



MITIGATION MONITORING AND REPORTING PROGRAM
NILAND SANITATION DISTRICT WASTEWATER TREATMENT PLANT IMPROVEMENTS

Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<p>AIR QUALITY</p> <p>Implementation of the proposed project may result in short-term emissions conflicting with air quality plan.</p>	<p>MM AIR 1-1: Fleet Modernization for On-road Haul Trucks: Trucks hauling materials such as debris or fill shall sprinkle to mitigate blowing dust prior to leaving the site. Idling shall be restricted to a maximum of 5 minutes when not in use. All on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used on-site or to transport materials to and from the site shall comply with CARB 2010 on-road emission standards, where available.</p> <p>MM AIR 1-2: Fleet Modernization for Off-road Equipment: All off-road equipment used at the site shall meet current requirements or CAHRS OFF-ROAD diesel regulations. Idling shall be restricted to a maximum of 5 minutes when not in use. All Track-Out or Carry-Out will be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto adjacent paved roads. Movement of Bulk Material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers or by sheltering or enclosing the operation and transfer line. The construction of any new unpaved road is prohibited within any area with a population of 500 or more unless the road meets the definition of a Temporary Unpaved Road. Any temporary unpaved road shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emission by paving, chemical stabilizers, dust suppressants and/or watering.</p> <p>MM AIR - 1-3: ICAPCD Measures for Construction Combustion Equipment: Use of alternative fueled or catalyst equipped diesel construction equipment, including all off-road and portable diesel powered equipment. 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. Keep vehicles well maintained to prevent leaks and minimize emissions, and encourage employees to do the same.</p>	<p>Prior to issuance of building permits</p>	<p>Project Applicant</p>	<p>Imperial County Public Works & Planning and Development Department</p>
<p>BIOLOGICAL RESOURCES</p>				
<p>Construction activities of the proposed project could result in indirect noise and dust and disturbance of the burrowing owl habitats</p>	<p>MM AIR 1-1: Presence/absence surveys per the California Burrowing Owl Consortium (CBOW) protocol (2003) shall be conducted prior to initiation of the project to determine the location and abundance of Burrowing Owls within the project site. The survey protocol requires a focused burrow survey to identify the potential for the area to support burrowing owls. If the survey area contains natural or man-made structures that could potentially support burrowing owls, or owls are observed during the burrow survey, then three subsequent surveys will be required. The CDFW and/or lead agency may require mitigation for impacts on Burrowing Owls or their burrows. Impacts as defined by the CBOW include the following: Disturbance or harassment within 50 meters (approx. 169 ft) of occupied burrows, Destruction of burrows and burrow entrances. Burrows include structures such as culverts, concrete slabs and debris piles that provide shelter to Burrowing Owls, and Degradation of foraging habituated adjacent to occupied burrows. Burrowing Owls and their active burrows shall be avoided, if possible. Occupied burrows shall not be disturbed during the nesting season (February 1 – August 31) unless formally approved by CDFW. If impacts on Burrowing Owls are unavoidable, on-site mitigation in the form of passive relocation of the Burrowing Owls may be required. Passive relocation is deemed as prompting owls to move from occupied burrows within the proposed impact area to a natural or artificial burrow at least 50 meters from the impact area. This relocation can be accomplished by installing one-way doors on the burrow entrances and leaving them in place 48 hours to ensure that owls have left the burrow before the burrow is collapsed. Relocation of Burrowing Owls should only be implemented during the non-breeding season. Detailed information on passive relocation and other Burrowing Owl mitigation information can be found in the CBOW guidelines/mitigation. With implementation of the aforementioned mitigation, impacts on Burrowing Owls would be reduced to below a level of significance.</p>	<p>Prior to the initiation of the project to determine the location and abundance</p>	<p>Project Applicant</p>	<p>Imperial County Public Works & Planning and Development Department</p>

CULTURAL RESOURCES				
<p>Construction activities of the proposed project could cause substantial adverse change in the significance of an archaeological resources</p>	<p>MM CUL 1-1: In the event archaeological resources potentially eligible for the CRHR are encountered, surface disturbing work in the immediate vicinity of the discovery shall temporarily halt until appropriate treatment of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Section 15064.5. The archaeological monitor shall have the authority to re-direct construction equipment in the event archaeological resources potentially eligible for the CRHR are encountered.</p> <p>MM CUL 1-2: In the event that human remains are encountered during ground-disturbing activities, all ground-disturbing activities in the vicinity of the find would be stopped. The County/Coroner would be notified in compliance with all relevant federal regulations and as required by CEQA Guidelines, section 15064.5(e). All parties involved would ensure that any such remains are treated in a respectful manner and that all applicable state and federal laws are followed. If human remains are found to be of Native American origin, or if associated grave goods or objects of cultural patrimony are discovered, the provisions of the Native American Graves Protection and Repatriation Act [NAGPRA] would be followed. The Native American Heritage Commission shall be asked to determine the descendants who are to be notified or, if unidentifiable, to establish the procedures for burial.</p>	<p>Prior to the issuance of building permit and during construction</p>	<p>Project Applicant</p>	<p>Imperial County Public Works & Planning and Development Department</p>
HYDROLOGY AND WATER QUALITY				
<p>Construction of the proposed project would likely interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.</p>	<p>MM HM 1-1: A geotechnical investigation of the project site shall occur prior to implementation of the project to determine the precise soil and groundwater conditions. Based on the results of this investigation, appropriate design and measures shall be incorporated into final engineering and design of the WWTP improvements.</p>	<p>During plan approval and during construction</p>	<p>Project Applicant</p>	<p>Imperial County and Contractor Monitoring</p>
GEOLOGY AND SOILS				
<p>Implementation of the proposed project can potentially result in on or off-site landslides, lateral spreading, subsidence, liquefaction or collapse; and risk to life or property.</p>	<p>MM GS 1-1: Based on the results of the geotechnical investigation of the project site, appropriate design and measures shall be incorporated into final engineering and design of the WWTP improvements.</p>	<p>During plan approval and during construction</p>	<p>Project Applicant</p>	<p>Imperial County and Contractor Monitoring</p>

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE
FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA DATE: June 13, 2019

AGENDA TIME 1:30 PM / No. 2

PROJECT TYPE: Niland Wastewater Treatment Facility CUP19-0006 SUPERVISOR DIST # 4

LOCATION: 125 Alcott Road APN: 021-240-001/006 & 021-200-005-000

Niland, CA PARCEL SIZE: approx. 73.36 AC

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

ZONE (existing) A-1 ZONE (proposed) __

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 06/13/2019

INITIAL STUDY: #19-0008

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

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

REQUESTED ACTION:

(See Attached)


- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**CONDITIONAL USE PERMIT #19-0006
NILAND COUNTY SANITATION DISTRICT
WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT**



Prepared By:

 The Holt Group, Inc.
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**FOR THE
COUNTY OF IMPERIAL**
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June 2019

EEC ORIGINAL PKG

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SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit for proposed improvements to the Niland County Sanitation District (NCSD) Wastewater Treatment Plant. Proposed improvements include the construction of three evaporation ponds and appurtenant structures on a 56-acre site to be acquired from the adjacent parcel. (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

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

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

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

VII. **FINDINGS**

SECTION 4

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

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. **Tiered Documents**

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The 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.

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- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
 - These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
 - The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. *Environmental Checklist*

1. **Project Title:** Niland County Sanitation District Wastewater Treatment Plan Improvement Project
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Patricia Valenzuela, Planner IV, (442)265-1736, ext. 1749
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** patriciavalenzuela@co.imperial.ca.us
6. **Project location:** The project site is on the south side of Alcott Road approximately 0.37 mile west of Highway 111 south of the unincorporated community of Niland. The site is further identified as Assessor's Parcel Numbers 021-240-001, 021-240-006, and 021-200-005 for a total project are of 73.36 acres.
7. **Project sponsor's name and address:**
8. **General Plan designation:**
9. **Zoning:** A-1 (Limited Agriculture) and A-2-G (General Agriculture)
10. **Description of project:** Improvements to the Niland County Sanitation District's (NCSD) wastewater treatment system are being proposed to address exceedances discharge contamination from E. coli (bacteria), copper, and thallium. Planned improvements include the rehabilitation of sections of the existing sanitary sewer collection system, critical components of the wastewater treatment plant, and the construction of three evaporation ponds on an approximate 56-acre parcel of land adjacent to the existing wastewater treatment plant (WWTP). Land will be acquired from the Imperial Irrigation District through a land swap agreement. The evaporation ponds would add an additional step to the treatment process to eliminate wastewater discharge into the natural environment and eliminate the need for a National Pollutant Discharge Elimination System (NPDES) Permit. Effluent from the existing WWTP will be pumped via a new pump station and deposited into the three large open basins allowing water to evaporate through solar radiation and wind. Each of the three, 10-acre water surface evaporation ponds to accommodate an average annual flow of 150,000 gallons per day with a peak monthly flow of 200,000 gallons per day with sufficient freeboard to store water during the cool wet winter months for evaporation during the summer. Approximately 50 mg/L suspended solids per day will accumulate in the evaporation basins and as water naturally evaporates the solids will compact as they settle to the bottom of the basin. It is projected that approximately five inches of solids per year will accumulate when the basins are operating at full capacity assuming that the solids will compact to a concentration of about 5,000 mg/L. The accumulated solids will be cleaned out and disposed at the land fill once every five years.

A Conditional Use Permit (CUP) is required for the project as it is located within A-1 (Limited Agriculture) and A-2-G (General Agriculture) zones. The existing wastewater treatment plant is situated within three separate but contiguous parcels.

11. **Surrounding land uses and setting:** The project site is primarily surrounded by agricultural land. The area directly to the northwest and west of the project site is zoned A-2-G (General Agriculture with Government Overlay) and the area to the east is zoned A-1 (Limited Agriculture). One parcel to the north of the project site across the street on Alcott Road is zoned C-2-G (Medium Commercial with Government Overlay). The remaining parcels about the project site to the north and northeast are zoned R-1-U (Low Density Residential with Urban Overlay). These residential parcels are at least one acre in size and the nearest existing residence is approximately 725' away from the project site.
12. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**

-
- A. Imperial County Planning Commission (Conditional Use Permit)
 - B. California Water Resources Control Board (Financing and Waste Discharge Requirements)
 - C. Caltrans (Encroachment Permit)
 - D. Imperial Irrigation District (Encroachment Permit)
 - E. Imperial County Department of Public Works (Encroachment Permit)
 - F. Imperial County Planning and Development Services (Grading Permit)
 - G. Imperial County Air Pollution Control District (Construction Permit)

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.? No have not received any request for consultation.

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.

No requests for consultation have been received from tribal agencies.

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

EEC VOTES

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

YES

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NO

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ABSENT

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 Jim Minnick, Director of Planning/EEC Chairman

6-13-19

 Date:

PROJECT SUMMARY

A. Project Location:

The project site is on the south side of Alcott Road approximately 0.37 mile west of Highway 111 south of the unincorporated community of Niland. The site address is 125 Alcott Road and is further identified as Assessor's Parcel Numbers 021-240-001, 021-240-006, and 021-200-005 for a total project are of 73.36 acres. Exhibit A on page 15 shows a Vicinity Map which illustrates the location of the proposed project.

B. Project Summary:

The County of Imperial recently took over the ownership and operational responsibilities of the Niland Sanitary District. The system consists of a network of sewer collection infrastructure connected to an aeration pond wastewater treatment plant (WWTP). The treatment plant is located within a 17-acre site at 125 Alcott Road in the unincorporated community of Niland. Financial and management difficulties in the past have resulted in violations related to exceedances in E. coli (bacteria), copper, and thallium which culminated in a Cease and Desist Order in 2009 and amended in 2012.

Copper is a ductile metal with very high thermal and electrical conductivity. Since November 2005 the District has had Copper exceedances. A review of the last two years of Copper testing shows that most of the months there are measurable concentrations of Copper leading to the conclusion that Copper exceedances are likely to be a chronic problem since a point source has not been able to be identified.

Thallium is a metal that is found in ores that contains other elements and is mostly found in discharges from electronics, glass and drug factories. Thallium is very toxic. The Regional Board, with assistance from the engineering firm Tetra Tech carried out a Pretreatment Program Needs Assessment which was also unable to identify a source for the Thallium contamination.

Historically, the NCSD has had several E. Coli test exceedances but since 5/31/2011 no bacteria testing violations have occurred (through 7/1/13)². The plant uses 12.5% sodium hypochlorite (liquid bleach) in a chlorine contact basin for disinfection. High temperatures can lead to decomposition of sodium hypochlorite stability if not stored properly. Adding a shade shelter will allow the operators to use less bleach during the summer months.

A Supplemental Preliminary Engineering Report (PER) was completed in September 2016 analyzing various improvement alternatives to address deficiencies in the wastewater treatment plant. The preferred alternative identified in the PER includes a rehabilitation of various components of the existing treatment plant and the installation of three new evaporation ponds. The PER examined all lands surrounding the existing wastewater treatment plant for suitability and feasibility. Parcels to the north were excluded because of the presence of Alcott Road separating those parcels from the existing treatment plant. The parcel to the east is owned by the State of California and is currently under active agricultural production. The parcels to the south and to the west are owned by the Imperial Irrigation District (IID) and are not currently being cultivated. A portion of the parcel to the west (APN 021-200-005) was ultimately selected as the preferred location to minimize earthwork and maximize cost efficiency.

The existing treatment facility was constructed in 1993 with a permitted capacity of 0.5 million gallons per day (MGD). Improvements to the Niland County Sanitation District's (NCSD) wastewater treatment system are being proposed to address exceedances discharge contamination from E. coli (bacteria), copper, and thallium. Planned improvements include the rehabilitation of sections of the existing sanitary sewer collection system, critical components of the wastewater treatment plant, and the construction of three evaporation ponds on an approximate 56-acre parcel of land adjacent to the existing wastewater treatment plant (WWTP). Land will be acquired from

the Imperial Irrigation District through a land swap agreement. The proposed improvements are not capacity enhancing and no additional treatment capacity is proposed. Refer to Exhibit B on page 16 for Site Plan showing the proposed improvements.

The evaporation ponds would add an additional step to the treatment process to eliminate wastewater discharge into the natural environment and eliminate the need for a National Pollutant Discharge Elimination System (NPDES) Permit. Effluent from the existing WWTP will be pumped via a new pump station and deposited into the three large open basins allowing water to evaporate through solar radiation and wind. Each of the three, 10-acre water surface evaporation ponds to accommodate an average annual flow of 150,000 gallons per day with a peak monthly flow of 200,000 gallons per day with sufficient freeboard to store water during the cool wet winter months for evaporation during the summer. Approximately 50 mg/L suspended solids per day will accumulate in the evaporation basins and as water naturally evaporates the solids will compact as they settle to the bottom of the basin. It is projected that approximately five inches of solids per year will accumulate when the basins are operating at full capacity assuming that the solids will compact to a concentration of about 5,000 mg/L. The accumulated solids will be cleaned out and disposed at the land fill once every five years.

The County of Imperial, along with the former District were able to obtain grant funding from the Border Environment Infrastructure Fund (BEIF) Project Development Assistance Program (PDAP) to pay for improvements to the wastewater treatment plant. The Niland County Sanitation District is currently applying for funding from the Clean Water State Revolving Funds (SRF). Once funding is approved, it is anticipated that construction will begin during the first quarter of 2020 and be completed within nine months.

C. Environmental Setting:

The project site encompasses an area of approximately 73.36 acres located approximately 0.5 mile south and 0.38 mile west of the unincorporated townsite of Niland. Niland is located in Imperial County, approximately 45 miles north of the California-Mexico border, in the Imperial Valley of Southern California. State Highway 111 runs north and south along the western portion of the community and is the main arterial in Niland. The Salton Sea is located approximately two miles to the west. The town, as well as the project site, is bordered to the east and northeast by agricultural fields and the Salton Sea to the west, and extensive agricultural development of the Imperial Valley to the south. Niland consists of quiet residential areas and limited commercial activities centralized around Highway 111. The community relies heavily on agricultural employment and government assistance as a source of income and is considered an economically disadvantaged community. The current population in Niland is currently estimated to be 1,145 people according to the US Census American Community Survey (ACS).

The Niland County Sanitation District (NCSD) provides wastewater collection and treatment services to residents of the Niland community. The NCSD owns and operates approximately six miles of sewer collection lines, one lift station, and a wastewater treatment plant located at 125 West Alcott Road. The plant is bounded by Orban Street to the west, Luna Road to the east, and Pound Road to the south. Treated wastewater is discharged into the "R" Drain, owned and operated by the Imperial Irrigation District. The Niland Sanitary Sewer District owns and operates the WWTP from two parcels at this location which is located approximately $\frac{3}{4}$ of a mile southwest of the developed areas in the Niland community. The existing site occupies nearly 17 acres and another 57 acres will be added to the site for a total project site of nearly 74 acres.

The proposed project is adjacent to productive agricultural and developed lands. Agricultural irrigation water is available to land base in the vicinity of and within the project area. Farming operations in this area generally consist of medium to large-scale crop production with related operational facilities. Crops generally cultivated in the area may include alfalfa, barley, and/or Bermuda grass in any given year. The area surrounding the project site further has soils that are considered valuable for agricultural production. Although there is no Prime Farmland within the project vicinity which would have the best combination of physical and chemical features able to sustain long term agricultural production, there is Farmland of Statewide Importance within the project area. Similar to Prime Farmland, this land has the soil quality, growing season, and moisture supply needed to produce sustained high

yields but contains minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland within the project area is considered to be most fertile, as identified by the Farmland Monitoring Map Program

There are rural residential homes within the vicinity of the project area. An area to the northeast of the project site is zoned R-1-U (Low Density Residential with Urban Overlay) and is sparsely developed with country homes. There are approximately eight of these homes within a half-mile radius of the project site.

Niland and the Imperial Valley are located between the Salton Sea, which lies to its north, the Anza-Borrego Desert State Park, which lies to the west, the Chocolate Mountains which lie to the northeast and the U.S./Mexican Border which constitutes its most southern boundary. The project site is located in the Imperial Valley portion of the Salton Trough, a topographic and geologic depression resulting from large scale regional faulting. Land in and around Niland is primarily flat, with several gently rising hills. The topography in the area has a gradual downward slope trending southwest, with an average slope across the town of less than 1 percent. According to the US Geological Survey data, the elevation in the Niland project area is generally between 125 and 150 feet below sea level. The Niland WWTP is at an approximate elevation of -178 feet.

Geological resources typically consist of surface and subsurface materials and their inherent properties. Imperial County, in general, is underlain by three natural geomorphic provinces: the Peninsular Ranges, the Colorado Desert, and the Mojave Desert. Each of these provinces is a naturally defined geologic region that displays a distinct landscape or landform with defining features based on geology, faults, topographic relief, and climate. Tectonic activity that formed the Trough continues at a high rate and therefore, the project site is considered likely to be subjected to moderate to strong ground motion from faults in the region. The entire Imperial Valley is seismically active and considered to be subjected to moderate and strong ground motion from earthquakes in the region. The primary seismic hazard in the Niland area is from the Brawley Seismic Zone and the San Jacinto, Elsinore, Sand Hills, Calipatria, and San Andreas Faults.

The project area is located in the Salton Sea Air Basin (SSAB) under the jurisdiction of the Imperial County Air Pollution Control District (ICAPCD). The SSAB is currently either in attainment or unclassified for all federal and state air pollutant standards with the exception of 8-hour ozone, PM10, and PM2.5. Imperial County is classified as a "serious" nonattainment area for PM10 for the National Ambient Air Quality Standards (NAAQS). On November 13, 2009, EPA published Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) NAAQS wherein Imperial County was listed as designated nonattainment for the 2006 24-hour PM2.5 NAAQS. However, the nonattainment designation for Imperial County is only for the urban area within the County and the proposed projects is located within the nonattainment boundaries for PM2.5. On April 10, 2014, the California Air Resources Board (CARB) gave final approval to the 2013 Amendments to Area Designations for California Ambient Air Quality Standards (CAAQS). For the state PM2.5 standard, effective July 1, 2014, the City of Calexico will be designated nonattainment, while the rest of the SSAB will be designated attainment.

The project area consists of the developed wastewater treatment plant site, and surrounding farmland/cultivated ruderal areas and isolated residential uses bordered by unpaved roadways and the Highway 111. One mile east of Niland, cultivated land ends and gives way to the Palo Verde Mountains. The Sonny Bono Salton Sea National Wildlife Refuge (NWR) is located 4.30 miles northwest of the project area and the Alamo River is located 4 miles southwest of the Niland Sanitary District WWTP site.

The Salton Sea State Park and State Recreation Area begin approximately 15 miles northwest of Niland and run along the shoreline of the Salton Sea. The closest Bureau of Land Management (BLM) administered land to the project area is approximately 2 miles north of Niland.

The Sonny Bono Salton Sea NWR is located between the southern tip of the Salton Sea and the entry point of the Alamo River to the Salton Sea, approximately 12 miles southwest of Niland. The refuge comprises of approximately 2,000 acres of land, divided into two distinct land parcels. Located along the Pacific Flyway, the refuge is an important host habitat to seasonal and migratory birds. Over 400 bird species have been recorded at

the refuge, in addition to 41 species of mammals, 18 species of reptiles, 4 species of amphibians, and 15 species of fish (USFWS 2015).

The closest protected habitat to the project area is the Wister Waterfowl Management Area, an element of the Imperial Wildlife Area, approximately 0.5 miles northwest of Niland. The CDFG maintains the Imperial Wildlife Area, a 7,929-acre area that contains salt marshes, freshwater ponds, and desert scrub. The Imperial Wildlife Area provides habitat that supports nearly 400 different species. The Wildlife Area was created in 1954 in order to safeguard habitat for migratory birds, alleviate crop damage to adjacent farms, and to offer recreation opportunities.

Archaeological resources within Imperial County can be classified into two distinct sections: prehistoric and historic. Prehistoric archeology relates to aboriginal culture and systems which existed prior to Spanish colonization in 1769. Historical archeology deals with uncovering facts for which there is no known historical documentation. The most important feature in the study of the prehistory and history of Imperial County is Lake Cahuilla, the modern iteration of which is the Salton Sea. This enormous lake periodically formed when flooding in the Colorado River broke through low-lying areas and flooded the Salton Trough, inundating up to an average elevation of about 40 feet above mean sea level. Because Lake Cahuilla was a rare source of fresh water in the desert, human populations would have been attracted to live and gather plant and animal resources near the lake. Human occupation sites mark the ancient shorelines both above the high stand mark and along the lower, retreating shorelines.

D. Analysis:

The project was previously reviewed in an Initial Study in June 2013. An Environmental Assessment (EA) in accordance with the requirements of the National Environmental Policy Act (NEPA) was also prepared and adopted by the US Environmental Protection Agency (USEPA), US Department of Agriculture (USDA), and the Border Environment Cooperation Commission (BECC) in May 2016. The EA resulted in a Finding of No Significant Impact (FONSI).

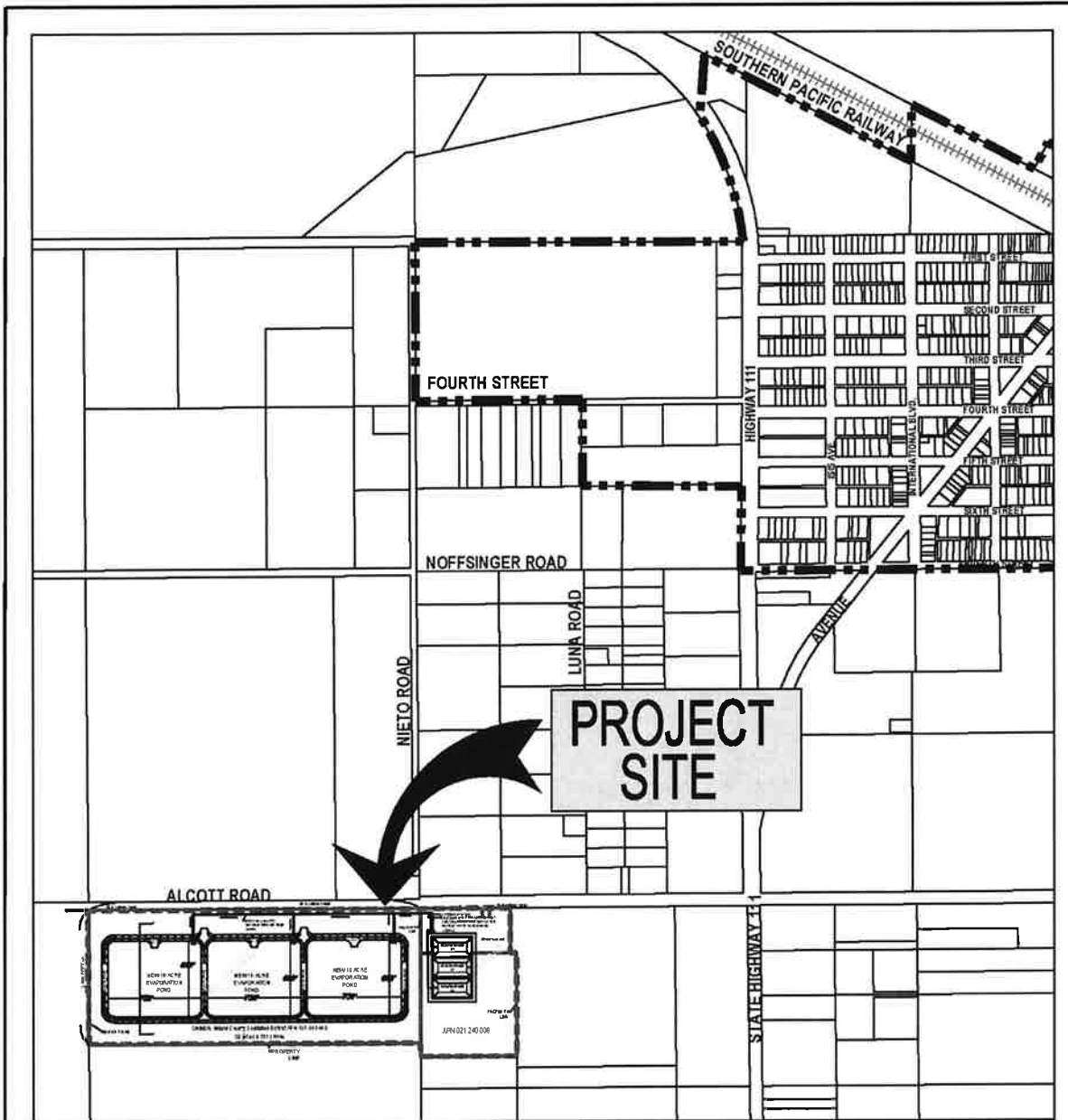
E. General Plan Consistency:

The Land Use Element of the General Plan designates the area for agricultural land uses. The Land Use Compatibility Matrix identifies special facilities such as wastewater treatment as being conditionally compatible within areas designated for agricultural land use. This is supported by Zoning Code which requires a Conditional Use Permit for wastewater treatment plant in the A-2 (General Agriculture) zone.

Goal #8 of the Land Use Element is to coordinate local land use planning activities among all local jurisdictions and state and federal agencies. Furthermore, Goal #8.7 is to ensure the development, improvement, timing, and location of community sewer, water, and drainage facilities will meet the needs of existing communities and new developing areas. The purpose of the improvement project is to correct deficiencies in the Niland wastewater treatment and to ensure compliance with state and federal requirements related to wastewater discharge.

Protection of environmental resources is an important goal covered in Goal #9 of the Land Use Element. Significant natural, cultural, and community character resources and the County's air and water quality are to be identified and preserved. As shown in this Initial Study and Mitigated Negative Declaration, mitigation measures are included to ensure that impacts to the environment are minimal.

Exhibit "A" Vicinity Map

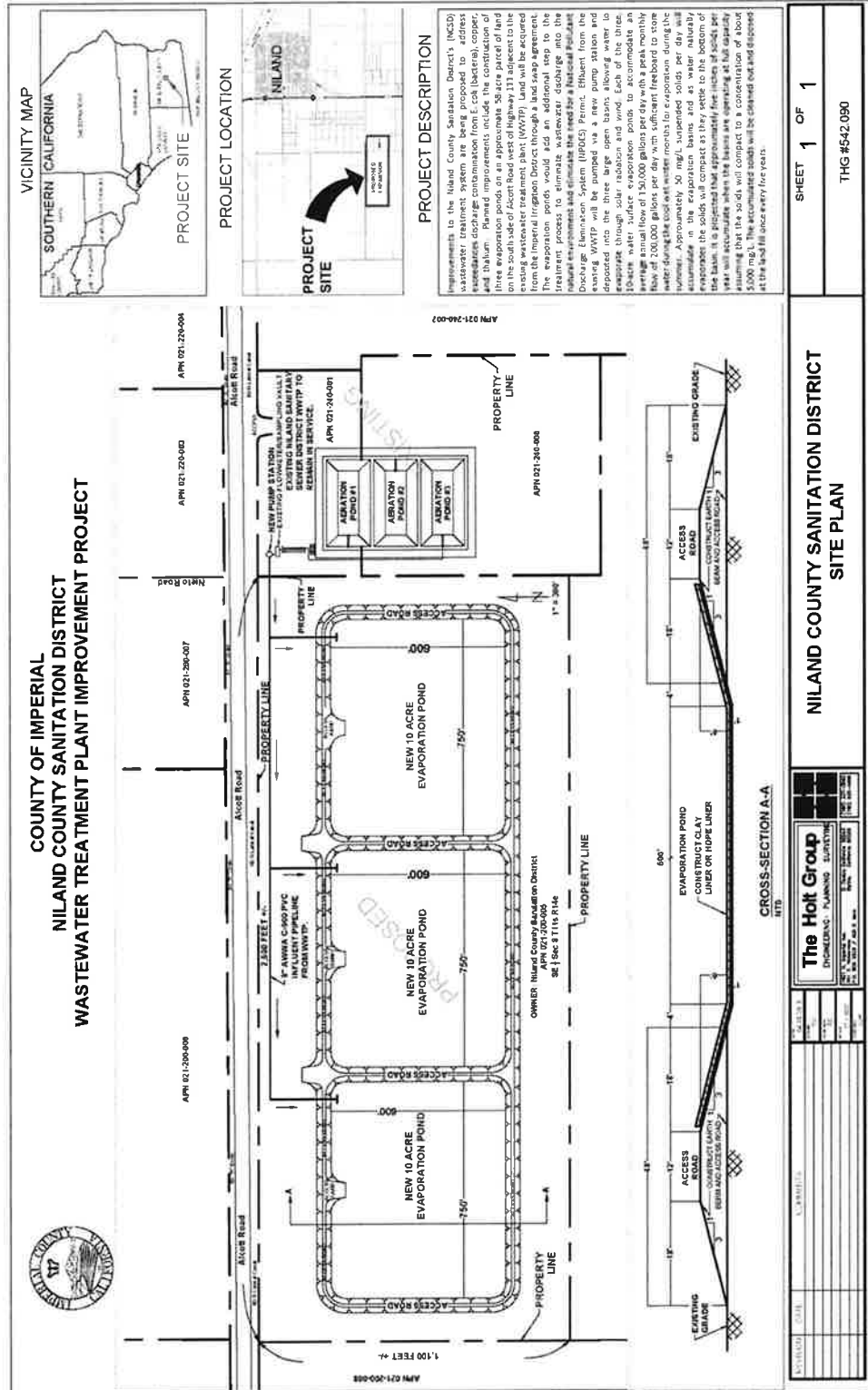


LEGEND:

————— NILAND SERVICE AREA - - - - - PROJECT LOCATION

The Holt Group, Inc. ENGINEERING · PLANNING · SURVEYING		NILAND COUNTY SANITATION DISTRICT	VICINITY MAP
1601 N. Imperial Ave. El Centro, California 92243 (760)337-3183	 NOT TO SCALE		PROJECT No. 542.090 DATE : May 2019

Exhibit "B" Site Plan



SHEET 1 OF 1
THG #542 090

NILAND COUNTY SANITATION DISTRICT
SITE PLAN

The Holt Group
ENGINEERING PLANNING SURVEYING

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

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?

There are no designated scenic highways in Imperial County (California Department of Transportation 2012). State Route 111 is considered eligible for scenic highway designation, approximately 15 miles north of the project site, where the roadway runs adjacent to the Salton Sea. The project site would not be visible from eligible portions of the highway. Additionally, the project site is not located within a scenic vista. The nearest major roadway is State Route 111, which is located approximately 0.5 miles to the east and contains limited views of the existing WWTP and project site. Therefore, the project would not create impacts and no mitigation measures are required.

- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

The proposed project would not substantially damage scenic resources, nor is the site adjacent to designated or eligible state or federal scenic highway (see response to 1a). Therefore, the project would not create impacts and no mitigation measures are required.

- 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 site is within the fenced boundaries of an existing WWTP; therefore, the proposed expansion would be consistent with the visual character of the site. Views in the vicinity are characteristic of the region, dominated by low lying agriculture in the foreground with desert mountains in the background. The low height profile of the proposed expansion of the NCSW WWTP would not constitute a substantial shift in the viewshed from State Route 111 and nearby residences. Additionally, structures located within the WWTP site that are no longer required would be removed. Therefore, the low visual sensitivity of the project vicinity and the low-profile of the proposed project would result in less than significant impacts.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project does not contain substantial new sources or light or glare that would adversely affect day or nighttime views. Therefore, the project would not create impacts and no mitigation measures are required.

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 affected land is located entirely within the existing 17.46-acre NCSW WWTP site and is not considered "Prime Farmland", "Unique Farmland", or "Farmland of Statewide or Local Importance" (California Department of Conservation [CDC] 2007). The project site is designated by the state of California's Important Farmland Map as "Other" (i.e., developed land). Additionally, the project is intended to serve the existing NCSW service area and would therefore not result in additional development that could result in the conversion of agricultural lands to non-agricultural uses. Therefore, the project would not create impacts and no mitigation measures are required.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

The existing parcel is not within a Williamson Act contract. While the site is zoned for agriculture, the proposed project would be consistent with the existing use of the site for wastewater treatment. Further, WWTPs are considered acceptable uses within agriculturally zoned lands. Therefore, implementation of WWTP improvements would be consistent with existing land use and would not conflict with surrounding agricultural land use.

- 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))?

No forest land is located within or in the vicinity of the project site. Therefore, the project would not create impacts and no mitigation measures are required.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

No forest land is located within or in the vicinity of the project site. Therefore, the project would not create impacts and no mitigation measures are required.

- 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 WWTP improvement project will not convert agricultural lands, nor impact existing agricultural uses or activities. Improvements are intended to address operational deficiencies and would not result in an expansion of the NCSD service area that would potentially result in conversion of agricultural lands to residential or other uses. Therefore, the project would not create impacts and no mitigation measures are required.

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?

The proposed WWTP improvement activities would result in short-term construction emissions over a period of approximately 8 months, which would remain below Imperial County thresholds. Long-term emissions would be minimal. Therefore, the project would be consistent with the Imperial County Air Pollution Control District (ICAPCD) "Air Quality Attainment Plan" for projected emissions from proposed project activities.

- 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?

Implementation of the proposed project, if conducted simultaneously with pending and proposed projects in the region, would have the potential to cumulatively impact air quality in the immediate area; however, impacts would be short-term, and the use of standard Imperial County MMs would reduce impacts to less than significant levels. In addition, the proposed wastewater system improvements would constitute a minor contribution towards cumulative impacts, given the scale and potential effects of proposed projects.

- c) Expose sensitive receptors to substantial pollutants concentrations?

The nearest sensitive receptors to the proposed project are residences located approximately 1,200 feet to the north of the WWTP site. Buffer requirements for WWTPs range from 250 to 1,000 feet from sensitive receptors (residential properties). The residence located nearest the Niland WWTP is approximately 1,600 feet northeast of the existing WWTP and it is anticipated that the project's short-term air quality impacts would negligibly affect sensitive receptors. No mitigation measures are required with implementation of standard MMs required by the Imperial County APCD.

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

The proposed percolation ponds associated with the proposed project have the potential to generate odors. Hydrogen sulfide and ammonia-based compounds are common odor pollutants emitted from WWTPs. Under the proposed project, the percolation ponds would be constructed approximately 3,500 feet southwest of Niland, and approximately 1,200 feet southwest of the nearest residences. Despite this buffer, the potential for odors to occur to adjacent residences and within Niland exists under the proposed project; however, the project setback exceeds the EPA-prescribed 1,000-ft setback. Therefore, long-term operation of the proposed WWTP improvements under the proposed project may increase odors beyond baseline conditions but would generate less than significant odor effects for sensitive receptors. Therefore, no mitigation measures need be considered.

MITIGATION MEASURES (for a and b):

The following mitigation measures are intended to reduce air quality impacts for the proposed project. The project must adhere to Rule 310 and a "Fugitive Dust Control Plan" shall be submitted to the ICAPCD 10- days prior to any earthmoving activity with dust emissions limited to 20% opacity at all times. A copy of the "Fugitive Dust Control Plan" shall be kept at the site at all times. The on-site contractor shall obtain ICAPCD's approval of all applicable permits in order to reduce future emissions relating to the grading/construction activities, prior to issuance of building permits, to a less than significant level.

Mitigation Measures for Dust Control and NOx:

- **AQ-1 Fleet Modernization for On-road Haul Trucks.**
 - ***Trucks hauling materials such as debris or fill shall sprinkle to mitigate blowing dust prior to leaving the site.***
 - ***Idling shall be restricted to a maximum of 5 minutes when not in use.***
 - ***All on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used on-site or to transport materials to and from the site shall comply with CARB 2010 on-road emission standards, where available.***
- **AQ-2 Fleet Modernization for Off-road Equipment.**
 - ***All off-road equipment used at the site shall meet current requirements of CARB's OFF-ROAD diesel regulations.***
 - ***Idling shall be restricted to a maximum of 5 minutes when not in use.***
- ***All Track-Out or Carry-Out will be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto adjacent paved roads.***
- ***Movement of Bulk Material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers or by sheltering or enclosing the operation and transfer line.***
- ***The construction of any new unpaved road is prohibited within any area with a population of 500 or more unless the road meets the definition of a Temporary Unpaved Road. Any temporary unpaved road shall be effectively stabilized, and visible emissions shall be limited to no greater than 20% opacity for dust emission by paving, chemical stabilizers, dust suppressants and/or watering.***

ICAPCD Measures for Construction Combustion Equipment

- **Use of alternative fueled or catalyst equipped diesel construction equipment, including all off-road and portable diesel-powered equipment.**
- **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.
- Keep vehicles well maintained to prevent leaks and minimize emissions and encourage employees to do the same.

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?

Construction activities associated with the proposed project would be temporary and would occur within the existing WWTP site, which is a disturbed area and contains no native habitat. The impact of most concern regarding wildlife would be indirect noise and dust related to construction; however, this impact would be temporary. Species that use adjacent agricultural land or residential areas are typically those that are accustomed to human presence and thus have a low potential for being impacted by the project. Ground disturbance is anticipated to result in low levels of siltation in the R-Drain and adjacent agricultural canals; however, these impacts would be minimized through the development of a Stormwater Pollution Prevention Plan (SWPPP), which would ensure implementation of MMs, including silt fencing and suspension of construction activities during rainy periods. The proposed project is therefore anticipated to have a negligible effect on aquatic habitats.

The potential exists for burrowing owls to occur within the project site; therefore, a survey for burrowing owl would occur prior to construction in accordance with CDFW guidelines (Appendix B). Implementation of this mitigation measure would reduce potential impacts to a less than significant level. No other sensitive habitats or species are known to occur within the immediate vicinity of the project area.

- 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?

There are no riparian or other sensitive natural communities identified in any state or federal regional plans that would be adversely affected by the proposed project. Proposed improvements to the WWTP would eliminate discharge of water that is often in non-compliance for E-coli, copper, TSS, and BOD to the R-Drain. A decrease in pathogens and pollutants entering the water would incrementally improve water quality and associated aquatic and riparian habitats occurring within the R-Drain and Salton Sea. Improvements to water quality over existing conditions resulting from implementation of the project would constitute a beneficial impact to biological resources.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No wetlands are present within the project site and no significant adverse impacts on federally protected wetlands through filling or other means would occur during construction activities [see comment b) above]. No mitigation measures are required with implementation of standard MMs required by the Imperial County.

- 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 is located within an existing disturbed area adjacent to agricultural uses. Therefore, the project would not substantially interfere with the movement of any fish or wildlife species corridors or impede the use of wildlife nursery sites. No mitigation measures are required given impacts would be less than significant.

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

The project activities would occur within a previously developed site and would not conflict with any policies or ordinances protecting biological resources or tree preservation ordinance. Therefore, the project would not create impacts and no mitigation measures are required.

- 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 activities would not substantially interfere with or conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not create impacts and no mitigation measures are required.

MITIGATION MEASURES: (for a)

Presence/absence surveys per the California Burrowing Owl Consortium (CBOC) protocol (1993) shall be conducted prior to initiation of the project to determine the location and abundance of Burrowing Owls within the project site. The survey protocol requires a focused burrow survey to identify the potential for the area to support burrowing owls. If the survey area contains natural or man-made structures that could potentially support burrowing owls, or owls are observed during the burrow survey, then three subsequent surveys will be required. The CDFW and/or lead agency may require mitigation for impacts on Burrowing Owls or their burrows. Impacts as defined by the CBOC include the following:

- **Disturbance or harassment within 50 meters (approx. 169 ft) of occupied burrows;**
- **Destruction of burrows and burrow entrances. Burrows include structures such as culverts, concrete slabs and debris piles that provide shelter to Borrowing Owls;**
- **Degradation of foraging habituated adjacent to occupied burrows**

Burrowing Owls and their active burrows shall be avoided, if possible. Occupied burrows shall not be disturbed during the nesting season (February 1 – August 31) unless formally approved by CDFW. If impacts on Burrowing Owls are unavoidable, on-site mitigation in the form of passive relocation of the Burrowing Owls may be required. Passive relocation is deemed as prompting owls to move from occupied burrows within the proposed impact area to a natural or artificial burrow at least 50 meters from the impact area. This relocation can be accomplished by installing one-way doors on the burrow entrances and leaving them in place 48 hours to ensure that owls have left the burrow before the burrow is collapsed. Relocation of Burrowing Owls should only be implemented during the non-breeding season. Detailed information on passive relocation and other Burrowing Owl mitigation information can be found in the CBOC guidelines/ mitigation. With implementation of the aforementioned mitigation, impacts on Burrowing Owls would be reduced to below a level of significance.

V. CULTURAL RESOURCES Would the project:

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

There are eleven cultural resources listed in the National Register of Historic Places in Imperial County. The closest resources to the project site are located in Salton City and El Centro, approximately 25 miles west and 30 miles south of the site (National Park Service 2004). A cultural resource records search for the Niland area was conducted for the proposed project in May 2012 through the South Coastal Information Center (SCIC) within the California Historic Resource Information System. A total of 21 cultural resources surveys and studies have been conducted within a 0.5-mile radius of Niland and three have occurred within portions of the WWTP site. The results of the records search determined that there are no recorded historic resources within 0.5 miles of the project site (SCIC 2012). Therefore, no impacts to historic resources are anticipated under implementation of the proposed project.

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

The May 2012 cultural resource records search identified total of 21 cultural resources surveys and studies conducted within a 0.5-mile radius of Niland and three that have occurred within portions of the WWTP site. The results of the records search determined that there are no recorded prehistoric resources within 0.5 miles of the project site (SCIC 2012). Therefore, the project is not anticipated to result in an adverse change in any significant archaeological resources.

- c) Disturb any human remains, including those interred outside of dedicated cemeteries?

There are no human remains or formal cemeteries on-site or immediately off-site; however, during surface disturbance and construction in the event cultural resources are found, then the mitigation measures listed below shall be implemented to reduce cultural resource impacts to a less than significant level.

MITIGATION MEASURES: (for V.b and V.c)

V.b) In the event archaeological resources potentially eligible for the CRHR are encountered, surface disturbing work in the immediate vicinity of the discovery shall temporarily halt until appropriate treatment of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Section 15064.5. The archaeological monitor shall have the authority to re-direct construction equipment in the event archaeological resources potentially eligible for the CRHR are encountered.

V.c) In the event that human remains are encountered during ground-disturbing activities, all ground-disturbing activities in the vicinity of the find would be stopped. The County Coroner would be notified in compliance with all relevant federal regulations and as required by CEQA Guidelines, Section 15064.5(e). All parties involved would ensure that any such remains are treated in a respectful manner and that all applicable state and federal laws are followed. If human remains are found to be of Native American origin, or if associated grave goods or objects of cultural patrimony are discovered, the provisions of the Native American Graves Protection and Repatriation Act [NAGPRA] would be followed. The Native American Heritage Commission shall be asked to determine the descendants who are to be notified or, if unidentifiable, to establish the procedures for burial.

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?

By its nature, evaporation ponds utilize solar energy to evaporate water. The installation of evaporation ponds would require the installation of additional pumps to transfer treated wastewater from the treatment facility. The pumps have minimal energy demand and would only operate at limited times. Additional energy use may be required to occasionally aerate the ponds, but this only occurs sporadically. Thus, there would be no impact to energy resources.

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Energy demands are de minimis (as noted in VI.a. above) and therefore would not conflict or obstruct local plans.

VII. GEOLOGY AND SOILS Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:
- 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?

No known active faults are located in the project area and no Alquist-Priolo Earthquake Fault Zoning has been established by the State for the planning area. Consequently, based on documented conditions the potential

for ground rupture is low. However, numerous faults and a seismic zone are located in the vicinity of Niland and the proposed project area would potentially be affected by ground shaking from these faults (California Department of Conservation 2008). Therefore, the proposed facilities would be constructed in accordance with the California State Building Code (Title 24 of the California Administrative Code), which contains specifications to minimize adverse effects due to ground shaking from earthquakes and liquefaction. No mitigation measures are required with implementation of standard building code standards as required by Imperial County.

- 2) Strong Seismic ground shaking?

The site is located in Imperial Valley which experiences earthquakes on a daily basis; therefore, the site may be subject to strong seismic ground shaking. No residential structures or habitable structures would be constructed as part of this project, which would reduce the potential risk of loss, injury or death to less than significant. No mitigation measures are required with implementation of California State Building Code standards as required by Imperial County.

- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?

The potential for seismic-related ground failure, liquefaction or a seiche/tsunami is not considered to be significant; however, a geotechnical study is currently being performed and the project would be constructed in accordance with the California State Building Code, which would reduce impacts to less than significant [see comment 1) above].

- 4) Landslides?

There is no potential for landslides due to the relatively flat topography of the site and vicinity. Therefore, the project would not create impacts and no mitigation measures are required.

- b) Result in substantial soil erosion or the loss of topsoil?

Soil disturbance associated with short-term construction activities would occur on non-prime soils. Erosion would be lessened through standard erosion control MMs (refer to Appendix B), and provisions to prevent soil erosion would be incorporated into the SWPPP to be developed prior to construction. Operation of the proposed project would not result in substantial exposure of vegetated soil or contain substantial runoff that would result in potential soil erosion or loss of topsoil. Therefore, with implementation of the MMs, impacts would be less than significant.

MITIGATION MEASURES: (for VI.b)

A geotechnical investigation of the project site shall occur prior to implementation of the project to determine the precise soil conditions. Based on the results of this investigation, appropriate design measures shall be incorporated into final engineering and Stormwater Pollution Prevention Plan of the WWTP improvements. Temporary soil stabilization measures shall be implemented at regular intervals throughout the defined rainy season to achieve and maintain the contract's disturbed soil area requirements. When the project's Special Provisions require it, temporary soil stabilization BMPs will be implemented 20 days prior to the defined rainy season. Non-active areas shall be stabilized within 14 days of cessation of construction activities.

- 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?

A geotechnical investigation of the project site will be required to determine the precise soil and groundwater conditions (refer to mitigation measures below). Based on the results of this investigation, appropriate design and construction measures would be implemented to ensure that impacts would be less than significant.

- d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?

A geotechnical investigation of the project site will be required to determine the precise soil and groundwater conditions (see to mitigation measures below). Based on the results of this investigation, appropriate design and construction measures would be implemented into the final engineering design to ensure that impacts would be less than significant.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

A geotechnical investigation of the project site will be required to determine the precise soil and groundwater conditions (see to mitigation measures below). Based on the results of this investigation, appropriate design and construction measures would be implemented to ensure that impacts would be less than significant.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

There are no paleontological resources or unique geologic features within the vicinity of the project site and therefore would not result in any adverse impacts.

MITIGATION MEASURES: (for VI.c, VI.d, and VI.e)

VI.c), VI.d), and VI.e) A geotechnical report shall be prepare and based on the results of the geotechnical investigation of the project site, appropriate design and measures shall be incorporated into final engineering and design of the WWTP improvements.

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?

Based on the CALCEmod modeling of the project, short-term construction is anticipated to result in approximately 210.9 tons of GHGs per year during construction. Operational GHG emissions are anticipated to be approximately 565.5 tons per year (Appendix A). These amounts would not be significant on a local or regional scale or conflict with applicable plans or policies. Therefore, the project would not create impacts and no mitigation measures are required.

- b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project activities are not anticipated to conflict with a GHG plan, policy or regulations for reducing GHG emissions. Therefore, the project would not create impacts and no mitigation measures are required.

IX. HAZARDS AND HAZARDOUS MATERIALS Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Upon implementation of the proposed project, waste conveyed to the wastewater treatment system would be contained within the system until fully treated. No newly introduced hazardous chemicals would be used or stored in the maintenance of operation of the WWTP. The percolation ponds would need to be drained and waste sludge (bio-solids) removed two to four times per year and it is anticipated that bio-solids would either be land-applied or disposed of at an appropriate landfill. Appropriate disposal of bio-solids would be determined in a Bio-Solids Management Plan, which would be developed as part of the final WWTP improvements design and would be consistent with local, state, and federal regulations. Other hazardous waste that would potentially be created, disturbed, moved, or used as part of the proposed project would be treated or disposed of with the appropriate permit and in accordance with the Resource Conservation and Recovery Act 42 USC 6901- Treatment, Storage, or Disposal of Hazardous Wastes. The project would eliminate the discharge of untreated or partially treated wastewater into the environment and would constitute a beneficial impact to disposal of hazardous materials.

- 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?

The proposed activities are not anticipated to create a significant hazard by releasing hazardous materials into the environment through implementation of appropriate standard procedures [see comment a) above]. The project would eliminate the discharge of untreated or partially treated wastewater into the environment and would constitute a beneficial impact to management of hazardous materials.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The proposed project is intended to improve the management of waste. No school, existing or proposed is located within one-quarter of a mile from the project site. Therefore, the project would not create impacts and no mitigation measures are required.

- 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?

The existing project site is not located on a list of hazardous materials site and is not in the vicinity of a hazardous materials site; therefore, the project would not create a significant public or environmental hazard.

- 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?

The project site is not located within an airport land use plan or within two miles of a public airport or a public use airport. Therefore, the project would not create impacts and no mitigation measures are required.

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

The proposed project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the project would not create impacts and no mitigation measures are required.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The project would not expose people or structures to a significant loss, injury or death involving wildland fires. Therefore, the project would not create impacts and no mitigation measures are required.

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?

Short-term impacts to surface water could result from run-off related to construction of the proposed wastewater treatment system improvements. Ground-disturbing activities associated with the proposed project would involve new construction of percolation ponds, an approximately 326-feet by 150-feet and 5-feet deep emergency overflow pond, an effluent pump station and a 6-inch PVC C-900 force main. Site preparation activities (e.g., grading, trenching) and construction would result in temporary exposure and compaction of soils, affecting surface water drainage flow patterns and percolation rates. In addition, a SWPPP would be developed prior to construction that would outline and ensure application of MMs, potentially including silt fencing, and suspension of construction activities during rainy periods, which would mitigate the effects of increased surface water runoff and sedimentation.

Implementation of the proposed project is intended to address compliance issues associated with the requirements of the existing WWTP's NPDES permit and requirements of the RWQCB, thereby reducing the potential for under-treated wastewater to enter the environment. The project would convert the existing Niland WWTP from a surface water discharge plant, with treated effluent currently discharging to the R-Drain, to an onsite land discharge system. Implementation of the project would involve the discharge of treated wastewater into percolation ponds (land effluent discharge), where treated wastewater would enter the groundwater or evaporate. Land disposal would offer additional treatment and eliminate

the discharge of wastewater to the R-Drain that is often in non-compliance with standards established for E-coli, copper, TSS, and BOD. High levels of pathogens and other pollutants currently found in the R-Drain, and consequently in the Salton Sea, would be reduced upon implementation of the proposed project. Therefore, the project would eliminate a source of water quality degradation in violation of standards and would constitute a beneficial impact to the operation and management of waste discharge.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

A geotechnical investigation of the project site would occur prior to implementation of the project to determine the precise soil and groundwater conditions (see mitigation measure X.b below). Based on the results of this investigation, appropriate design and construction measures would be implemented to ensure that impacts would be less than significant.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

The proposed activities will not substantially alter the existing drainage pattern of the site/area, or substantially alter the course of the R-Drain or other vicinity waterways resulting in substantial on- or off-site flooding. Therefore, the project would not create impacts and no mitigation measures are required.

- (i) 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;

The proposed activities will not create or contribute runoff water or provide substantial additional sources of polluted runoff as described in IX.a). Therefore, the project would not create impacts and no mitigation measures are required.

- (ii) impede or redirect flood flows?

The proposed activities will not occur within a 100-year flood hazard area or delineated map area (FEMA 2008); therefore, no impact would occur.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is not located within a 100-year flood hazard area as noted above. The project site is not located within a low-lying coastal and therefore would not be subject to tsunami. The project site is within the vicinity of the Salton Sea, but no occurrences of seiches at the Salton Sea have been documented. Therefore, there is no risk of pollutant release due to project inundation.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The project is subject to compliance with all local, state and federal laws. No component of the project conflicts with or obstructs the implementation of a water quality control plan or sustainable groundwater management plan

MITIGATION MEASURES: (for X.b)

A geotechnical investigation of the project site shall occur prior to implementation of the project to determine the precise soil and groundwater conditions. Based on the results of this investigation, appropriate design and measures shall be incorporated into final engineering and design of the WWTP improvements.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XI. **LAND USE AND PLANNING** *Would the project:*

- a) Physically divide an established community?

The proposed project will not divide an established community as all proposed development will occur within an existing vacant parcel. There are rural residential homes to the north of the project site but there are not other residential structures on other sides of the project site. Therefore, the project would not create impacts and no mitigation measures are required.

- 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 is located within the area of the existing NCSD WWTP and within a currently vacant site. WWTPs are permitted within A1 zoned lands with a Conditional Use Permit. The project would not conflict with a land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

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 would not result in the loss of availability of a known valuable mineral resource. Therefore, the project would not create impacts and no mitigation measures are required.

- 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?

The proposed project will not result in a loss of availability of a mineral resource recovery site in a general plan, specific plan or other land use plan. Therefore, the project would not create impacts and no mitigation measures are required.

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?

Implementation of the proposed project would entail construction of two percolation ponds and an emergency overflow basin, as well as a lift station and 6-inch force main, which would require trenching, soil movement, pipe laying, and other similar construction activities over a 12-month period. Noise would occur during the construction of the lift station, force main, percolation ponds and emergency overflow basin; however, such impacts would be short-term and would occur largely along existing roadways adjacent to farmland, which is not considered a sensitive receptor. During construction, implementation of the proposed project would result in noise levels that are higher than existing ambient levels. However, construction noise generated during implementation of the proposed project would be short-term and temporary and would be reduced through standard Imperial County MMs for noise attenuation (e.g., the use of equipment sound mufflers and restriction of construction activity to normal working hours). The project would be required to comply with Imperial County Noise Element standards, which apply to noise measured at the nearest sensitive receptor (typically adjacent residences). County standards would require construction equipment operation to be limited to the hours of 7 a.m. to 7 p.m. Monday through Friday, and 9 a.m. to 5 p.m. Saturday, unless the Director of the Planning and Development Services Department directs otherwise. No commercial construction operations are permitted on Sunday or holidays (Imperial County 2008). Therefore, short-term noise impacts would be reduced to less than significant levels.

Long-term operational noise of the lift station under the proposed project would result in a new source of noise; however, noise generated would be consistent with the operation of WWTP machinery. Noise buffer requirements for WWTPs range from 250 to 1,000 feet from sensitive receptors (residential properties), depending on the noise controls included in the WWTP design. The residence located nearest the Niland WWTP is approximately 1,600 feet northeast of the existing WWTP and it is anticipated that the proposed project would negligibly increase noise associated with the WWTP. Resulting noise generation and exposure would therefore be less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project would not expose people to excessive groundborne vibration or groundborne noise and with the implementation of standard Imperial County MMs (see discussion XIII.a); therefore, impacts would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The nearest airport to the project site is the Cliff Hatfield Memorial airport which is approximately 6.75 miles from the project site. There are no private airfields within proximity of the project. Therefore, there would no impacts.

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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is intended to serve the existing residents and clients within the NCSD service area. Implementation of proposed project would result in the construction of wastewater treatment system improvements, thereby reducing the discharge of pathogens and other pollutants to the environment. For project development, construction crews would likely be hired from the available pool of workers in Niland, Brawley, El Centro, and other nearby communities, resulting in an increase in short-term construction employment. Construction and development activities would likely provide temporary employment and economic activity in Niland. Maintenance and upkeep of the additional WWTP infrastructure would be conducted by existing NCSD staff; however, one part-time bookkeeper (or other staff) shall be hired to assist with the new billing process. Therefore, the project is not anticipated to directly or indirectly result in substantial population growth. Therefore, the project would not create impacts and no mitigation measures are required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project would not displace any housing unit. It will not displace any population, as the project would be constructed within the fenced boundaries of the existing WWTP. Therefore, the project would not create impacts and no mitigation measures are required.

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project would not result in substantial adverse physical impacts on new or physically altered governmental facilities. Therefore, the project would not create impacts and no mitigation measures are required.

1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project would result in improvements to the existing WWTP and would not result in the requirement of new fire protection facilities or service capabilities in Niland or County areas. Therefore, the project would not create impacts and no mitigation measures are required.

2) Police Protection?	<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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The proposed project would result in improvements to the existing WWTP, within the fenced boundaries of the existing facility and neighboring vacant lot; therefore, the project would not result in the requirement of new police protection facilities or service capabilities in Niland or County areas. Therefore, the project would not create impacts and no mitigation measures are required.

3) Schools?

The proposed project would not result in the inducement of new population growth that would require the construction of new or alter the existing school system. Therefore, the project would not create impacts and no mitigation measures are required.

4) Parks?

The proposed project would not require the construction of any new parks in the vicinity of the project site. Therefore, the project would not create impacts and no mitigation measures are required.

5) Other Public Facilities?

The proposed project would not require the construction of any new or alter any existing public facilities. Therefore, the project would not create impacts and no mitigation measures are required.

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?

The proposed project would provide improved wastewater treatment services to Niland. Since the proposed project would not directly induce growth and would constitute a less than significant impact to population and housing, the project would not increase the use of existing regional parks and other recreational facilities. Therefore, the project would not create impacts and no mitigation measures are required.

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 proposed project would not include recreational facilities or need to construct or expand existing recreational facilities. Therefore, the project would not create impacts and no mitigation measures are required.

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?

Under proposed project, construction activities would occur within the Niland WWTP site, away from existing major roadways. It is anticipated the construction vehicles would access the site regionally from SR-111 to Alcott Road to the project site. During construction, a less than significant increase in construction related traffic would occur. During construction, roadway access to Alcott Road by residents or users of the area would potentially be temporarily restricted during movement of construction equipment or larger infrastructure components. Short-term impacts regarding access would be minimized by the use of standard engineering and traffic management practices and adherence to the Engineering Design Guidelines Manual for the Preparation and Checking of Street Improvement, Drainage, and Grading Plans within Imperial County. Once operational, the proposed project would not impact roadways or other transportation methods. Therefore, the project would not conflict with a plan, ordinance, or policy for performance of the circulation system, taking into account all modes of transportation, mass transit, non-motorized travel, intersections, highways, freeways, pedestrian and bicycle paths and would not create impacts. No mitigation measures are required.

b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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The proposed project would not conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b). Therefore, the project would not create impacts and no mitigation measures are required.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project does not involve the redesign or modification of the existing road network. There would be no changes therefore no increase in hazards would occur. Therefore, the project would not create impacts and no mitigation measures are required.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project does not involve the redesign or modification of the existing road network. Therefore, the project would not create impacts and no mitigation measures are required.

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

The proposed project does not cause any substantial adverse change in any cultural site, feature, place, cultural landscape or a place of cultural value to a California Native American tribe. There are eleven cultural resources listed in the National Register of Historic Places in Imperial County. The closest resources to the project site are located in Salton Sea and El Centro, Approximately 25 miles west and 30 miles south of the site. The results of the records as resource surveys and studies have been conducted within 0.5 miles of the project site meaning no Historical Resources will be affected. Therefore, the project would not create impacts and no mitigation measures are required.

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

The proposed project applies the criteria set forth in subdivision 5024.1. The design/construction plans shall incorporate language that stipulates that if buried cultural materials are encountered during construction, work in the area must halt until a qualified archaeologist can evaluate the nature and significance of the finding.

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

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?

The proposed project would not increase storm water runoff and, therefore, would not require expansion of existing storm water facilities or construction of new storm water drainage systems. The project would incorporate construction of an emergency overflow pond, which would maintain capacity required for potential stormwater related overflow that could result in adverse environmental effects; therefore, impacts would be less than significant.

- b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?

The proposed project would not require new sources or additional quantities of water; therefore, it is anticipated that existing water supplies will remain sufficient to serve the proposed project. Therefore, the project would not create impacts and no mitigation measures are required.

- 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?

Under implementation of the proposed project, improvements to the existing WWTP system would eliminate discharge of wastewater that does not meet regulatory requirements through the development of appropriate wastewater collection infrastructure. Since the NCSD is currently in non-compliance with their NPDES permit, the proposed project would have a beneficial impact on wastewater treatment services in Niland.

- 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?

Waste sludge (bio-solids) from the evaporation ponds would need to be removed two to four times per year and it is anticipated that bio-solids would either be land-applied or disposed of at an appropriate landfill. Appropriate disposal of bio-solids would be determined in a County-required Bio-Solids Management Plan, which would be developed as part of the final WWTP improvements design and would be consistent with local, state, and federal regulations. The project would be served by a landfill with sufficient permitted capacity to accommodate such project's solid waste disposal needs. Therefore, project impacts would not create impacts and no mitigation measures are required.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed project would comply with federal, state, local statutes and regulations relating to solid waste, and would therefore result in a less than significant impact, with no mitigations required.

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 would not substantially impair an adopted emergency response plan or emergency evacuation plan. Therefore, the project would not create impacts and no mitigation measures are required.

- 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

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

spread of a wildfire?

The proposed project does not exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire. Therefore, the project would not create impacts and no mitigation measures are required.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project does not require the installation or maintenance of associated infrastructure that can exacerbate fire risks or result in temporary or on going impacts to the environment. Therefore, the project would not create impacts and no mitigation measures are required.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed project does not expose people or structure to significant risks as stated. There is no potential for landslides due to the relatively flat topography of the site and vicinity. Therefore, the project would not create impacts and no mitigation measures are required.

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

which will cause substantial adverse effects on human beings, either directly or indirectly?

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

- Imperial Irrigation District
- Regional Water Quality Control Board

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

V. REFERENCES

Border Environment Cooperation Commission (BECC), U.S. Environmental Protection Agency (USEPA), and U.S. Department of Agriculture – Rural Assistance (USDA). 2016. Niland Sanitary District Wastewater Treatment Plant Improvements Environmental Assessment (EA)

California Department of Water Resources. 2006. Salton Sea Draft Programmatic Environmental Impact Report.

California's Groundwater Bulletin. 2004. Hydrologic Region Colorado River, Imperial County Groundwater Basin. Bulletin 118. Available at: http://www.water.ca.gov/pubs/groundwater/bulletin_118/basindescriptions/7-30.pdf. Last updated February 27, 2004.

CalRecycle. Niland Solid Waste Site Summary Details. Available at: <https://www2.calrecycle.ca.gov/SWFacilities/Enforcement/Orders/>. Accessed on April 12, 2019.

"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.

Imperial County Public Health Department. 2013. Health Indicators. Available at: <http://www.icphd.com/health-information-and-resources/data-&-statistics/health-status-report/>

Lafin, P. 1995. The Salton Sea: California's overlooked treasure. The Periscope, Coachella Valley Historical Society, Indio, California. 61 pp. Available at <http://www.sci.sdsu.edu/salton/PeriscopeSaltonSea.html>. Accessed 4 October 2012.

State of California Department of Fish and Game (CDFG). California Natural Diversity Database – Niland Quadrant. Accessed December 8, 2015.

State of California Department of Fish and Wildlife (CDFW). Salton Sea Abundant Bird Species. Available at: <https://www.wildlife.ca.gov/Regions/6/Salton-Sea-Birds/Salton-Sea-Bird-Species>. Access on December 29, 2015.

State of California Environmental Protection Agency (CalEPA). State Water Resources Quality Control Board (RWQCB). 2010 Integrated Report (Clean Water Act Section 303(d) List / 305(b) Report)

NEGATIVE DECLARATION – County of Imperial

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

Project Name: Wastewater Treatment Plant Improvement Project

Project Applicant: Niland County Sanitation District

Project Location: 125 Alcott Road, Niland, CA.

Description of Project: Improvements to the Niland County Sanitation District (NCSD) wastewater treatment plant system. Planned improvements include the rehabilitation of sections of the existing sanitary sewer collection system, critical components of the wastewater treatment plant, and the construction of three evaporation ponds on an approximate 56-acre parcel of land adjacent to the existing wastewater treatment plant.

VI. FINDINGS

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

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

The Initial Study identifies potentially significant effects but:

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

A NEGATIVE DECLARATION will be prepared.

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

NOTICE

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

6-13-19 for 
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

6/13/19
Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

S:\CEQA RULES\CEQA Rules 2018\Initial Study - Environmental Checklist Template 032219.docx

AIR POLLUTION CONTROL DISTRICT



April 26, 2019

RECEIVED
APR 26 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

SUBJECT: CUP 19-0006 / LLA 00307—Niland Wastewater Treatment Facility Improvements

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 Conditional Use Permit (CUP) 19-0006 and Lot Line Adjustment (LLA) 00307 submitted by the Imperial County Public Works Department that would allow for the rehabilitation of various components of the existing Niland County Sanitation District (NCSD) wastewater treatment facility at 125 Alcott Road in Niland, California. Planned improvements include the construction of three (3) evaporation ponds on an approximately 58-acre parcel of land on the south side of Alcott Road west of Highway 111 adjacent to the existing wastewater treatment plant (WWTP). Effluent from the existing WWTP will be pumped via a new pump station and deposited into three large open basins allowing water to evaporate through solar radiation and wind.

Air District Comments

Due to the potential for fugitive dust during construction of the three evaporation ponds the Air District politely requests that the applicant adhere to Regulation VIII Fugitive Dust Rules. Regulation VIII is intended to limit fugitive dust emissions to 20% opacity.

The Air District politely asks that the applicant arrange for a meeting with Air District personnel to discuss a necessary modification to the applicant's current permit for the additional pumps. At that time the applicant can discuss with Air District personnel the proper methods to mitigate the accumulated solids from becoming airborne during a wind event.

The applicant references a Lot Line Adjustment as part of the application. Based on the submitted documents, the Air District is unclear as to what lot line(s) are to be adjusted. The Air District politely asks for clarification on this matter.

Air District rules and regulations can be found on our website at [www.co.imperial.ca.us/Air Pollution](http://www.co.imperial.ca.us/AirPollution) under the "Planning" tab. The Air District can be contacted at (442) 265-1800.

Sincerely,

A handwritten signature in blue ink that reads "Curtis Blondell". The signature is written in a cursive style.

Curtis Blondell
Environmental Coordinator



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April 24, 2019

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APR 24 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Mr. Patricia Valenzuela
Planner IV
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Niland County Sanitation District's Wastewater Treatment Facility Rehabilitation (CUP19-0006/LLA00306)

Dear Ms. Valenzuela:

On April 17, 2019, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit no. 19-0006/Lot Line Adjustment no. 00306. The applicant, Imperial County Public Works, proposes the rehabilitation of the existing Niland County Sanitation District's wastewater treatment facility located at 125 Alcott Road, Niland, CA (APNs 021-240-002-000, -001-000, -006-000 and -005-000)

The IID has reviewed the information provided and has the following comments:

1. Given that the project contemplates increasing the existing pump size at the wastewater treatment plant, the applicant should be advised to contact Ignacio Romo, the IID service planner assigned to the area, at (760) 482-3444 or by e-mail at igromo@iid.com to reassess the electrical service to the treatment plant. In addition to submitting a formal application for electrical service (available at the IID website <http://www.iid.com/home/showdocument?id=12923>) considering the new motor size, motor specifications and motor starting data, the applicant will be required to submit electrical loads, panel size, voltage, project CAD files (electronic and hard copy), project schedule, estimated in-service date, applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for any and all costs related to providing electrical service to the project.
2. A circuit study may be required due to existing circuit capacity issues. If a circuit study determines a need for upgrades, the applicant will be financially responsible for the circuit upgrade as well as the actual service to the expanded facility. See attached map showing existing IID electrical facilities near the wastewater treatment plant.

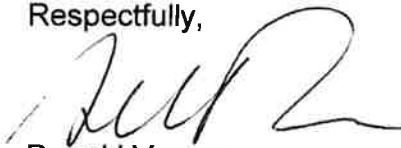
3. To insure there are no impacts to IID water facilities, an IID planning review will be required for the project in accordance with IID Water Department developer guidelines. A copy of the district's Developer Project Guide is available at <http://www.iid.com/home/showdocument?id=2328>. The applicant should be advised to submit project plans to the IID Water Department Engineering section prior to final design. For additional information regarding IID Water Department planning review, contact IID Water Dept. Engineering section, at (760) 339-9265.
4. The applicant should be advised to finalize the land swap process with IID before moving forward with the project.
5. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
6. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.
7. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**
8. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead

Patricia Valenzuela
April 24, 2019
Page 3

Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has established general principles on project segmentation for different project types. For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

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

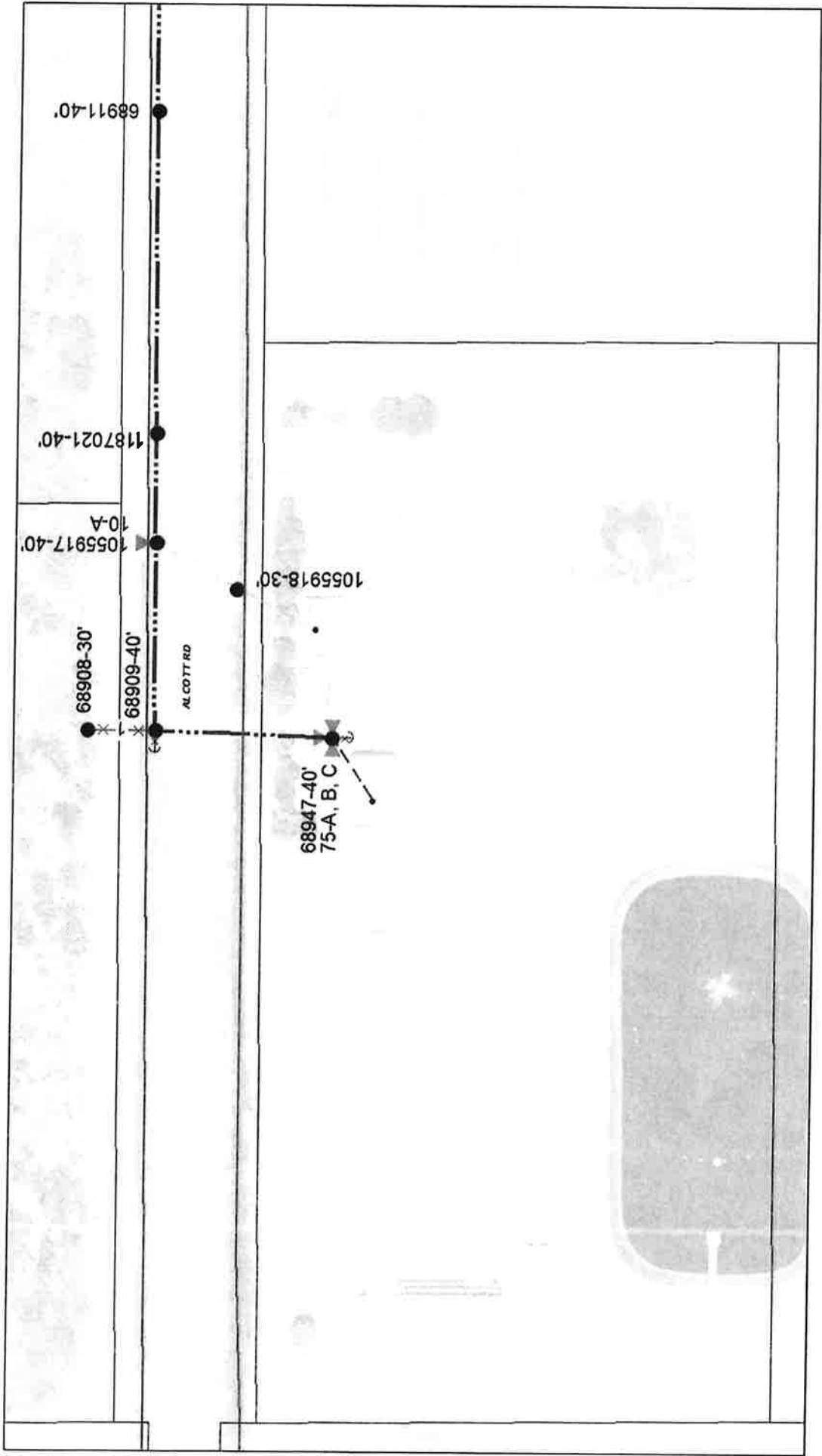
Respectfully,



Donald Vargas
Compliance Administrator II

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

EEC ORIGINAL PKG



IID Facilities near the Project Site



COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

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

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Public Works works for the Public



May 28, 2019

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MAY 28 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Attention: Patricia Valenzuela, Planner IV

SUBJECT: CUP 19-0006 Niland County Sanitation District / Imperial County Public Works
Located on 125 Alcott Road, Niland, CA 92257
APN's 021-200-001/005/006-001

Dear Mr. Minnick:

This letter is in response to your submittal received by this department on May 20, 2019 for the above mentioned project. The applicant is proposing the rehabilitation of various components of the existing wastewater treatment facility.

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

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

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

2. Corner record is required to be filed with the county surveyor prior to construction for monuments:

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

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

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MAY 29 2019

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

4. Prior to the issuance of grading and building permits, contractor shall complete the installation of temporary stabilized construction entrance, if required.
5. Drainage and Grading Plan to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. The grading plan shall be submitted to the Department of Public Works for review and approval. The Developer shall implement the approved plan. Employment of the appropriate Best Management Practices (BMP's) shall be included. (Per Imperial County Code of Ordinances, Chapter 12.10.020 B).
6. All on-site traffic area shall be hard surfaced to provide all weather access for emergency service protection vehicles. The surfacing shall meet the Department of Public Works and Fire/OES Standards as well as those of the Air Pollution Control District (APCD) (Per Imperial County Code of ordinances, Chapter 12.10.020 A).
7. All permanent structures shall be located outside the ultimate right of way.
- 8.

INFORMATIVE:

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

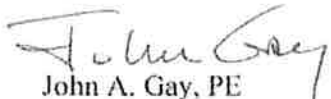
- All solid and hazardous waste shall be disposed of in approved solid waste disposal sites in accordance with existing County, State and Federal regulations (Per Imperial County Code of Ordinances, Chapter 8.72).
- The project may require a National Pollutant Discharge Elimination System (NPDES) permit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

As this project proceeds through the planning and the approval process, additional comments and/or requirements may apply as more information is received.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

By:


John A. Gay, PE
Director of Public Works

CY/ag

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MAY 29 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

CONDITIONAL USE PERMIT

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

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

1. PROPERTY OWNER'S NAME Niland County Sanitation District	EMAIL ADDRESS JohnGay@co.imperial.ca.us	
2. MAILING ADDRESS (Street / P O Box, City, State) 155 South 4th Street, El Centro, CA	ZIP CODE 92243	PHONE NUMBER (442) 265-1829
3. APPLICANT'S NAME NCSD	EMAIL ADDRESS JohnGay@co.imperial.ca.us	
4. MAILING ADDRESS (Street / P O Box, City, State) 155 South 4th Street, El Centro, CA	ZIP CODE 92243	PHONE NUMBER (442) 265-1829
4. ENGINEER'S NAME James G. Holt	CA. LICENSE NO. 31773	EMAIL ADDRESS jack@theholtgroup.net
5. MAILING ADDRESS (Street / P O Box, City, State) 1601 N Imperial Avenue, El Centro, CA	ZIP CODE 92443	PHONE NUMBER (760) 337-33883
6. ASSESSOR'S PARCEL NO. <u>021-240-001/006 & 021-240-005</u>	SIZE OF PROPERTY (in acres or square foot) <u>73.36 acres</u>	ZONING (existing) A2G
7. PROPERTY (site) ADDRESS N/A <u>125 Alcott Rd.</u>		
8. GENERAL LOCATION (i.e. city, town, cross street) Alcott Road at Highway 111, Niland CA		
9. LEGAL DESCRIPTION <u>SE 1/4 Sec 8 T11s R14e 160AC</u>		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	_____
	<u>See Attached</u>
11. DESCRIBE CURRENT USE OF PROPERTY	<u>Agricultural Land</u>
12. DESCRIBE PROPOSED SEWER SYSTEM	<u>Evaporation Ponds</u>
13. DESCRIBE PROPOSED WATER SYSTEM	<u>N/A</u>
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	<u>N/A</u>
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? _____

REQUIRED SUPPORT DOCUMENTS

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

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

John Gay	April 11, 2019
Print Name	Date
<u>John Gay</u>	_____
Signature	Date
Print Name	Date
Signature	_____

APPLICATION RECEIVED BY: <u>DRK</u>	DATE <u>4/15/19</u>	REVIEW / APPROVAL BY OTHER DEPT'S required. <input type="checkbox"/> P. W. <input checked="" type="checkbox"/> E. H. S. <input type="checkbox"/> A. P. C. D. <input type="checkbox"/> O. E. S. <input type="checkbox"/> _____ <input type="checkbox"/> _____
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	
APPLICATION REJECTED BY: _____	DATE _____	
TENTATIVE HEARING BY: _____	DATE _____	
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	

CUP #
19-0006

IS# 19-0007

Conditional Use Permit Application

NILAND COUNTY SANITATION DISTRICT Wastewater Treatment Plant Improvement Project

Project Description

Improvements to the Niland County Sanitation District's (NCS) wastewater treatment system are being proposed to address exceedances discharge contamination from E. coli (bacteria), copper, and thallium. Planned improvements include the construction of three evaporation ponds on an approximate 58-acre parcel of land on the south side of Alcott Road west of Highway 111 adjacent to the existing wastewater treatment plant (WWTP). Land will be acquired from the Imperial Irrigation District through a land swap agreement. The evaporation ponds would add an additional step to the treatment process to eliminate wastewater discharge into the natural environment and eliminate the need for a National Pollutant Discharge Elimination System (NPDES) Permit. Effluent from the existing WWTP will be pumped via a new pump station and deposited into the three large open basins allowing water to evaporate through solar radiation and wind. Each of the three, 10-acre water surface evaporation ponds to accommodate an average annual flow of 150,000 gallons per day with a peak monthly flow of 200,000 gallons per day with sufficient freeboard to store water during the cool wet winter months for evaporation during the summer. Approximately 50 mg/L suspended solids per day will accumulate in the evaporation basins and as water naturally evaporates the solids will compact as they settle to the bottom of the basin. It is projected that approximately five inches of solids per year will accumulate when the basins are operating at full capacity assuming that the solids will compact to a concentration of about 5,000 mg/L. The accumulated solids will be cleaned out and disposed at the land fill once every five years.