	Habitat Description	Potential for Occurrence within Project Site
Sand evening-primrose ( <i>Chylismia arenaria</i> )	CRPR 2B.2	Annual/perennial herb. Blooms November-May. Sandy washes and rocky slopes within Sonoran Desert scrub. Elev. -225-3,000 ft.	None. Suitable desert scrub on site does not include slopes or washes necessary for this species.
Spiny abrojo ( <i>Condalia globosa</i> var. <i>pubescens</i> )	CRPR 4.2	Perennial deciduous shrub. Blooms March-May (November). Sonoran Desert scrub. Elev. 275-3,280 ft.	None. Would have been observed during survey if present.
<b>FISHES</b>			
Desert pupfish ( <i>Cyprinodon macularius</i> )	FE, SE	Found in ciénegas and springs within small streams, and fringe habitats along larger water bodies containing shallow water and soft substrate.	None. Suitable aquatic habitat not present.
Razorback sucker ( <i>Xyrauchen texanus</i> )	FE, SE, FP	Found in low-velocity backwaters, floodplains, and flatwater river reaches and reservoirs in the Colorado River basin.	None. Suitable aquatic habitat not present.
<b>Reptiles</b>			
Flat-tailed horned lizard ( <i>Phrynosoma mcallii</i> )	SSC	Found in sparsely vegetated sandy desert hardpan or gravel flats containing aeolian sands and high density of harvester ants.	Low. Suitable aeolian sands not present.
<b>BIRDS</b>			
Black-tailed gnatcatcher ( <i>Poliophtila melanura</i> )	WL	Found in semiarid or desert scrub and washes, often containing creosote bush ( <i>Larrea tridentata</i> ).	Moderate. Suitable desert scrub habitat present.
Burrowing owl ( <i>Athene cunicularia</i> )	SSC	Found in grasslands and open scrub from coast to interior deserts. Strongly associated with California ground squirrel and other fossorial mammal burrows.	Moderate. Suitable habitat is present on site, but no sign observed. Extant populations known from Salton Sea and adjacent areas.
California black rail ( <i>Laterallus jamaicensis coturniculus</i> )	ST, FP	Found in salt marshes, shallow freshwater marshes, wet meadows, and flooded grassy vegetation containing emergent vegetation.	None. No suitable wet marsh habitats with emergent vegetation present.
California horned lark ( <i>Eremophila alpestris actia</i> )	WL	Found from deserts and grasslands to alpine dwarf-shrub habitat above treeline. Also seen in coniferous or chaparral habitats.	Moderate. Species known to occupy disturbed, open habitats.
Cooper's hawk ( <i>Accipiter cooperii</i> )	WL (Nesting)	Typically occurs in oak woodlands but occasionally in willow or eucalyptus woodlands.	Low. Lack of suitable nesting trees within and near the project site.
Crissal thrasher ( <i>Toxostoma crissale</i> )	SSC	Found in riparian brush; primarily found in mesquite thickets.	Low. Suitable riparian brush habitat not present.

Species	Status	Habitat Description	Potential for Occurrence within Project Site
Loggerhead shrike ( <i>Lanius ludovicianus</i> )	SSC (Nesting)	Found within grassland, chaparral, desert, and desert edge scrub, particularly near dense vegetation used for nesting.	Moderate. The site supports suitable foraging habitat and suitable vegetation for nesting is present.
Western snowy plover ( <i>Charadrius alexandrinus nivosus</i> )	FT, SSC (Nesting)	Nests on the ground on sandy coastal beaches, saline lakes, wastewater ponds, and salt evaporation ponds.	None. Suitable aquatic fringe habitat present.
Yuma Ridgway's rail ( <i>Rallus obsoletus yumanensis</i> )	FE, ST, FP	Found in marsh and wetland habitats containing established emergent cover.	None. Suitable wetland habitat not present.
<b>MAMMALS</b>			
Desert bighorn sheep ( <i>Ovis canadensis nelsoni</i> )	FP	Found in steep, rugged terrain and alluvial fans and washes including desert riparian, oasis and scrub habitats.	Low. Suitable steep terrain and desert riparian habitats not present.
<p>CRPR – California Rare Plant Rank  1B – Plants rare, threatened, or endangered in California and elsewhere  2B – Plants rare, threatened, or endangered in California but more common elsewhere  3 – Review List: Plants about which more information is needed  4 – Plants of limited distribution</p> <p>Threat Ranks  0.1 – Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)  0.2 – Moderately threatened in California (20-80% of occurrences threatened/moderate degree and immediacy of threat)  0.3 – Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)</p> <p>FE: Endangered Species Act (ESA) Federally Endangered Species  FT: Endangered Species Act (ESA) Federally Threatened Species  SE: California Endangered Species Act (CESA) State Endangered Species  ST: California Endangered Species Act (CESA) State Threatened Species  FP: California Department of Fish and Wildlife (CDFW) Fully Protected Species  SSC: California Department of Fish and Wildlife (CDFW) Species of Special Concern  WL: California Department of Fish and Wildlife (CDFW) Watch List Species</p>			

### 4.3 VEGETATION MAPPING AND GENERAL PLANT AND WILDLIFE SURVEYS

The project site includes creosote bush scrub (0.04 acre), desert saltbush scrub (7.99 acres), desert sink scrub (0.38 acre), and disturbed habitat (27.66 acres) (Figure 2). The vegetation communities/land uses that occur within the project site are described below.

#### 4.3.1 VEGETATION COMMUNITIES

##### *Creosote Bush Scrub*

Creosote bush scrub typically occurs on alluvial fans, bajadas, and upland slopes. Creosote bush scrub within the survey area is dominated by widely-spaced stands of creosote bush (*Larrea tridentata*) containing patches of open soil in between shrubs. Annual plant species and other various shrub species such as desert holly are also present.

### ***Desert Saltbush Scrub***

Desert saltbush scrub typically occurs in alluvial fans and along washes in sometimes carbonate-rich soils. Desert saltbush scrub within the survey area is on the eastern side of the project site and is dominated by desert holly (*Atriplex hymenelytra*) and brittlebush (*Encelia farinosa*) with scattered mesquite and creosote bush.

### ***Desert Sink Scrub***

Desert sink scrub typically occurs on flat to gentle sloping valley bottoms and playas adjacent to alluvial fans in deep alkaline soils. Desert sink scrub occurs along the southeastern entrance of the project and is dominated by bush seepweed (*Suaeda nigra*) and little seed canary grass (*Phalaris minor*).

### ***Disturbed***

Disturbed habitat within the survey area has been graded, cleared, or disturbed to the point where the land cannot support native vegetation. These areas consist of bare soils and non-native, weedy species.

## **4.3.2 SPECIAL-STATUS WILDLIFE**

### ***Black-tailed Gnatcatcher (Polioptila melanura)***

Black-tailed gnatcatcher is a CDFW Watch List species. This species is a (non-migratory) year-round resident of the southwestern United States and northern Mexico, and primarily occurs in the Lower Sonoran Zone within semiarid or desert scrub. Black-tailed gnatcatcher nest in dense arroyos and washes, often dominated by creosote bush (*Larrea tridentata*) and salt bush (*Atriplex* sp.). This species nests in the forks of branches of dense shrubs or trees with ample shade and cover (Farquhar and Ritchie 2002).

Suitable desert scrub habitats capable of supporting foraging and breeding black-tailed gnatcatcher is present on the project site. As such, this species has a moderate potential to occur on the project site.

### ***Burrowing Owl (Athene cunicularia)***

Burrowing owl is a CDFW Species of Special Concern at nesting sites and is federally protected by the Migratory Bird Treaty Act (MBTA). The western subspecies of burrowing owl (*A. c. hypugaea*) breeds from southern Canada to the western half of the United States and into Baja California and central Mexico. In California, suitable habitat for burrowing owl is generally characterized by short, sparse vegetation with few shrubs, level to gentle topography, and well-drained soils, such as naturally occurring grassland, shrub steppe, and desert habitats (Haug et al. 1993). Burrowing owls may also occur in agricultural areas, ruderal grassy fields, vacant lots, and pastures containing suitable vegetation structure and useable burrows with foraging habitat in proximity (Gervais et al. 2008). Burrowing owls usually use burrows dug by California ground squirrel (*Otospermophilus beecheyi*) and round-tailed ground squirrel (*Citellus tereticaudus*) and dens or holes dug by other fossorial species including badger (*Taxidea taxus*), coyote (*Canis latrans*), and

fox (e.g., San Joaquin kit fox (*Vulpes macrotis mutica*)) (Ronan 2002). Burrowing owls also frequently use natural rock cavities, debris piles, culverts, and pipes for nesting and roosting (Rosenberg et al. 2004) and have been documented using artificial burrows for nesting and cover (Smith and Belthoff 2001).

Burrowing owls have declined throughout much of their range because of habitat loss due to urbanization, agricultural conversion, and destruction of ground squirrel colonies (Remsen 1978). The incidental poisoning of burrowing owls and the destruction of their burrows during eradication programs aimed at rodent colonies have also caused their decline (Collins 1979; Remsen 1978). Although burrowing owls are relatively tolerant of lower levels of human activity, human related effects such as shooting and introduction of non-native predators, have negative population effects. Burrowing owls often nest and perch near roads where they are vulnerable to roadside shooting, fatal car strikes, and general harassment (Remsen 1978).

Focused burrowing owl surveys have not been conducted for the HSSWS Project. Burrowing owl and burrowing owl sign were not observed in the survey area during 2019 habitat assessment. Based on proximity to extant populations, the presence of suitable habitat, and the ability of burrowing owls to occupy fairly disturbed environments, this species has a moderate potential to occur on the project site.

#### ***California Horned Lark (Eremophila alpestris actia)***

California horned lark is a CDFW Watch List species found in a variety of habitats including deserts, grasslands, chaparral, alpine dwarf-shrub, and coniferous habitats, where trees and large shrubs are absent.

Within southern California, California horned lark nest on the ground in open fields, grasslands, and rangelands. Horned larks forage in areas with low-growing vegetation and feed primarily on grains and other seeds and shift to mostly insects in the summer months. California horned lark breed from March through July, with a peak in activity in May. Outside of the breeding season pairs do not maintain territories and instead form large gregarious, somewhat nomadic flocks. Threats to the California horned lark include habitat destruction and fragmentation, as well as threats to successful nesting such as pesticides and agricultural mowing (Beason 1995).

California horned lark were not observed by RBC during biological surveys; however, the species has a moderate potential to occur on the project site based on the ability of the species to utilize disturbed and desert scrub habitats.

#### ***Loggerhead Shrike (Lanius ludovicianus)***

Loggerhead shrike is a CDFW Species of Special Concern when nesting. This species is a (non-migratory) year-round resident in southern California. Loggerhead shrike prefer open habitats, typically with short vegetation and scattered shrubs.

This species consumes a diet mainly consisting of insects and also feeds on reptiles, birds and small mammals. Loggerhead shrike use a feeding technique where the bird impales prey on spines or thorns of shrubs. Thus, loggerhead shrike suitable habitat requires vegetation with spines or thorns (Yosef 1996), or artificial objects, such as barbed wire.

Leading causes of decline for this species include urban development and ingestion of pesticide-laden prey. Loggerhead shrike numbers are still fairly large across North America; however, the species has dramatically declined over the past century (Yosef 1996).

Suitable nesting habitat for loggerhead shrike containing thorny shrubs and small trees is present on site. Furthermore, adequate foraging habitat and artificial spiny structures (fencing, etc.) are present for this species to impale prey. As such, loggerhead shrike has a moderate potential to occur on the project site.

#### 4.4 PRELIMINARY JURISDICTIONAL DETERMINATION

Examination of the USGS topographic maps did not show any potential jurisdictional features within the project site (Figure 4). No potentially jurisdictional features were observed during the general biological survey within the project site.

### 5 IMPACTS

Direct impacts refer to any alteration, disturbance, or destruction of biological resources caused by and occurring at the same time and place as the project. Examples include direct losses to native habitats, potential jurisdictional waters, wetlands, and special-status species; the crushing of adult plants, bulbs, or seeds; the diversion of natural surface water flows; injury, death, and/or harassment of listed and/or special-status species; and the destruction of habitats necessary for species breeding, feeding, or sheltering.

Indirect impacts may occur later in time or at a place that is farther removed in distance from the project than direct impacts, but indirect impacts are still reasonably foreseeable and attributable to project-related activities. Examples include habitat fragmentation; elevated noise, dust, and lighting levels; changes in hydrology, runoff, and sedimentation; decreased water quality; soil compaction; increased human activity; and the introduction of invasive wildlife (domestic cats and dogs) and plants.

Cumulative impacts are the direct and indirect impacts of a proposed project which, when considered alone, would not be deemed substantial, but when considered in addition to the impacts of related projects in the area, would be considered potentially significant. 'Related projects' refers to past, present, and reasonably foreseeable future projects which would have similar impacts on the proposed project.

CEQA Guidelines Form J thresholds of significance have been used to determine whether project implementation would result in a significant direct, indirect, and/or cumulative impact. These thresholds are based on Appendix G of the CEQA Guidelines (California Code of Regulations [CCR] Title 14, Division 6, Chapter 3, Sections 15000–15387). A significant biological resources impact would occur if the project would:

- 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 CDFW or USFWS;

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS;
- Have a substantial adverse effect on federal protected wetlands (including, but not limited to, marshes, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native 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;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy, or ordinance;
- Conflict with the provisions of an adopted HCP; Natural Community Conservation Plan; or other approved local, regional, or state habitat conservation plan.

## 5.1 NATIVE HABITAT IMPACT ANALYSIS

The project will impact four habitats or land uses as outlined in Table 2. The project will impact 8.41 acre of native vegetation communities; 0.04 acre of creosote bush scrub, 7.99 acres of desert saltbush scrub, and 0.38 acre of desert sink scrub. As noted above, the entire property is highly disturbed and dominated by non-native vegetation. Impacts on non-native vegetation communities or habitats would be less than significant.

Table 2. Potential Project Impacts on Vegetation Communities/Land Uses

Land Use	Impacts within Project Boundary (Acres)*
Creosote Bush Scrub	0.04
Desert Saltbush Scrub	7.99
Desert Sink Scrub	0.38
Disturbed	27.66
<b>Total</b>	<b>36.07</b>

\*Acreages rounded to the hundredths based on raw numbers provided during GIS analysis of the project, which are available upon request.

## 5.2 SPECIAL-STATUS PLANTS IMPACT ANALYSIS

The CNPS Electronic Inventory nine quadrangle search results included 12 plant species with a CRPR. The potential for special-status plant species to occur within the project site was refined by considering the habitat affinities of each species, the results of field habitat assessments, vegetation mapping, and knowledge of local biological resources.

No special-status plant species were identified to have a moderate or high potential to occur on the project site. The project will not impact special-status plants due to a lack of suitable habitat for

all species and the high level of site disturbance. Impacts on special-status plants would be less than significant.

### **5.3 SPECIAL-STATUS ANIMALS IMPACT ANALYSIS**

The project will not impact special-status animals or habitat for special-status animals due to a lack of suitable habitat for most species and the high level of site disturbance. Four special-status animal species have a moderate potential to occur on the project site, including burrowing owl. Through compliance with the project-specific mitigation measure in Section 6.1 of this report, project activities will avoid impacts on burrowing owls, and impacts on special-status animals would be less than significant.

### **5.4 NESTING BIRD IMPACT ANALYSIS**

The project site has the potential to impact active bird nests if vegetation is removed or ground disturbing activities occur during the nesting season (January 15 to August 31). Impacts on nesting birds are prohibited by the MBTA and CFGC. A project-specific mitigation measure that will avoid project impacts on nesting birds is identified in Section 6.2 of this report. With implementation of this measure, impacts on nesting birds would be less than significant.

### **5.5 JURISDICTIONAL RIPARIAN AREAS IMPACT ANALYSIS**

The project will not impact riparian areas or vernal pools.

### **5.6 JURISDICTIONAL WATERS IMPACT ANALYSIS**

The project will not impact jurisdictional wetlands/waters of the U.S. or State.

### **5.7 INDIRECT IMPACT ANALYSIS**

In the context of biological resources, indirect impacts are those effects associated with construction activities adjacent to native open space. Potential indirect effects associated with development include water quality impacts from drainage into adjacent open space/downstream aquatic resources; lighting effects; noise effects; invasive plant species from landscaping; and effects from human access into adjacent open space, such as recreational activities (including off-road vehicles and hiking), pets, dumping, etc. Temporary, indirect effects may also occur as a result of construction-related activities. Since the project is adjacent to already developed or disturbed areas, the project will not result in significant indirect effects on biological resources.

### **5.8 CUMULATIVE IMPACT ANALYSIS**

Due to the level of disturbance on the project site, the adjacent developed land, and the lack of sensitive biological resources, the project will not result in significant cumulative impacts on biological resources.

## 6 MITIGATION AND AVOIDANCE MEASURES

The following discussion provides project-specific mitigation/avoidance measures for actual or potential impacts on special-status biological resources.

### 6.1 BURROWING OWL

As noted above, burrowing owls, active burrows, or burrowing owl sign were not observed at the project site during the habitat assessment, and limited suitable habitat is present on site. The potential for burrowing owl to occur on site is moderate, therefore a pre-construction burrowing owl survey should be conducted prior to project construction to ensure that burrowing owl have not colonized the site. To avoid impacts on burrowing owl, the following mitigation measure is recommended:

**MM-1:** A qualified biologist(s) will conduct a pre-construction presence/absence survey for burrowing owls 14 days prior to ground disturbing activities and 24 hours immediately before ground disturbing activities. If burrowing owls are documented on site, then a plan for avoidance or passive exclusion shall be made in coordination with CDFW. If the survey is negative, the project may proceed without further restrictions related to burrowing owls.

### 6.2 NESTING BIRDS

As noted above, the project site has the potential to support nesting birds. To avoid impacts on nesting birds the following mitigation measure is recommended:

**MM-2:** Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (January 15 to August 31). Due to the potential for nesting birds to occur, a qualified biologist will conduct a nesting bird survey within three (3) days prior to any disturbance of the site, including tree and shrub removal, disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor species will have an avoidance buffer of 500 feet and other bird species will have an avoidance buffer of 300 feet. These buffers may be reduced in consultation with the CDFW.

## **7 CONCLUSION**

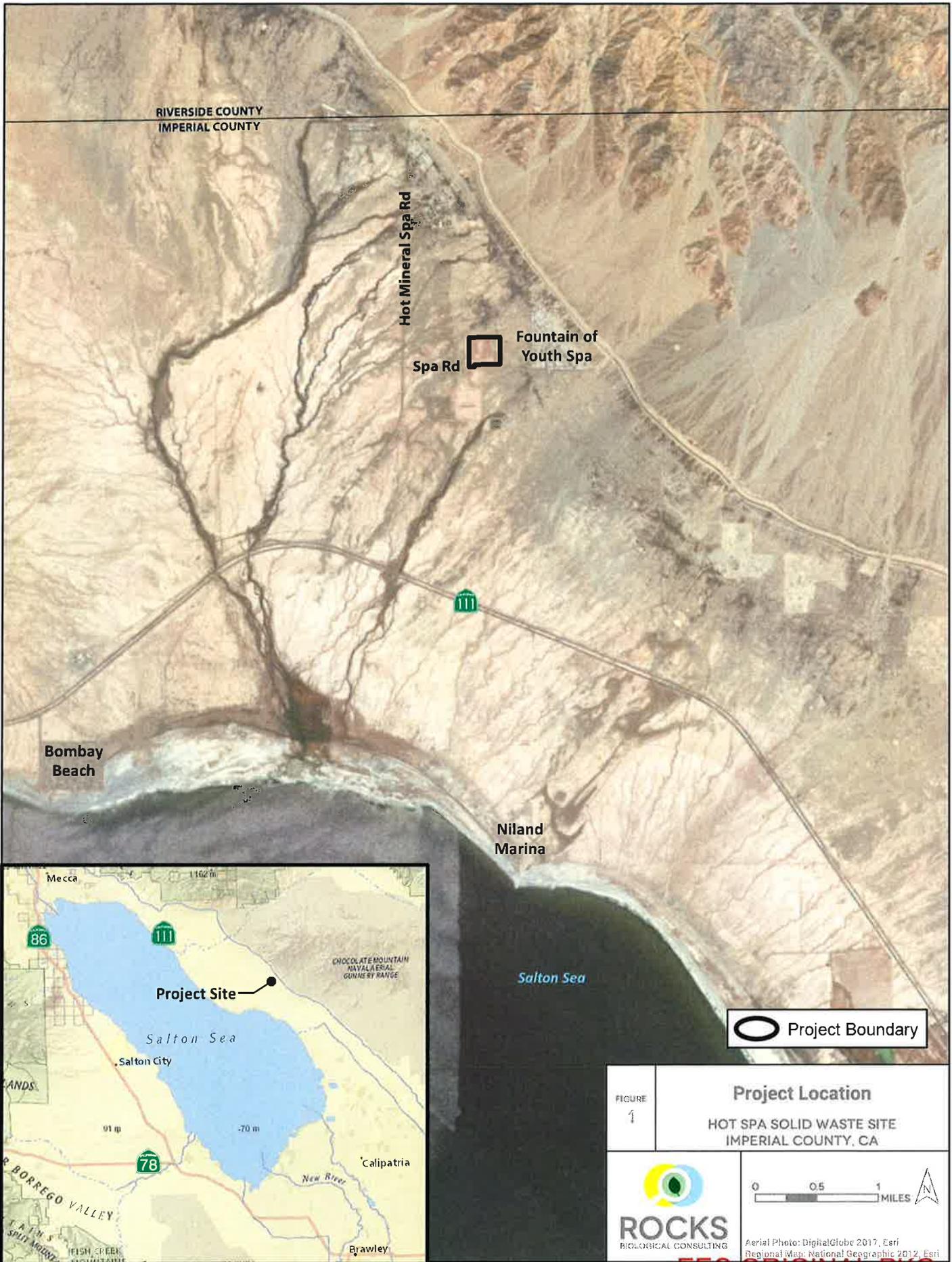
The project site is highly disturbed, and no special-status plant, wildlife, or habitats were observed within the project site. The potential for special-status plants and animals is low to very low. Several special-status wildlife species, most notably burrowing owl have moderate potential to occur based on their current distribution and habitat requirements. No burrowing owl, burrowing owl sign, or active burrows were observed during the habitat assessment or breeding season protocol surveys, and burrowing owl are presumed absent from the site. However, a pre-construction burrowing owl survey should be conducted to document the continued absence of burrowing owl from the project site (see recommended MM-1). Suitable avian nesting habitat is present on site. A pre-construction clearance survey for nesting birds should be conducted to ensure there are no impacts on nesting birds (see recommended MM-2).

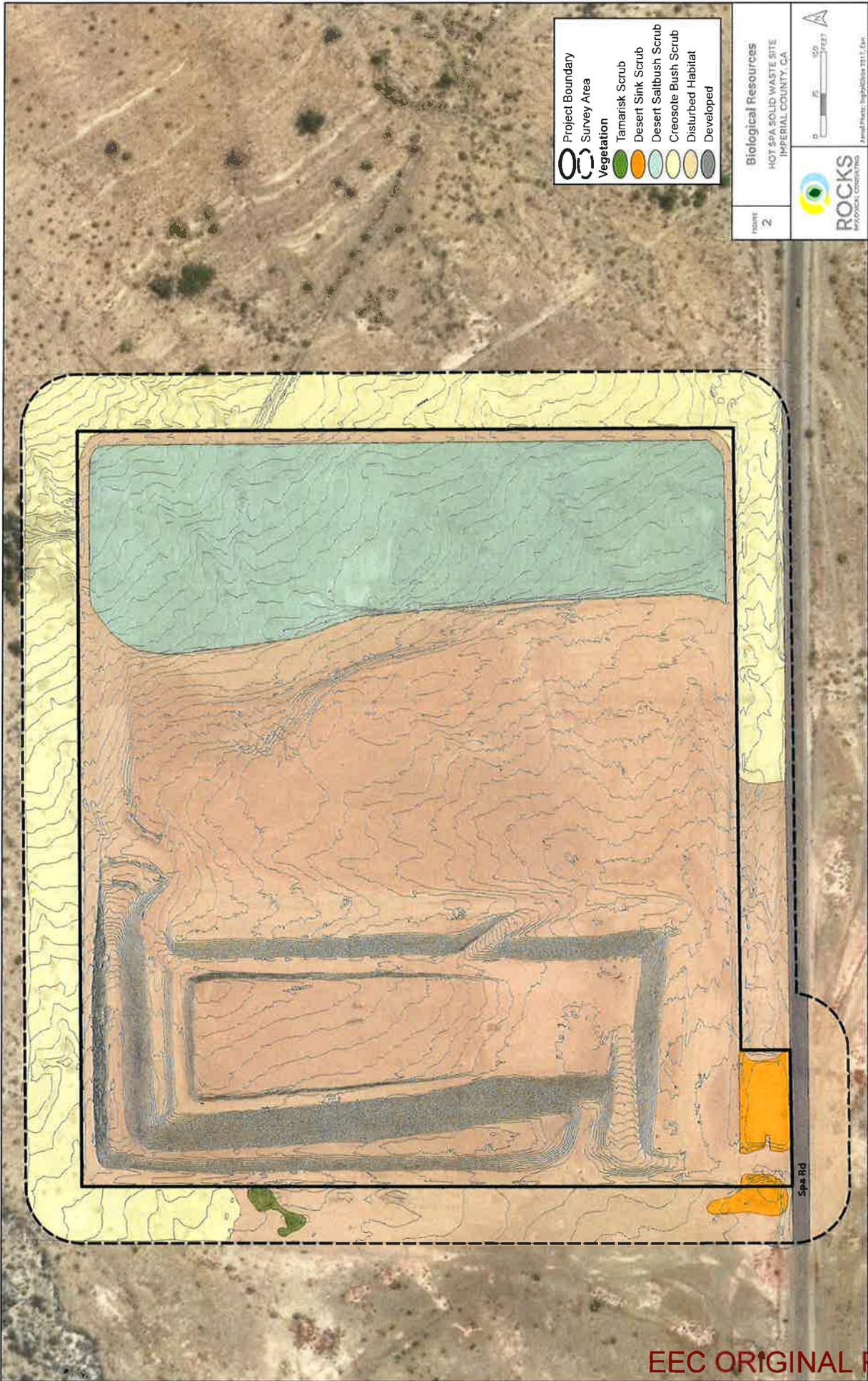
The project will not result in significant impacts on biological resources with the implementation of the MM-1 and MM-2 in Section 6. The project will not impact jurisdictional wetlands/waters of the U.S. or State.

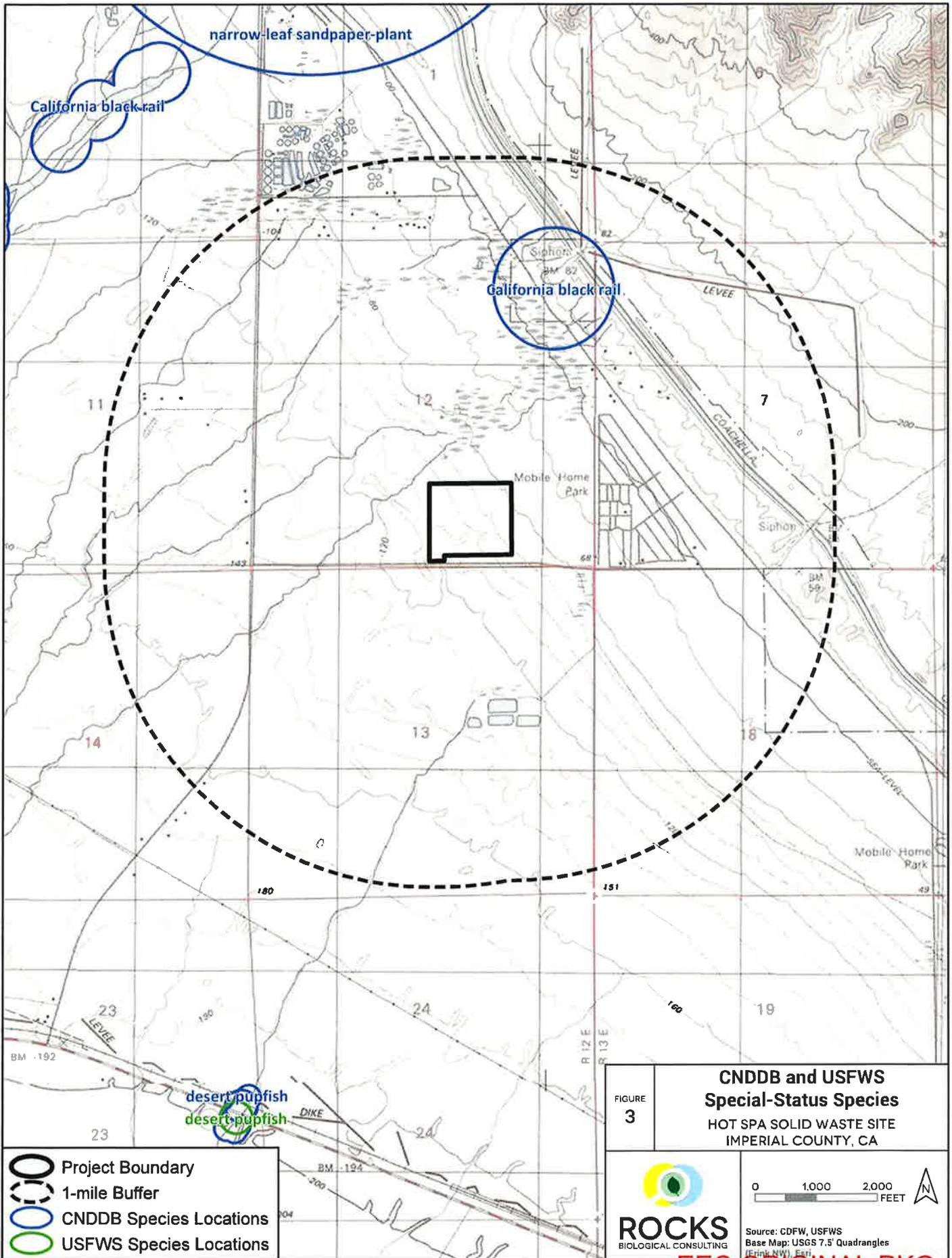
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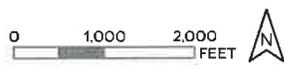
-  Project Boundary
-  1-mile Buffer
-  CNDDDB Species Locations
-  USFWS Species Locations

**FIGURE 3**  
**CNDDDB and USFWS Special-Status Species**  
 HOT SPA SOLID WASTE SITE  
 IMPERIAL COUNTY, CA



**ROCKS**  
BIOLOGICAL CONSULTING

Source: CDFW, USFWS  
 Base Map: USGS 7.5' Quadrangles  
 (Erwin NW, E81)



0 1,000 2,000 FEET

Appendix A  
Site Photographs – September 4, 2019



Photo 1. View of desert saltbush scrub on the project site, facing north from the southern boundary.



Photo 2. View of desert saltbush scrub on the project site, facing west from the eastern boundary.



Photo 3. View of the desert saltbush scrub on the project site, facing south from the northern boundary.



Photo 4. View of the graded berm on the project site, facing southeast from the northern boundary.

Appendix B  
Plant and Wildlife Species Observed

Family	Scientific Name	Common Name
<b>PLANTS</b>		
Asteraceae	<i>Encelia farinosa</i>	brittlebush
Boraginaceae	<i>Cryptantha maritima</i>	Guadalupe cryptantha
Brassicaceae	<i>Brassica tournefortii</i>	Sahara mustard
Brassicaceae	<i>Lepidium</i> sp.	lepidium
Chenopodiaceae	<i>Atriplex canescens</i> var. <i>canescens</i>	four-wing saltbush
Chenopodiaceae	<i>Atriplex elegans</i>	wheelscale
Chenopodiaceae	<i>Atriplex hymenelytra</i>	desert holly
Chenopodiaceae	<i>Chenopodium</i> sp.	chenopodium
Chenopodiaceae	<i>Suaeda nigra</i>	bush seepweed
Fabaceae	<i>Parkinsonia florida</i>	blue paloverde
Plantaginaceae	<i>Plantago ovata</i>	desert plantain
Poaceae	<i>Phalaris minor</i> *	Mediterranean canarygrass
Poaceae	<i>Schismus barbatus</i>	Mediterranean schismus
Polygonaceae	<i>Eriogonum deflexum</i> var. <i>baratum</i>	tall skeleton weed
Polygonaceae	<i>Rumex violascens</i>	violet dock
Tamaricaceae	<i>Tamarix ramosissima</i> *	saltcedar
Zygophyllaceae	<i>Larrea tridentata</i>	creosote bush
<b>BIRDS</b>		
Corvidae	<i>Corvus brachyrhynchos</i>	American crow
* Non-native species		

**Attachment A.  
Comment Letters**



July 8, 2020

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

RECEIVED

JUL 08 2020  
IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

**SUBJECT:** Notice of Intent for a Mitigated Negative Declaration regarding Initial Study 20-0008—Hot Spa Solid Waste Site Final Closure

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") would like to thank you for the opportunity to review and comment on Initial Study (IS) 20-0008 regarding the Hot Spa Solid Waste Site Final Closure ("Project"). The proposed project includes final closure of the Hot Spa Solid Waste Landfill site which will include waste relocation, borrow soil excavation and placement as cover soil, fill placement and compaction, and installation of storm water management features. The project is located at 10466 Spa Road Road in Niland, California and further identified as Assessor Parcel Number (APN) 002-040-078-000.

The Air District finds that since the project footprint exceeds five (5) acres, per Rule 801—Construction and Earthmoving Activities, a Dust Control Plan will be required. Written notification must be provided to the Air District 10 days prior to the commencement of construction/earthmoving activities. If any generators greater than 50 brake horsepower are used at the project site they must be permitted by the Engineering & Permitting Division. The Air District may be reached at (442) 265-1800.

Sincerely,  
  
Curtis Blondell  
Environmental Coordinator

  
Reviewed by,  
Monica Soucier  
APC Division Manager

**Valerie Grijalva**

---

**From:** Mario Salinas  
**Sent:** Tuesday, July 7, 2020 4:16 PM  
**To:** Valerie Grijalva  
**Cc:** Jeanine Ramos; Carina Gomez; Gabriela Robb; John Robb; Kimberly Noriega; Maria Scoville; Rosa Soto  
**Subject:** RE: IS20-0008 Request for Comments

**RECEIVED**

JUL 07 2020

IMPERIAL COUNTY

PLANNING & DEVELOPMENT SERVICES

Good afternoon Valerie,

Good afternoon Ms. Ramos,

Pertaining to Initial Study #20-0008, Division of Environmental Health does not have any comments at this time. However, our division reserves the right to comment in the near future if an issue that needs to be addressed arises.

Thank you,

**From:** Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>  
**Sent:** Wednesday, June 24, 2020 4:48 PM  
**To:** Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Tony Rouhotas <TonyRouhotas@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Marlo Salinas <MarioSalinas@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; rbenavidez@icso.org; scottsheppard@icso.org; dvargas@iid.com; mariaefroelich@yahoo.com; dkgodsey@hotmail.com; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; maurice.eaton@dot.ca.gov; Kai.Dunn@waterboards.ca.gov; energydivisioncentralfiles@cpuc.ca.gov; magdalena.rodriguez@wildlife.ca.gov; dlrp@conservation.ca.gov; hhaines@augustinetribe.com; rgoff@campo-nsn.gov; chairman@cit-nsn.gov; cocotcsec@cocopah.com; tashina.harper@crit-nsn.gov; wmicklin@leaningrock.net; historicpreservation@quechantribe.com; frankbrown@viejas-nsn.gov; tribalsecretary@quechantribe.com; ljbirdsinger@aol.com; lp13boots@aol.com; Thomas.tortez@torresmartinez-nsn.gov; joseph.mirelez@torresmartinez-nsn.gov; katy.sanchez@nahc.ca.gov  
**Cc:** Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; Gabriela Robb <GabrielaRobb@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>  
**Subject:** IS20-0008 Request for Comments

Good Afternoon,

Please see attached Request for Comments for IS20-0008 Hot Spa Solid Waste Site Final Closure Project. Comments are due by **July 9, 2020 at 5:00 PM.**

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments Packet is being sent to you via this email.

Should you have any questions regarding this project, please feel free to contact Planner Jeanine Ramos at (442)265-1736 ext. 1750 or submit your comment letters to [icpdscommentletters@co.imperial.ca.us](mailto:icpdscommentletters@co.imperial.ca.us)

Thank you,

Valerie Grijalva

**Office Assistant II**

**Planning and Development Services**

**801 Main Street**

**El Centro, CA 92243**

**Office: (442)265-1779**

**Fax: (442) 265-1735**



## Jeanine Ramos

---

**From:** Quechan Historic Preservation <historicpreservation@quechantribe.com>  
**Sent:** Thursday, July 2, 2020 1:19 PM  
**To:** Jeanine Ramos  
**Subject:** RE: IS20-0008 Request for Comments

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

This email is to inform you that we do not wish to comment on this project.

---

**From:** Jeanine Ramos [mailto:JeanineRamos@co.imperial.ca.us]  
**Sent:** Tuesday, June 30, 2020 12:00 PM  
**To:** Valerie Grijalva; Carlos Ortiz; Sandra Mendivil; Matt Dessert; Monica Soucier; Ryan Kelley; Tony Rouhotas; Esperanza Colio; Jeff Lamoure; Mario Salinas; Robert Malek; Andrew Loper; John Gay; Carlos Yee; rbenavidez@icso.org; scottsheppard@icso.org; dvargas@iid.com; mariaefroelich@yahoo.com; dkgodsey@hotmail.com; Alfredo Estrada Jr; maurice.eaton@dot.ca.gov; Kai.Dunn@waterboards.ca.gov; energydivisioncentralfiles@cpuc.ca.gov; magdalena.rodriguez@wildlife.ca.gov; dlrp@conservation.ca.gov; hhaines@augustinetribe.com; rgoff@campo-nsn.gov; chairman@cit-nsn.gov; cocotcsec@cocopah.com; tashina.harper@crit-nsn.gov; wmicklin@leaningrock.net; historicpreservation@quechantribe.com; frankbrown@viejas-nsn.gov; tribalsecretary@quechantribe.com; ljbirdsinger@aol.com; lp13boots@aol.com; Thomas.tortez@torresmartinez-nsn.gov; joseph.mirelez@torresmartinez-nsn.gov; katy.sanchez@nahc.ca.gov  
**Cc:** Michael Abraham; Diana Robinson  
**Subject:** RE: IS20-0008 Request for Comments

Good afternoon,

Attached is a revised version of the Initial Study #20-0008 for the Hot Spa Solid Waste Site Final Closure Project for your review and comments.

As a reminder comments are due by July 9, 2020 at 5:00 PM.

Thank you and have a great rest of your day,

Jeanine Ramos  
Planner I  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243  
(442) 265-1736  
(442) 265-1735 (Fax)  
[jeanineramos@co.imperial.ca.us](mailto:jeanineramos@co.imperial.ca.us)

**From:** Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>  
**Sent:** Wednesday, June 24, 2020 4:48 PM  
**To:** Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Tony Rouhotas <TonyRouhotas@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper

<AndrewLoper@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; rbenavidez@icso.org; scottsheppard@icso.org; dvargas@iid.com; mariaefroelich@yahoo.com; dkgodsey@hotmail.com; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; maurice.eaton@dot.ca.gov; Kai.Dunn@waterboards.ca.gov; energydivisioncentralfiles@cpuc.ca.gov; magdalena.rodriguez@wildlife.ca.gov; dlrp@conservation.ca.gov; hhaines@augustinetribe.com; rgoff@campo-nsn.gov; chairman@cit-nsn.gov; cocotcsec@cocopah.com; tashina.harper@crit-nsn.gov; wmiclin@leaningrock.net; historicpreservation@quechantribe.com; frankbrown@viejas-nsn.gov; tribalsecretary@quechantribe.com; ljbirdsinger@aol.com; lp13boots@aol.com; Thomas.tortez@torresmartinez-nsn.gov; joseph.mirelez@torresmartinez-nsn.gov; katy.sanchez@nahc.ca.gov  
**Cc:** Jeanine Ramos <JeanineRamos@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; Gabriela Robb <GabrielaRobb@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>  
**Subject:** IS20-0008 Request for Comments

Good Afternoon,

Please see attached Request for Comments for IS20-0008 Hot Spa Solid Waste Site Final Closure Project. Comments are due by **July 9, 2020 at 5:00 PM.**

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments Packet is being sent to you via this email.

Should you have any questions regarding this project, please feel free to contact Planner Jeanine Ramos at (442)265-1736 ext. 1750 or submit your comment letters to [icpdscommentletters@co.imperial.ca.us](mailto:icpdscommentletters@co.imperial.ca.us)

Thank you,

Valerie Grijalva  
Office Assistant II  
Planning and Development Services  
801 Main Street  
El Centro, CA 92243  
Office: (442)265-1779  
Fax: (442) 265-1735



 Virus-free. [www.avast.com](http://www.avast.com)

## Jeanine Ramos

---

**From:** Quechan Historic Preservation Officer <historicpreservation@quechantribe.com>  
**Sent:** Monday, June 1, 2020 11:27 AM  
**To:** Jeanine Ramos  
**Subject:** Hot Spa Solid Waste Site Final Closure Project

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

This email is to inform you that we do not wish to comment on this project.

*Thank you,*

*H. Gill McCormick, H.A.*

Quechan Indian Tribe  
Historic Preservation Officer  
P.O. Box 1899  
Yuma, AZ 85366-1899  
Office: 760-572-2423  
Cell: 928-261-0254  
E-mail: [historicpreservation@quechantribe.com](mailto:historicpreservation@quechantribe.com)



 Virus-free. [www.avast.com](http://www.avast.com)



July 17, 2020

Ms. Diana Robinson, Planner III  
[ICPDScommentletters@co.imperial.ca.us](mailto:ICPDScommentletters@co.imperial.ca.us)  
Imperial County Planning & Development Services  
801 Main Street  
El Centro, CA 92243

RECEIVED

JUL 17 2020

IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

**Subject:** Request for Review and Comment Letter for Initial Study #20-0009, Imperial Solid Waste Site Final Closure Project, Facility No. 13-AA-0001

Dear Ms. Robinson:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

**PROJECT DESCRIPTION**

The County of Imperial, acting as Lead Agency, has prepared and requesting for review and comment an Initial Study in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The Imperial Solid Waste Site is located at 1705 W. Worthington Road, Imperial, California. The site consists of Assessor Parcel Number (APN) 034-320-050-000 and is designated as Special Purpose Facility and is zoned Government/Special Public (G-S). The site is located in an agricultural area along the eastern bank of the south to north flowing New River and surrounded by agricultural uses and the Imperial Irrigation District.

The proposed project is for the closure of the Imperial Solid Waste Site (ISWS). The ISWS is located on approximately 69 acres with a total disposal area for approximately 18 acres and ceased disposal operations in July 2018. The closure will include waste relocation, cover soil import, engineered fill placement and compaction, and installation of storm water management facilities. The landfill has reached the permitted capacity and requires closure in accordance with Title 27, California Code of Regulations (27 CCR), Section 21110.

Initial Study Imperial Solid Waste Site  
July 17, 2020  
Page 3 of 3

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.341.6413 or by e-mail at [jeff.hackett@calrecycle.ca.gov](mailto:jeff.hackett@calrecycle.ca.gov).

Sincerely,



Jeff Hackett, Manager  
Permits & Assistance South Section  
Waste Permitting, Compliance & Mitigation Division

cc: Benjamin Escotto, CalRecycle  
Jorge Perez, Imperial County Environmental Health Services, LEA