PLANNING COMMISSION

Jay Goyal

John Grass

Kevan Hutchinson

George A. Marquez

Robert Palacio

Darren Smith

Cynthia Vandiver



AGENDA

PLANNING COMMISSION REGULAR MEETING WEDNESDAY, MAY 22, 2024 AT 5:30 P.M. CITY COUNCIL CHAMBERS 383 MAIN STREET BRAWLEY, CALIFORNIA

- 1. CALL TO ORDER / ROLL CALL
- 2. APPROVE AGENDA

3. PUBLIC APPEARANCES

The Planning Commission encourages citizen participation on all matters presented for their consideration. Members of the public who wish to speak on an issue that is not on the agenda may do so during the "Public Appearances" section at any meeting. The Planning Commission does not take action on items presented under Public Appearances.

PUBLIC HEARING

4. Conditional Use Permit 23-02 is for the construction of a 26,102 sqft Travel Center including a gas station, convenience store, RV dump, tire repair shop, temporary RV and truck stop. The property is an undeveloped, previously disturbed, 18.49-acre site, zoned C-2 (Medium Commercial) located in the Luckey Ranch Specific Plan Area. Service Stations are not allowed in the C-2 zone, by right, but are permitted subject to the approval of a Conditional Use Permit (CUP). The proposed project will require approval from the Planning Commission under CUP#23-02 and adoption of the project Negative Declaration.

Property Owner:	Trifecta Property Investments
Representative:	WSCS Design Wade Shuey
Legal Description:	Lot 5, Luckey Ranch Sub, In the City of Brawley, County of Imperial, State of California
APN:	047-090-006

Location:

East of Highway 78 (Best Road), west of Highway 111, abutting Main Street

6. NEXT MEETING DATE

June 19, 2024

7. ADJOURNMENT

Supporting documents are available for public review in the Planning Department, 205 S. Imperial Avenue, Brawley, Monday through Friday, during regular posted business hours. The agenda is also available online at <u>www.brawley-ca.gov</u>. Individuals who require special accommodations are requested to give 24-hour prior notice. Contact: City Clerk, 760-351-3048

PLANNING COMMISSION STAFF REPORT

Conditional Use Permit #:	CUP 23-02 – Travel America – Travel Center			
Property Owners:	Trifecta Property Investments			
<i>Applicant/ Representative:</i>	WSCS Design Wade Shuey			
Legal Description:	Lot 5, Luckey Ranch Sub, In the City of Brawle County of Imperial, State of California <i>APN: 047-090-006</i>			
Location:				
Area:	18.49 Acres (80,5424.4 sqft)			
Zoning:	C-2 (Medium Commercial)			
Existing Use:	vacant, undeveloped, previously disturbed land			
Proposed Use:				

Surrounding Land Uses:

North – R-3 and R-1 (Medium Density Residential/Sigle Family Residential), undeveloped South – PD (Planned Development)/Pilot Service Station East – Highway 111, outside City Limits, Agriculture West – C-2 (Medium Commercial), undeveloped

General Plan Designation:

Commercial

General Information:

Conditional Use Permit 23-02 is for the construction of a 26,102 sqft Travel Center including a gas station, convenience store, RV dump, tire repair shop, temporary RV and truck stop. The property is an undeveloped, previously disturbed 18.49-acre site, zoned C-2 (Medium Commercial) located in the Luckey Ranch Specific Plan Area. Service Stations are not allowed in the C-2 zone, by right, but are permitted subject to the approval of a Conditional Use Permit (CUP). The proposed project will require approval from the Planning Commission under CUP#23-02 and adoption of the project Negative Declaration.

Conditions of Approval:

If approved, the Planning Department recommends the following conditions:

GENERAL	CONDITION
G-1	The conditional approval of the Conditional Use Permit (CUP) 23-023, herein referred to as "Permit" shall not constitute the waiver of any requirement of the City's ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
G-2	The provisions of the Permit are to run with the land and shall bind the current and future owner(s), successor(s) in interest, assignee(s) and/or transferor(s) of said parcel.
G-3	Developer/Applicant/Property Owner shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.
G-4	If the City finds and determines that the Developer/Applicant/Property Owner or successor-in-interest has not complied or cannot comply with the terms and conditions of the Permit, or the Planning/Building/Code Enforcement Department determines that the permitted activities constitute a nuisance, the City shall provide the Developer/Applicant/Property Owner or successor- in-interest with notice and opportunity to comply with the enforcement or abatement order. If after receipt of the order the Developer/Applicant/Property Owner or successor-in-interest (1) fails to comply, and/or (2) cannot comply with the conditions set forth in the Permit, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.
G-5	As between the City and the Developer/Applicant/Property Owner or successor-in-interest, any violation of this permit may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
G-6	Developer/Applicant/Property Owner shall not be permitted to maintain a "nuisance", which is anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any

	considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the re-located business.
G-7	Developer/Applicant/Property Owner shall pay any and all amounts as determined by the City to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, City ordinance and/or any other laws that apply. This includes any applicable Development Impact Fees, Capacity Fees, Plan Check and/or Inspection Fees, Air Pollution Control District (APCD) Fees, Environmental Filing Fees and Building Permit Fees.
BUILDING	CONDITION
B-1	The Applicant/Developer/Owner shall obtain a Building Permit for all building construction and on-site improvements including permanent and temporary signs, and landscaping when applicable. Inspections for compliance shall be obtained prior to issuance of a Certificate of Occupancy and or issuance of a business license.
FIRE	CONDITION
F-1	Fire hydrants shall be installed per California Fire Code and as approved by the Brawley Fire Department prior to the issuance of a Certificate of Occupancy.
F-2	Developer/Applicant/Property Owner shall install fire access lanes per California Fire Code and approval by the Brawley Fire Department prior to the issuance of a Certificate of Occupancy.
F-3	Developer/Applicant/Property Owner shall provide the Brawley Fire Department with a Hazard Mitigation Plan including the locations within the site containing foam products and Policies and Procedures Manual for combating flammable/combustible liquid fires.
F-4	Storage of tires will abide by the Brawley Fire Code. Disposal of tires and hazardous waste and materials will abide by state, federal, and local laws and regulations.
PUBLIC WORKS/CITY ENGINEER	CONDITION
PW-1	All off-site improvements in the public right-of-way shall require an Encroachment Permit. Encroachment Permits will be filed with the Public Works Office and reviewed and approved by the City Engineer and Public Works Director.
PW-2	Any trenching required for the project will be coordinated and approved by the Public Works Director and City Engineer. Asphalt replacement as a result of trenching activities will be required to conform to City Standards and shall be installed to the satisfaction of the Public Works Director and City Engineer.
PW-3	Developer/Applicant/Property Owner shall provide an equipment list and Haul Route prior to the commencement of site grading activities. The transportation of equipment in excess of the allowed length, width and

	weight permitted by the California Vehicle Code on City right-of-way shall require approval from the Public Works Director and City Engineer. Notice shall be provided 72 hours prior to the commencement of construction activities. The City will conduct an inspection and document existing road conditions adjacent to the project. Any damage to the City right-of-way as a result of construction activities shall be repaired to the satisfaction of the Public Works Director and City Engineer, prior to the issuance of a Certificate of Occupancy.
PW-4	Provide sewer and water, curb and gutter, sidewalk, street and other public improvements to City Standard and approval of the Public Works Director and City Engineer before the issuance of a Certificate of Occupancy for any structure for each parcel.
PW-5	Hydraulics, drainage, and grading details to City standards provided to the Public Works Director and City Engineer. The percentage of retention shall be determined by the Public Works Director and City Engineer per current discharge amount and the amount of pervious surface that will be eliminated. The Site Plan is subject to required amendment should the City Engineer and Public Works Director determine the proposed retention basins are insufficient. Any required off-site stormwater improvements shall be reviewed, approved, and installed to the satisfaction of the Public Works Director and City Engineer.
PW-5	Developer/Applicant/Property Owner shall submit water technical documentation as required by the Regional Quality Control Board. Technical documentation shall be approved by the Public Works Director and City Engineer prior to the issuance of a Building Permit.
PW-6	Developer/Applicant/Property Owner shall provide water, sewer, and stormwater analysis, prepared by a CA registered engineer, to confirm overall capacity in the receiving system. Should improvements be required the applicant shall prepare a public improvement plan for the necessary upgrades/repairs, to the satisfaction of the Public Works Director and City Engineer. Should future improvements be necessary, the applicant shall be responsible for the payment of any and all Fair Share costs toward water, sewer, and stormwater improvements prior to the issuance of grading permits.
PW-7	The Brawley Circulation Element and Luckey Ranch Specific Plan designate Seabolt Drive to connect at Main Street/Highway 78. The Developer/Applicant/Property Owner shall dedicate the 72' road right-of-way for Seabolt Drive and improve the half-width (36') of the road right-of-way running along the western portion of the subject parcel. The right-of-way and utility easements will be submitted to the Public Works Director and City Engineer for review and approval.
PW-8	Required road improvements along the property frontage on Main Street/Highway 78 will be determined by the project Traffic Analysis and will be reviewed, approved, and installed to the satisfaction of the Public Works Director and City Engineer. A Fair Share Agreement will be defined in the project Development Agreement for the installation of signal light(s) on Main Street. Developer/Applicant/Property Owner shall design access driveways along Main Street/Highway 78 so that they <i>do not</i> align with Seabolt Way.
PW-9	Where feasible utilities will be undergrounded. The infeasibility of utility undergrounding will be determined per Zoning Ordinance Sec. 23A.16.

PW-10	The Developer/Applicant/Property Owner shall obtain a Water Discharge Permit from the City and complete the required California State Water Resources Board permits for RV Dump Stations prior to the issuance of a Building Permit. Developer/Applicant/Property Owner shall install a monitoring well for City Environmental Compliance Department monitoring. The well monitoring and reporting cost shall be paid by the Developer/Applicant/Property Owner and shall be defined in the project Development Agreement. Any State fees incurred by the City as a result of the RV Dump shall be paid by the Developer/Applicant/Property Owner. Developer/Applicant/Property Owner shall implement a tracking system to manifest dumping activities. The tracking system can include; but is not limited to: RV dump sales transactions and shall be maintained for a minimum of 120 days. The tracking and monitoring system implemented will be agreed upon mutually by the Public Works Director and City Engineer and shall be memorialized in the project Development Agreement.
PW-11	Any improvement on Caltrans right-of-way will require a Caltrans encroachment permit prior to the issuance of a Building Permit.
PW-12	Developer/Applicant/Property Owner shall prepare a SWPPP. The SWPPP shall be prepared by a qualified practitioner and provide the Public Works Director and City Engineer the WDID No. prior to the issuance of a grading permit.
PUBLIC SAFETY	CONDITION
PS-1	The Developer/Applicant/Property Owner shall coordinate with the Brawley Police Department and install the Flock Safety Security System, or any other system as determined by the Brawley Police Department prior to the issuance of Certificate of Occupancy.
PS-2	Lighting shall be installed per Sec. 27.182 of the Zoning Ordinance and in accordance with the Imperial County Airport Land Use Compatibility Plan (ALUCP).
ZONING & LAND USE	CONDITION
Z-1	Fences, walls, and hedges shall be installed per Sec. 27.179 of the Zoning Ordinance and Sec. 27.84.
Z-2	Trash enclosures shall be installed per Sec. 27.182 of the Zoning Ordinance.
Z-3	Developer/Applicant/Property Owner shall abide by CalGreen requirements per Sec. 15A.10 of the Zoning Ordinance or as required by State Law, whichever is more restrictive.
Z-4	Landscaping will be installed per Sec. 27.180 of the Zoning Ordinance.
Z-5	Developer/Applicant/Property Owner shall abide by Sec. 15A.11 of the Zoning Ordinance or State Law, whichever is more restrictive.
Z-6	Parking shall be in accordance with Sec. 27.143 of the Zoning Ordinance.

CUP 23-02 - Travel America – Travel Center

Z-7	Signage shall be installed per Article XIV of the Zoning Ordinance and
	Imperial County Airport Land Use Compatibility Plan (ALUCP), whichever is more restrictive. Aesthetics mitigation measures will be defined in the project Development Agreement.
Z-8	Developer/Applicant/Property Owner shall provide to the Planning Department a Burrowing Owl Survey Report (Mitigation Plan) prior to the issuance of a grading permit. The survey needs to be completed by a qualified Biological firm and submitted to the City no more than 30- days prior to disturbing ground and 24 hours prior to disturbing ground.
Z-9	Best Management Practices shall be implemented to preserve cultural resources as identified in the Cultural Resource Assessment prepared by PaleoWest. A monitor shall be present during ground disturbing activities. Should artifacts of cultural significance be discovered during construction, construction shall be halted and shall be resumed only when a qualified practitioner approves resuming construction activities.
Z-10	Best Management Practices shall be implemented to preserve biological resources as identified in the Biological Resources Assessment prepared by Barret's Biological. Should they be discovered during construction, construction shall be halted and shall be resumed only when a qualified practitioner approves resuming construction activities.
Z-11	Developer/Applicant/Property Owner shall include design elements that mitigate the project aesthetic and visual impacts. Aesthetic mitigation measures shall be defined in the project Development Agreement.
Z-12	Developer/Applicant/Property Owner shall contact the Imperial County CUPA. Obtain a US EPA ID and complete any county, state or federal reporting, permitting, and authorization requirements prior to the issuance of a Building Permit.
Z-13	Any improvements within or abutting any Imperial Irrigation District right-of- way shall require an encroachment permit from the District.
Z-14	RV and truck parking shall not be permitted to exceed 24-hours.

The recommendation is based on the following findings:

- 1. The proposal is subject to tiering pursuant to Sections 15152 and 15385 in accordance with the California Environmental Quality Act (CEQA).
- 2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts as mentioned in the Luckey Ranch Environmental Impact Report (EIR).
- 3. Approval of the site plan and Negative Declaration will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
- 4. The site plan is consistent with the General Plan, Specific Plan and the character of the area for that type of land use.
- 5. The site plan meets the standards of Section 27.265 of the Brawley Zoning Ordinance and the requirements of the Luckey Ranch Specific Plan.

The Brawley General Land Use Map designates this property for **Commercial** land uses.

C (Commercial) zoning permits the Travel Center by Conditional Use Permit only.

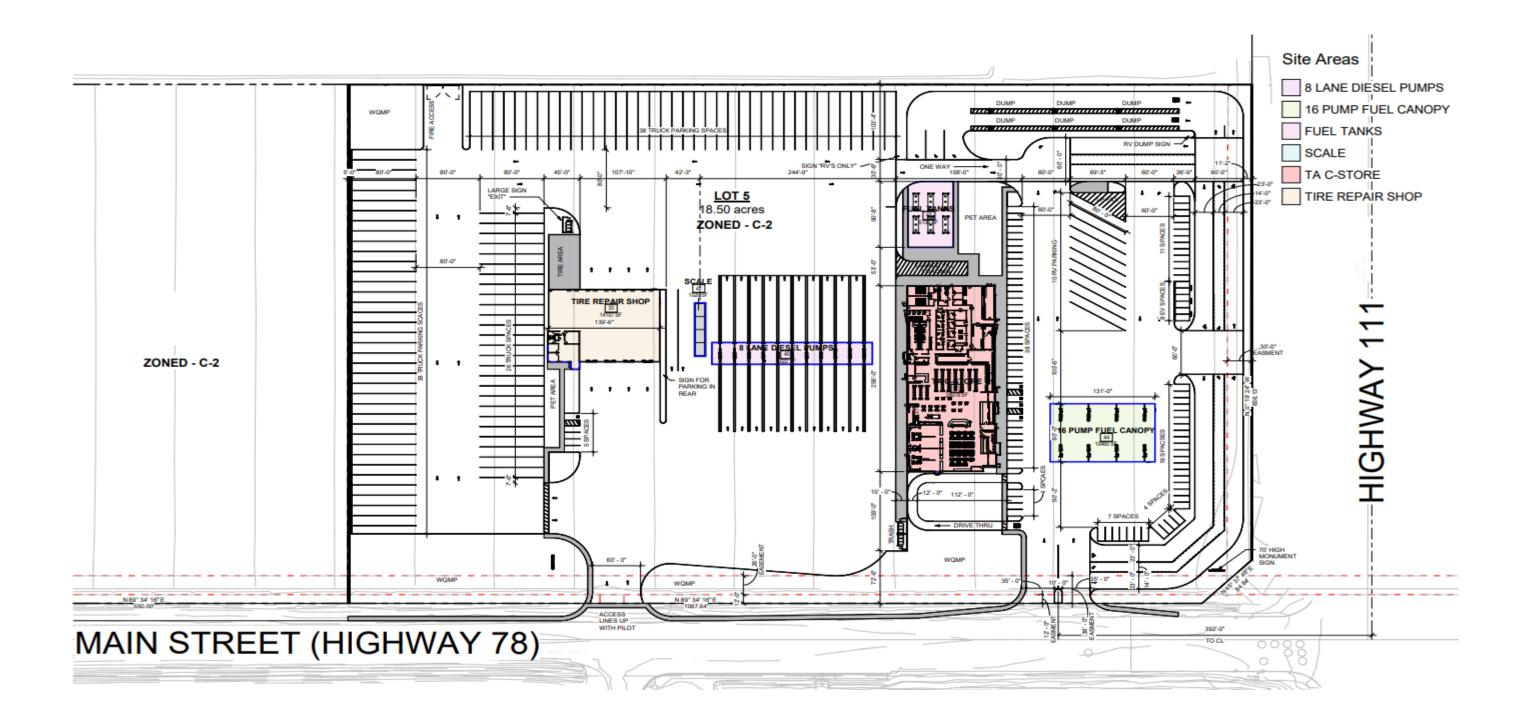
ATTACHMENT: Location Maps, Draft Environmental Initial Study, Site Plan

NOTE TO THE PROPERTY OWNER: DEVELOPMENT REVIEW COMMITTEE POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE MEETING FOR THIS ITEM. YOU WILL REMAIN IN THE WAITING AREA UNTIL YOUR ITEM IS HEARD. FAILURE TO ATTEND THE MEETING WILL RESULT IN RESCHEDULING TO THE NEXT DRC MEETING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.

EXHIBIT A PROJECT VICINITY MAP



EXHIBIT B SITE PLAN



DRAFT

Initial Study & Environmental Analysis

for

Travel America – Travel Center



City of Brawley

383 Main Street Brawley, CA 92227 760-344-2222

March 2024



City of Brawley Initial Study/Environmental Checklist

March 2024

2. Lead agency name and address:

City of Brawley 383 Main Street Brawley, CA 92227

Contact: Cynthia Mancha, Consultant City Planner (760) 344-8822 planning@brawley-ca.gov

- 4. Property Owner: Trifecta Property Investments
- 5. Project Representative: WSCS Design Wade Shuey
- 6. Legal Description: Lot 5, Luckey Ranch, In the City of Brawley, County of Imperial, State of California APN: 047-090-006
- 7. Project Location East of Highway 78 (Best Road), west of Highway 111, abutting Main Street.
- 8. Project Description: Conditional Use Permit 23-02 is for the construction of a 26,102 sqft Travel Center including a gas station, convenience store, RV dump, and truck stop. The property is an undeveloped 18.49-acre site, zoned C-2 (Medium Commercial) located in the Luckey Ranch Specific Plan Area. Service Stations are not allowed in the C-2 zone, by right, but are permitted subject to the approval of a Conditional Use Permit (CUP). The proposed project will require approval from the Planning Commission under CUP#23-02 and adoption of the project Negative Declaration.

9. General Plan Designation:

	Existing City General Plan: C - Commercial
10. Zoning:	Proposed City General Plan: N/A
	Proposed Annexed Territory: N/A
	Existing City Zoning: C-2 (Medium Commercial)
	Proposed City Zoning: No Change

10. Surrounding Land

North – R-3 and R-1 (Medium Density Residential/Sigle Family Residential), undeveloped

South – PD (Planned Development)/Pilot Service Station

East - Highway 111, outside City Limits, Agriculture

West – C-2 (Medium Commercial), undeveloped

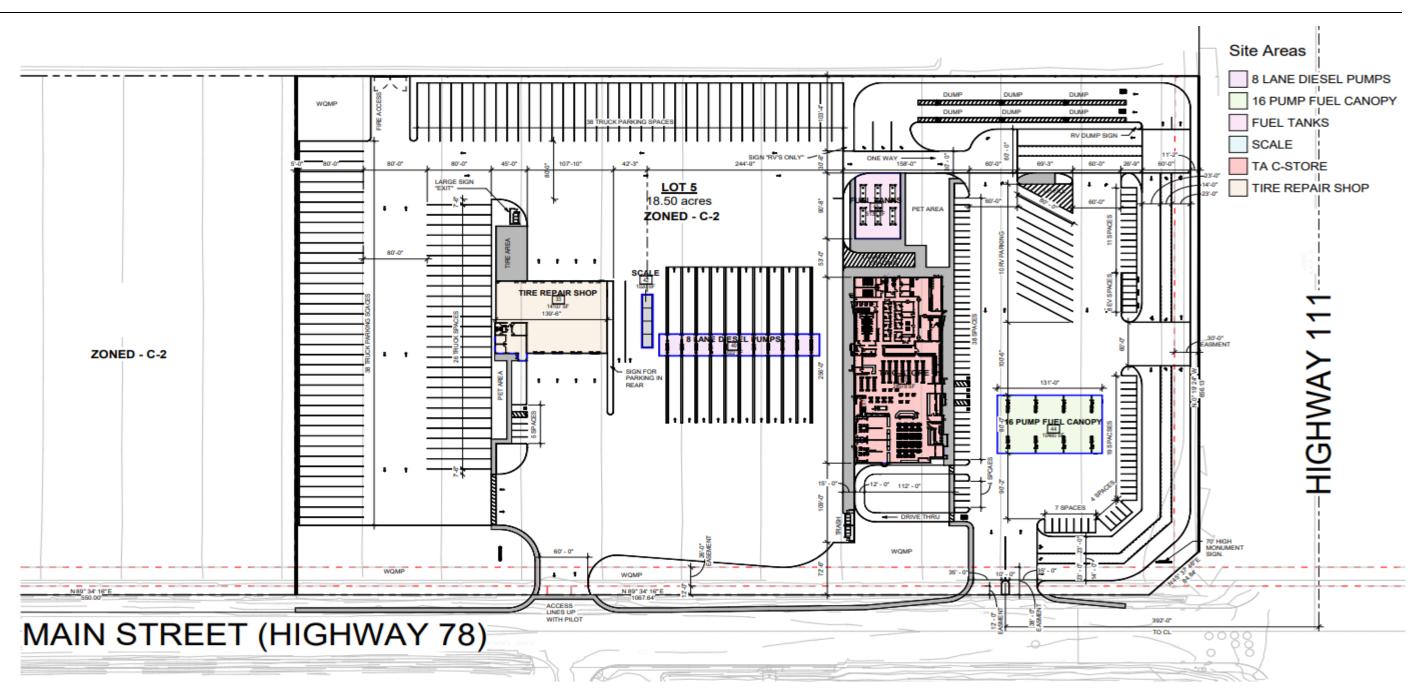
11. Other Agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)

- a) Building
- b) Fire
- c) Public Works
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?

PaleoWest mailed letters on 1/4/2023. City of Brawley mailed letters mailed on 4/17/2024.



EXHIBIT A PROJECT VICINITY MAP



Page 5 of 24

SITE PLAN EXHIBIT B

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.

\boxtimes	Aesthetics		Agriculture/Forestry Resources	Air Quality	
\square	Biological Resources	\boxtimes	Cultural Resources	Geology/Soils	
	Greenhouse Gas Emissions	\boxtimes	Hazards and Hazardous Materials	Hydrology/Water Quality	
\square	Land Use/Planning		Mineral Resources	Noise	
	Population/Housing		Public Services	Recreation	
\boxtimes	Transportation	\boxtimes	Utilities/ Service Systems	Mandatory Findings of Significance	

ENVIRONMENTAL REVIEW COMMITTEE DETERMINATION

The proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
The proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.	
The proposed project MAY have a significant effect(s) on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
The proposed project MAY have a significant effect(s) 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, if the effect is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated." A FOCUSED ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
Although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (1) have been analyzed in an earlier EIR pursuant to applicable standards and (2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. No further action is required.	

CA Department of Fish and Game

EXAMPLE MONO-TREE TOWER EXHIBIT D

			Fire
Cynthia Mancha, City Planner	Date		Planning
			Administration

4

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).
- All answers must take account of the whole action involved, including off-site as well as onsite, 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 is 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 Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis 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.

Authority: Public Resources Code Sections 21083 and 21087. Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151; Sundstrom v. County of Mendocino, 202 Cal. App. 3d 296 (1988); Leonoff v. Monterey Board of Supervisors, 222 Cal. App. 3d 1337 (1990).

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.

I.	AESTHETICS Would the project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a)	Have a substantial adverse effect on a scenic vista?			\boxtimes	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			\boxtimes	
c)	Substantially degrade the existing visual character or quality of public views of the site and its surroundings?			\boxtimes	
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			\boxtimes	

I. AESTHETICS IMPACT DISCUSSION

The proposed installation of the Travel Center will have less than a significant impact on the aesthetics in the vicinity. The Travel Center will not obstruct scenic views. Any visual impact will be mitigated by designing the center with visual appeal and implementing a landscape palate compatible with the desertscape. Signage will be installed in accordance with the City Ordinance and the Airport Land Use Compatibility Report. Any aesthetic impacts resulting from the installation of billboard signs will be mitigated as defined in the project Development Agreement.

II. AGRICULTURE AND FORESTRY RESOURCES. <i>Would the project:</i>	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				\boxtimes
 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))?		
d) Result in the loss of forest land or conversion of		\square
forest land to non-forest use?		
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?		

II. Agriculture and Forestry Resources Discussion

The parcel is undeveloped and previously disturbed. It is not converting existing parcels designated or zoned for agriculture.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Conflict with or obstruct implementation of the applicable air quality plan?				\boxtimes
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				\boxtimes
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			\boxtimes	
d) Expose sensitive receptors to substantial pollutant concentrations?			\boxtimes	
e) Create objectionable odors affecting a substantial number of people?			\boxtimes	

III. AIR QUALITY DISCUSSION

The Travel Center will not generate additional vehicle miles traveled. The site is located where existing travel occurs along an arterial transportation corridor; and will not generate or emit gases. The activities are not anticipated to generate significant fumes exceeding air quality thresholds.

IV. BIOLOGICAL RESOURCES. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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 Game or U.S. Fish and Wildlife Service?				
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 Game or U.S. Fish and Wildlife Service?				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				\boxtimes
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? 				\boxtimes
 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? 				\boxtimes

IV. BIOLOGICAL RESOURCES DISCUSSION:

The site is an existing, undeveloped, previously disturbed parcel. Best management practices will be implemented during the construction phase. A burrowing owl survey will be conducted prior to commencing construction. Should biological resources be found, construction will be paused until it is determined that construction activities will not encroach or disturb protected species.

V. CULTURAL RESOURCES. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
 a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? 			\boxtimes	
b) Cause a substantial adverse change in the			\square	

significance of an archaeological resource pursuant to §15064.5?			
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			
d) Disturb any human remains, including those interred outside of formal cemeteries?		\boxtimes	

V. CULTURAL RESOURCES DISCUSSION

The site is an existing, undeveloped, previously disturbed parcel. Best management practices will be implemented during the construction phase. Tribal consultation has requested that during ground disturbing activities a monitor be present. Construction will be paused if cultural artifacts are found. The cultural artifacts will be flagged but will remain undisturbed. Construction will not resume until it is determined that cultural resources will not be impacted.

VI. GEOLOGY AND SOILS. <i>Would the Project:</i>	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
 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? 				
ii. Strong Seismic ground shaking?				
iii. Seismic-related ground failure, including liquefaction?				
iv. Landslides?				\boxtimes
b) Result in substantial soil erosion or the loss of topsoil?			\square	
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?				
 d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property? 				
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?				

VI. GEOLOGY AND SOILS DISCUSSION: A geotechnical report will provide the appropriate design to ensure health and safety and reduce the risk of structure failure.

VII. GREENHOUSE GAS EMISSIONS. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			\boxtimes	

b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			\boxtimes		
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VII. GREENHOUSE GAS EMISSIONS DISCUSSION

The installation of the Travel Center will not increase vehicle trips. It is located along an arterial transportation corridor. Any impact will be mitigated by installing open/green space that is consistent with the Imperial Agriculture Commissioner's approved plant palette.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			\boxtimes	
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?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			\boxtimes	
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?				
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 for people residing or working in the project area?			\boxtimes	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			\boxtimes	

The project will be required to follow Environmental Protection Agency guidelines for underground

petroleum storage. Additionally, the project will be required to comply with the Imperial

County CUPA and hazardous materials management plans.

VIII. HAZARDS AND HAZARDOUS MATERIALS DISCUSSION

IX. HYDROLOGY AND WATER QUALITY. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Violate any water quality standards or waste discharge				\boxtimes

requirements			
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			\boxtimes
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		\boxtimes	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result In flooding on- or off-site?			
e) 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?		\boxtimes	
f) Otherwise substantially degrade water quality?		\boxtimes	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		\boxtimes	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		\boxtimes	
 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? 		\boxtimes	
j) Inundation by seiche, tsunami, or mudflow?			\square

IX. HYDROLOGY AND WATER QUALITY DISCUSSION

The Project will be required to prepare a grading plan, install 100% on-site retention and abide by the California Water Boards water quality requirements.

X. LAND USE/PLANNING Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
 a) Physically divide an established community? 				\boxtimes
 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? 				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				\boxtimes

X. LAND USE/PLANNING DISCUSSION

The landscaping will be compatible with desertscape and will abide by the Imperial County Agricultural Commissioner's plant palette requirements.

XI. MINERAL RESOURCES. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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?				
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?				

XI. MINERAL RESOURCES DISCUSSION

No known mineral resources in the project area.

XII. NOISE. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? 			\boxtimes	
 b)) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? 			\boxtimes	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			\boxtimes	
 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? 				
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 expose people residing or working in the project area to excessive noise levels?				
 f) For a project within the vicinity of a private airstrip, would the project expose people 			\boxtimes	

residing or working in the project area to		
excessive noise levels?		

XII. NOISE DICUSSION

The project is located adjacent to an arterial transportation corridor. The noise will not exceed existing travel noise generated.

	II. POPULATION AND HOUSING. ould the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a)	Induce substantial 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)?				
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				\boxtimes
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				

Background:

XIII.POPULATION AND HOUSING DISCUSSION

The project is a commercial development that will not generate an increase in population.

XIV. PUBLIC SERVICES. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) 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:				\boxtimes
1) Fire Protection?				\boxtimes

2) Police Protection?		\square	
3) Schools?			\boxtimes
4) Parks?			\boxtimes
5) Other Public Facilities? Fire		\square	

XIV. PUBLIC SERVICES DISCUSSION

The proposed project will require Fire and Police services but will not have a significant impact.

XV. RECREATION. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
 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? 				
 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? 				

Background:

XV. RECREATION DISCUSSION

No impact.

XVI. TRANSPORTATION/TRAFFIC. Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass 				

transit?			
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			
e) Result in inadequate emergency access?		\square	
 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? 			

XVI. TRANSPORTATION/TRAFFIC DISCUSSION

The project is located along an existing transportation corridor. Design measures will be defined in the project traffic analysis and will include the installation of traffic signals and other traffic mitigation measures.

XVII. UTILITIES AND SERVICE SYSTEMS Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		\boxtimes		
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				\boxtimes
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				\boxtimes
e) 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?		\boxtimes		
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				\boxtimes
g) Comply with federal, state, and local statutes and regulations related to solid waste?			\square	

XVII. UTILITIES AND SERVICE SYSTEMS DISCUSSION

Commercial water and wastewater rates will apply to the project. The City Environmental Compliance Department will monitor the effluence from the facility to ensure compliance with allowed daily effluence limits.

SECTION 3 - III. MANDATORY FINDINGS OF SIGNIFICANCE

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE Would the Project:	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
a)) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			\boxtimes	
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)?			\boxtimes	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				

Background:

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE DISCUSSION

III. PERSONS AND ORGANIZATIONS CONSULTED

Brawley Public Works Department

Brawley Fire Department

V. REFERENCES

Earth Strate Geotechnical Services, Inc.

Paleo West

Ryan Birdseye Planning Group, LLC

Barrett's Biological Surveys

Ventura Engineering Inland