Rancho-Porter Development Project
Final Environmental Impact Report

Volume I

SCH #: 2008021009

Prepared for:

City of Brawley
400 Main Street
Brawley, CA 92227
Contact: Gordon Gaste, AICP, Planning Director

Prepared by:

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9775 Businesspark Avenue, Suite 200
San Diego, CA 92131
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August 2010

ICF International. 2010. Rancho-Porter Development Project.
Final Environmental Impact Report. August. (ICF 00461.07.) San Diego, CA.

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SECTION I
INTRODUCTION

I

OVERVIEW OF THE FINAL EIR

I.1 Introduction

The Rancho-Porter Final Environmental Impact Report (final EIR) contains three chapters and an attachment. Chapter I presents an overview of the final EIR: its contents; the responsibility of the lead agency to provide written responses to comments received on the draft EIR; information on where the final EIR may be reviewed; the process of certifying the final EIR; and a brief description and legal authority of the Mitigation Monitoring and Report Program (MMRP), Findings of Fact (findings), and the Statement of Overriding Considerations (SOC). Chapter II discusses provides the response to comments received on the draft EIR. Chapter III contains the revisions to the draft EIR.

I.2 Contents of the Final EIR

The contents of the final EIR are discussed in CEQA Guidelines Section 15132. The final EIR will consist of the following (parentheses indicate the location within the Rancho Porter Development Project Final EIR):

- A list of persons, organizations, and public agencies commenting on the draft EIR (Chapter II, Table II-1).
- Comments and recommendations received on the draft EIR either verbatim or in summary (Chapter II, Section II-3).
- The responses of the lead agency to significant environmental points raised in the review and consultation process (Chapter II, Section II-3).
- The draft EIR or the revisions to the draft EIR (Chapter III).
- Any other information added by the lead agency (Chapter III).

I.3 Review of the Final EIR and Responses to Comments

A 45-day public review of the draft EIR began May 17, 2010, and ended June 30, 2010. The City has evaluated comments received on the draft EIR and has prepared written responses. Some comments were received past the deadline of June 30, 2010; however, the City elected to provide written responses to comments received after the deadline (CEQA Guidelines Section 15088[a]).

The City has forwarded written responses to all public agencies that sent comments on the draft EIR, providing each public agency more than 10 days to review the responses prior to the City Council hearing (State CEQA Guidelines Section 15088[b]).

The final EIR will be available at the City's Planning Department and City Library prior to the public hearing.

I.4 Certification of the Final EIR

Certification of the Rancho Porter Development Project Final EIR is required prior to approving the Rancho Porter Specific Plan. Pursuant to CEQA Guidelines 15090(a)(1), (2), and (3), the lead agency must certify that:

- The final EIR has been completed in compliance with CEQA;
- The final EIR was presented to the decision-making body of the lead agency, and the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
- The final EIR reflects the lead agency's independent judgment and analysis.

I.5 Related Documents

I.5.1 Mitigation Monitoring and Reporting Program

The purpose of adopting a MMRP is to ensure that the mitigation measures listed in the Final EIR to reduce significant impacts are actually implemented. The MMRP for the Rancho Porter Development Project Final EIR is included under separate cover and accompanies the Rancho Porter Development Project Final EIR, Rancho Porter Specific Plan, findings, and SOC in the official staff report to the Planning Commission and City Council.

I.5.2 Findings of Fact

Buildout of the Rancho Porter Specific Plan would result in significant impacts, prior to mitigation, on agriculture, air quality and greenhouse gas emissions, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, and transportation. After mitigation, only cumulative air quality, cumulative GHG emissions, and direct/indirect and cumulative noise impacts would remain significant and unavoidable.

CEQA requires that the City make findings on each significant impact, accompanied by a brief explanation of the rationale for each finding. The findings must be supported by substantial evidence in the record. The possible findings are:

- Changes or alternations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by another agency and can and should be adopted by that agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

The findings document for the final EIR is presented under separate cover and accompanies the Rancho Porter Specific Plan, Rancho Porter Development Project Final EIR, MMRP, and SOC in the official staff report to the Planning Commission and City Council.

I.5.3 Statement of Overriding Considerations

Pursuant to CEQA Guidelines 15093[a] and [b], the decision-making agency must balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the lead agency determines that the benefits outweigh the unavoidable adverse environmental effects, the lead agency may consider the significant unavoidable adverse environmental effects "acceptable." A written statement of the specific reasons to support the approval action is required. Buildout of the Rancho Porter Specific Plan would result in significant and unavoidable adverse cumulative impacts on air quality, GHG emissions, and noise even after mitigation is applied. Thus, a statement of overriding considerations is required.

The Statement of Overriding Considerations document for the significant unavoidable adverse impacts is presented under separate cover and accompanies the Rancho Porter Specific Plan, Rancho Porter Development Project Final EIR, MMRP, and Findings of Fact in the official staff report to the Planning Commission and City Council.

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SECTION II
RESPONSES TO COMMENTS

II

RESPONSES TO COMMENTS

II.1 Distribution of the Draft EIR

The draft EIR prepared for the City was sent to the State Clearinghouse and distributed to relevant agencies and the general public for a 45-day review period beginning on May 17, 2010, and ending June 30, 2010. In addition, as noted in the newspaper circulation, the Rancho Porter Development Project Draft EIR was available for public review at the following locations:

- City of Brawley, Planning Department, 400 Main Street, Brawley, CA 92227
- Brawley City Library, 400 Main Street, Brawley, CA 92227

II.2 Comments on the Draft EIR

The City received eight comment letters on the draft EIR during the public review period. Table II-1 presents a list of the agencies, organizations, and individuals who commented on the draft EIR.

Table II-1. Public Comments Received on the Draft EIR

Letter	*Date Received*	*Individual/Organization*	*Page*
State Agencies			
A	6/16/2010	California Department of Toxic Substances Control (DTSC)	II-3
B	6/29/2010	California Department of Transportation (Caltrans)	II-11
C	6/08/2010	California Energy Commission	II-19
Regional and Local Agencies			
D	6/30/2010	Imperial County Air Pollution Control District	II-21
E	6/28/2010	Imperial Irrigation District	II-25
Native American Tribes			
F	6/03/2010	Cocopah Indian Tribe	II-33
G	6/07/2010	Torres Martinez Desert Cahuilla Indians	II-35
Organizations and General Public			
H	6/30/2010	Union Pacific	II-37

II.3 Responses to Comments

In accordance with CEQA Guidelines Section 15088, the City has evaluated the comments on environmental issues received from agencies and other interested parties and has prepared written responses to each comment pertinent to the adequacy of the environmental analyses contained in the draft EIR. In compliance with Section 15088(b) of the CEQA Guidelines, the written responses address the environmental issues raised. In addition, where appropriate, the basis for incorporating or not incorporating specific suggestions into the proposed project is provided. In each case, the City has expended a good faith effort, supported by the facts in the administrative record, to respond to comments.

This section includes responses to written comments received during the 45-day public review period of the draft EIR. Some comments have prompted changes to the text of the draft EIR, which are referenced in this chapter and shown in the Chapter 3, *Draft EIR with Final Revisions*. A copy of each comment letter is provided below, and responses to each comment letter immediately follow.

Letter A

Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue
Cypress, California 90630

Linda S. Adams
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

June 16, 2010

Mr. Gordon Gaste, Planning Director
City of Brawley, Planning Department
400 Main Street
Brawley, California 92227

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RANCHO-PORTER DEVELOPMENT PROJECT (SCH# 2008021009), IMPERIAL COUNTY

Dear Mr. Gaste:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The Rancho-Porter Development project (proposed Project) consists of 274.4 acres of agricultural land. The project proposes to develop approximately 210 acres into residential, commercial, mixed-use and open space areas. A Specific Plan has been designed for the project area to address development issues unique to the proposed Project. Two development scenarios (the first scenario "Without Overlay and the second scenario "With Overlay") are included in the Specific Plan. The project would be developed according to one of these scenarios. The project site is located in the southeastern part of the City of Brawley (City), Imperial County. The Project would require approval by the City of Brawley for a General Plan Amendment, Specific Plan, Pre-zone Classification, Tentative Tract Map and the Specific Plan. The proposed Project site is located adjacent to and east of the City's boundary within the City's Sphere of Influence (SOI). The surrounding properties to the north, east and south of the project site consist largely of agricultural land, light industrial, commercial, and residential uses occur to the west. A majority of the project site is currently used for agricultural, with the portion north of Wildcat Road in active production".

Printed on Recycled Paper

Mr. Gordon Gaste
June 16, 2010
Page 2

Based on the review of the submitted document DTSC has the following comments:

1) The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

   - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
   - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
   - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
   - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
   - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
   - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
   - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
   - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

A-1

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

A-2

Mr. Gordon Gaste
June 16, 2010
Page 3

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR. A-3

4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies. A-4

5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination. A-5

6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. A-6

7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local A-7

Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

8) If during construction/demolition of the Project Area, the soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. A-8

9) If a site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project. A-9

10) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489. A-10

11) Also, in future CEQA documents, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail. A-11

If you have any questions regarding this letter, please contact me at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,

Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

cc: CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 2938

II.3.1 Response to Letter A

A-1 Response

Thank you for your comment. A Phase I Environmental Site Assessment (ESA) was conducted for the proposed project. The results of the Phase I ESA field survey found no evidence of hazardous materials on site. In addition to the site visit, the Phase I ESA performed a records search of the federal, state, and local hazardous materials databases, including but not limited to the National Priorities List (NPL), Envirostor, Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), and Geotracker. For more information, please see Chapter 4.6 and Appendix E of Appendix G (Phase I ESA).

A-2 Response

Pages 4.6-2 through 4.6-4 and the project Phase I ESA list the existing regulations related to hazardous materials and site remediation. Although the Phase I ESA did not recommend any further investigative action and determined that the presence of hazardous materials on site was low, in the event of uncovering hazardous materials during construction grading, pursuant to state law, the construction site manager would be required to notify the Imperial County Certified Unified Program Agency (CUPA), which in this case is the Department of Toxic Substances Control (DTSC).

A-3 Response

As noted in A-1, a Phase I ESA was conducted on the project site and surrounding area. No potential hazardous materials were discovered during the investigation. The results of the Phase I ESA are discussed in Chapter 4.6 and Appendix G (Phase I ESA).

A-4 Response

Please refer to page 4.6-6 for a discussion of the potential for the presence of asbestos-containing materials (ACBs) and lead based paints, which notes that remediation would be required in accordance with state and local regulations.

A-5 Response

No soil sampling has been recommended by the Phase I ESA. In the event soil sampling does occur, the samples would be taken in accordance with standard professional practices.

A-6 Response

The project's Phase I ESA did not find evidence to suggest contamination on the project site. Therefore, a health risk assessment would not be necessary.

A-7 Response

Comment noted. Please note the description of the California Hazardous Waste Control Law on page 4.6-3 of the draft EIR.

A-8 Response

Comment noted. Should soil or groundwater contamination be encountered during construction activities, further action will be conducted in accordance with federal, state, and local hazardous waste regulations. Work will be stopped and the CUPA will be contacted for further instructions.

A-9 Response

The site has historically been used for agricultural purposes. As noted on page 4.6-5 and 4.6-6, pesticides may be present in the surface soils. However, concentrations of pesticides based on nearby sampling data indicate approximately 100–150 parts per billion (ppb), well below the regulatory limits set by DTSC of 1,700 ppb.

A-10 Response

Thank you for Ms. Maryam Tasnif-Abbasi's contact information. Should hazardous materials clean-up be required, the City and applicant will contact Ms. Tasnif-Abbasi.

A-11 Response

Comment noted. An email address will be provided with the State Clearinghouse's Notice of Completion form for future documents.

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
District 11
4050 Taylor Street, MS 240
San Diego, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY (800) 735-2929

Letter B

Flex your power!
Be energy efficient!

June 29, 2010

11-IMP-111
PM 22.13
Rancho Porter Subdivision
DEIR (SCH # 2008021009)

Mr. Gordon Gaste
City of Brawley
400 Main Street
Brawley, CA 92227

Dear Gordon Gaste:

The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Draft Environmental Impact Report (DEIR) for the Rancho Porter project (SCH # 2008021009). The project is located west of State Route 111 (SR-111), and south of State Route 78 (SR-78/Main Street). Caltrans has the following comments on the DEIR. In addition, please find attached Caltrans previous comment letter dated August 4, 2008 submitted to the City of Brawley for our review of the Tentative Tract Map and Traffic Impact Study (TIS).

SR-78 and Seabolt Drive:

Section 15.3 Project Access Mitigation, page 58, of the DEIR - TIS discusses that a traffic signal will be required at SR-78 and Seabolt Drive (which is a proposed access opening within 1,000 feet from the SR-111 / SR-78 Signalized intersection) in order to ensure the smooth flow of traffic within the project site.

Caltrans has clearly stated in our correspondence letter dated August 4, 2008 that full access to the Rancho Porter Subdivision from Main Street (SR-78) shall be one-half mile spacing from SR-111. A right-turn in, right-turn out access is all that will be allowed and permitted by Caltrans at its current location (approximately 980 ft. from the SR-111 intersection).

The portion of SR-78 west of SR-111 is under the process of being relinquished to the City of Brawley. Until the segment of SR-78 is formally released by the California Transportation Commission to the City, or substantial progress towards relinquishment is made, Caltrans's standards will be required to be met and the installation of a traffic signal at the current proposed intersection of Seabolt Drive and SR-78 will not be permitted due to the closeness in spacing to the SR-78/SR-111 Expressway junction of less than one-half mile. Therefore, Table 9-1 of the DEIR should not list the intersection of SR-78 and Seabolt Drive with the control type as "Signalized". B-1

Guidance on Caltrans's standards for a right-turn in/right-turn out access design may be found within the Highway Design Manual (HDM) **Section 405.7 Public Road Intersections.**

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Mr. Gordon Gaste
June 29, 2010
Page 2

SR-111 and Wildcat Road Signalization:

The DEIR states the project will have a direct impact at SR-111 and Wildcat Road. Under Mitigation Measure **MM TR-5**, the developer or master builder shall install a traffic signal and provide dedicated eastbound left and right-turn lanes and a westbound dedicated right-turn lane.

It is recommended that the following language be added to this mitigation measure:

Prior to the issuance of grading permits for Phase III the developer will re-evaluate the traffic signal warrants for SR-111 and Wildcat Road to determine if a traffic signal is still warranted at the Phase III stage. If signal warrants are met and Caltrans approves the installation of a traffic signal, a project study report will be required. If the signal warrants are not met by Phase III, then signal warrants shall be reanalyzed prior to Phase IV, and at project completion, which if met at that time, shall be submitted to Caltrans for consideration and approval. The developer or master builder shall install a traffic signal when/if warranted by the project related traffic impacts and provide dedicated eastbound left and right-turn lanes and a westbound dedicated right-turn lane once approved by Caltrans.

B-2

As part of the signal installation, per Section 4B.102(CA) Project Report of the California MUTCD (2010 version), a project report shall be prepared to report the investigation of conditions at locations where a new traffic signal(s) is to be installed, and where an existing traffic signal(s) is to be modified on the State highway. The project study report shall be in accordance with the current departmental policies contained in the Project Development Procedures Manual.

A project report shall be prepared whether the work is performed by the State or by others, if the traffic signal is located on the State highway.

Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans. An encroachment permit for any signal work will be required as stated in The California MUTCD Section 4B.112 (CA) Encroachment Permits: **Encroachment permits are required for a local agency or a private party to install or modify traffic signals and street lighting on a State highway.** Policy and guidelines for this can be found at: **http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd/CAMUTCD-Part4.pdf**

Caltrans shall review any proposed signal modifications for adequacy prior to approval of this project. Failure to do so may result in a delay of approval for an encroachment permit or Caltrans not approving an encroachment permit for this project.

Current policy allows Highway Improvement Projects costing $1 million or less to follow the Caltrans Encroachment Permit process. Highway Improvement Projects costing greater than $1 million but less than $3 million would be allowed to follow a streamlined project development process similar to the Caltrans Encroachment Permit process. In order to determine the appropriate permit processing of projects funded by others, it is recommended the concept and project approval for work to be done on the State Highway System be evaluated through the completion of a Permit Engineering Evaluation Report (PEER). A PEER should always be prepared, regardless of the cost of improvements, when new operating improvements are constructed by the permittee that become part of the State Highway System.

B-3

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These include but are not limited to, signalization, channelization, turn pockets, widening, realignment, public road connections, and bike paths and lanes. After approval of the PEER and necessary application and supporting documentation an encroachment permit can be issued.

In order to expedite the process for projects sponsored by a local agency or private developer, it is recommended a PEER be prepared and included in the Lead Agency's CEQA document. This will help expedite the Caltrans Encroachment Permit Review process. The PEER document forms and procedures can be found in the Caltrans Project Development Procedures Manual (PDPM). http://www.dot.ca.gov/hq/oppd/pdpm/pdpmn.htm
http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/forms/PEER_(TR-0112).pdf B-3 cont.

The applicant's environmental documentation must include such work in their project description and indicate that an encroachment permit will be needed. As part of the encroachment permit process, the developer must provide appropriate environmental approval for potential environmental impacts to State Highway R/W. Environmental documentation should include studies or letters from qualified specialists or personnel which address the potential, or lack of potential, for impacts to resources in State R/W. B-4

Copies of all project-related environmental documentation and studies which address the above-cited resources should be included with the project proponent's encroachment permit application to Caltrans for work within State R/W. If these materials are not included with the encroachment permit application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. Encroachment permit submittals that are incomplete can result in significant delays in permit approval. The developer will also be responsible for procuring any necessary permits or approvals from the regulatory and resource agencies for the improvements. B-5

When a property owner proposes to dedicate property to a local agency for Caltrans use in conjunction with a permit project, Caltrans will not issue the encroachment permit until the dedication is made and the property has been conveyed to Caltrans. B-6

All curb return, gutter and sidewalk designs for any work done within Caltrans's right of way shall meet current Department standards, and ADA requirements. Design plans will be required for encroachment permit approval. This includes any modifications to existing access points within State right of way. Truck-turning templates will be required for all curb return modifications and the turning templates shall be shown on design plans, and submitted with the encroachment permit. It is helpful for Caltrans to review truck-turning templates prior to an encroachment permit application for appropriate curve radius' on curb returns and adequate space for a truck to maneuver through out the entire turn. The California Legal Design vehicle shall be used for analysis as outline in Chapter 4 of Caltrans's Highway Design Manual, which can be found on the internet at: **http://www.dot.ca.gov/hq/oppd/hdm/pdf/english/chp0400.pdf** B-7

As soon as any design plans are available, they should be provided to Caltrans for review, so that any concerns amongst the parties can be discussed early in the approval process. B-8

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Mr. Gordon Gaste
June 29, 2010
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General Comments:

- All future plans for SR-111, specifically at the SR-78/SR-111 intersection, should be taken into account for this proposed development. The Imperial County Transportation Plan proposes the future construction of a grade separated interchange at SR-78/SR-111 as part of the Long-Term Beyond 2025 Improvements. The City should take into account as part of their land use decisions preserving the necessary R/W for future improvements to transportation facilities consistent with adopted Regional Transportation Plans. At the City's discretion, an Irrevocable offer of Dedication (IOD) can be considered as a condition of approval in order to not preclude or jeopardize the implementation of any identified future transportation improvements. B-9

- Grading for this proposed project which would modify existing drainage and increase runoff to State facilities will not be allowed. B-10

- All landscape and irrigation improvements shall conform to Caltrans' policies for design construction and maintenance. The local agency is responsible for requiring any additional highway planting called for by its community standards as part of any development approval. All planting designs are approved by the Caltrans District Landscape Architect and can be found in Caltrans Encroachment Permit Manual, and Project Development Procedures Manual, which are available on Caltrans website.

  The local agency will need to enter into an Agreement with Caltrans for the proposed maintenance of the highway planting prior to any work being done within the State right-of-way. A Maintenance Agreement will only be executed with the local agency. It is strongly recommended when local agencies are approving development projects where landscaping is proposed in Caltrans right-of-way that the process to initiate an Agreement be done as early as possible. The local agency's environmental document and conditions of approval should document that an Agreement between the local agency and Caltrans will be required prior to an encroachment permit being issued by Caltrans for work within the State right-of-way. Additional information regarding Maintenance Agreements may be obtained by contacting Brent McDonald at Caltrans Maintenance Office at (619) 688-6141. B-11

- Caltrans will not be held responsible for any noise impacts to this development, including from the ultimate configuration of SR-78 and SR-111. B-12

- Any sign advertising a business not "on premise" will require an Outdoor Advertising Display Permit. B-13

- Fair share mitigation for cumulative impacts should be based on Caltrans methodology for calculating equitable mitigation measures as identified in the Caltrans Guide for the Preparation of Traffic Impact Studies. B-14

  Mitigation identified in the traffic study, subsequent environmental documents and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation, this includes the actual implementation and

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collection of any fair share monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement. B-14 cont.

If you have any questions on the comments Caltrans has provided, please contact Leila Ibrahim of the Development Review Branch at (619) 688-6954.

Sincerely,

Jacob Armstrong
Development Review Branch Chief

Attachment – Caltrans letter dated August 4, 2008

II.3.2 Response to Letter B

B-1 Response

Thank you for your comment. An analysis was performed for the Seabolt Drive right-turn in, right-turn out scenario. Please see Table 4.11-9, *Near-term Intersection Operations, Without Overlay*, and Table 4.11-12, *Near-term Intersection Operations With Overlay*. As noted on page 4.11-35 of the DEIR, under Impact 19, in the event that Caltrans maintains jurisdiction over SR-78 and it does not change to the City's jurisdiction, the SR-78/Seabolt Drive intersection would result in a right-in/right-out turn only at Seabolt Drive. Traffic conditions at the intersection of SR-78 (E. Main Street) / S. Best Avenue would be reduced from level of service (LOS) B in the existing condition to LOS D in the PM peak hour upon implementation of Phase II of the proposed project, resulting in a significant direct impact. To mitigate for this direct impact, improvements to SR-78/ S. Best Avenue shall be required during Phase I (instead of Phase II) and shall include an additional westbound left-turn lane. Mitigation measure MM TR-19 is stated as follows:

> **MM TR-19:** Prior to the issuance of grading permits for Phase II, the developer or master builder shall provide a dedicated northbound right turn lane and an additional dedicated westbound right turn lane at the intersection of SR-78 (E. Main Street) / Best Avenue. If SR-78 remains in Caltrans jurisdiction at the time of the project's implementation, then intersection at SR-78 / Seabolt Drive shall be improved to a right-in/right-out turn only and improvements to SR-78/ S. Best Avenue shall be required during Phase I, which shall include an additional westbound left-turn lane. An intersection shall not be permitted at SR-78/S. Best Avenue. ~~Prior to the issuance of grading permits for Phase II, the developer or master builder shall provide a dedicated northbound right turn lane and an additional dedicated westbound right turn lane at the intersection of Best Avenue / I Street.~~

After implementation of these required improvements, the intersection of SR-78 / S. Best Avenue would operate at LOS C.

B-2 Response

Comment noted. The applicant would be required to comply with Section 4B.102(CA) Project Report of the California Manual on Uniform Traffic Control Devices (MUTCD) and obtain an encroachment permit for work performed within the Caltrans right-of-way. In addition, mitigation measure TR-5 has been updated to state the following:

MM TR-5: Prior to the issuance of the grading permits for Phase III, the developer will re-evaluate the traffic signal warrants for SR-111 and Wildcat Road to determine if a traffic signal is still warranted at the Phase II stage. If the signal warrants are met and Caltrans approves the installation of a traffic signal, a project study report will be required. If the signal warrants are not by Phase III, then signal warrants shall be reanalyzed prior to Phase IV, and at project completion, which if met at that time, shall be submitted to Caltrans for consideration and approval. The developer or master builder shall install a traffic signal when/if warranted by the project related traffic impacts and provide dedicated eastbound left and right-turn lanes and a westbound dedicated right-turn lane once approved by Caltrans. ~~Prior to the issuance of~~

~~grading permits for Phase III, the developer or master builder shall install a traffic signal and provide dedicated eastbound left and right turn lanes and a westbound dedicated right turn lane.~~

B-3 Response

The applicant will prepare the appropriate Caltrans Encroachment Permit Process document, including potentially a Permit Engineering Evaluation Report (PEER), at the time the specific improvements are going to be completed. Because of the lack of detailed design specifications, it is premature to prepare a PEER as part of the project EIR.

B-4 Response

The project description contains a full description of the anticipated traffic infrastructure. Please see page 2-9 and 2-10. Furthermore, additional details are provided in Section 4.11, *Transportation*, under the mitigation measures. All areas proposed for modification to the physical environment were surveyed and analyzed in the resource sections listed in Chapter 4.0, *Environmental Analysis*. Table 2-7 lists the required permits, including the need for a Caltrans encroachment permit.

B-5 Response

Comment noted. The project environmental documentation and studies will be included with the encroachment permit application.

B-6 Response

Comment noted.

B-7 Response

Comment noted. All design work within the Caltrans right-of-way will meet current Department standards and Americans with Disabilities Act (ADA) requirements.

B-8 Response

Comment noted. Once project design plans are complete they will be forwarded to Caltrans for review.

B-9 Response

Comment noted. The future plans for SR-111 have been considered in the project's design.

B-10 Response

Comment noted. No grading that would modify existing drainage and increase runoff to State facilities will be conducted.

B-11 Response

Comment noted. All landscape and irrigation improvements shall conform to Caltrans' policies for design construction and maintenance.

B-12 Response

Comment noted.

B-13 Response

Comment noted.

B-14 Response

Comment noted. Implementation of mitigation within Caltrans jurisdiction shall be coordinated by Caltrans, and the City or the applicant will enter into a Cooperative Agreement, which will lead to the execution of a Traffic Mitigation Agreement.

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

Letter C

June 8, 2010

Gordon Gaste, Planning Director
City of Brawley
400 Main Street
Brawley, CA 92227

Dear Mr. Gaste:

The California Energy Commission has received City of Brawley's Draft EIR titled Rancho-Porter Development Project, SCH 2008021009 that was submitted on 5/17/2010 for comments due by 6/30/2010. After careful review, the California Energy Commission has no comment at this time.

However, we would like to assist in reducing the energy usage involved in your project. Please refer to the enclosed Appendix F of the California Environmental Quality Act for how to achieve energy conservation. C-1

In addition, the Energy Commission's *Energy Aware Planning Guide* is also available as a tool to assist in your land use planning and other future projects. For further information on how to utilize this guide, please visit www.energy.ca.gov/energy_aware_guide/index.html.

Thank you for providing us the opportunity to review/comment on the City of Brawley's Draft EIR. We hope that comments will serve helpful in your project's environmental review process.

If you have any further questions, please call Gigi Tien at (916) 651-0566.

Sincerely,

Bill Pfanner

BILL PFANNER
Supervisor, Local Energy & Land Use Assistance Unit
Special Projects Office
Fuels and Transportation Division
California Energy Commission
1516 Ninth Street, MS 23
Sacramento, CA 95814

Enclosure

II.3.4 Response to Letter C

C-1 Response

Thank you for your letter and the recommendations and guidance for future projects within the city boundaries.

For the proposed project, mitigation is proposed that would require several measures designed to reduce the energy needs of the project. For instance, the project would be required to install high efficiency gas or solar water heaters, low energy street lighting, roof materials with solar reflectance value meeting U.S. Environmental Protection Agency (EPA) / Department of Energy (DOE) Energy Star ratings, and building construction that exceeds Title 24 building requirements by 15%. This coordinated effort is an attempt to reduce the project's energy needs while also reducing the amount of greenhouse gases emitted over the life of the project.

Letter D

150 SOUTH NINTH STREET
EL CENTRO, CA 92243-2850

TELEPHONE: (760) 482-4606
FAX: (760) 353-9904

AIR POLLUTION CONTROL DISTRICT

June 30, 2010

Mr. Gordon R. Gaste, AICP
Planning Director
City of Brawley
400 Main Street
Brawley, CA 92227

SUBJECT: Draft Environmental Impact Report for the Rancho-Porter Development Project.

Dear Mr. Gaste:

The review of the Draft EIR for the Rancho-Porter Development Project has been finalized by the Imperial County Air Pollution Control District (Air District). The following comments are intended to help clarify issues the Air District has identified as potentially contributing to the decline or curtailment of Air Quality in Imperial County.

Threshold AQ-2
The Air District disagrees with AQ-2. Rancho Porter Development project consists of 1359 residential units, 493 multifamily home, 252 mixed-use residential units, 504 mobile homes, and 34.35 commercial uses without overlay. Therefore, this project is deemed a Tier II project which could potentially have an adverse impact on local air quality. The Air District is requesting a Comprehensive Air Quality Analysis as this project exceeds the operational thresholds found in section 4.1 of the Imperial County CEQA Air Quality Handbook, In addition, all standard mitigation measures as well as feasible discretionary mitigation measures must be listed and incorporated in Threshold AQ-2. D-1

Table 4.2-6: ICAPCD Fugitive Dust and Exhaust Control Measures
While the table in this section lists the mitigation measures found in the CEQA Air Quality Handbook for Imperial County, the Air District would like to see those mitigation measures found within Regulation VIII listed with language indicating commitment to the implementation of those measures or as mentioned above, listed and incorporated in AQ-2. In addition, a dust control plan must be prepared and submitted to the Air District for Review. D-2

Page 4.2-7 Local Air Quality Plans
In reference to Imperial County's determination of the 1997- 8-Hour NAAQS, on December 3, 2009, the U.S. EPA made a final determination that the Imperial County attained the 1997 8-Hour National Ambient Air Quality Standard (NAAQS) for Ozone (FR Vol. 74, No. 231, Page 63309). However, Imperial County's classification and designation status remains as a D-3

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"moderate" non-attainment area for the 1997 8-hour ozone NAAQS. The paragraph should be revised to reflect the updated information.

The Air Districts' rule book, including all new regulations can be accessed via internet at http://www.Imperialcounty.net under "Air Pollution Control." Once again, thank you for allowing the Air District an opportunity to comment on this project. Should you have any questions please do not hesitate to call the office at (760)482-4606

D-3 cont.

Sincerely,

Belen Leon
APC Environmental Coordinator

Cc: Brad Poiriez
Reyes Romero
Monica Soucier

II.3.5 Response to Letter D

D-1 Response

Thank you for your comment. Per the requirements of a Tier 2 project, project operations are required to implement both standard and discretionary mitigation measures. Text has been inserted on page 4.2-34 that references the operational discussion under Threshold AQ-4.

D-2 Response

Comment noted. Text has been inserted on page 4.2-26 that states that the project applicant will submit a dust control plan to the Imperial County Air Pollution Control District (ICAPCD) prior to the commencement of construction activities.

D-3 Response

Comment noted. Text has been inserted on page 4.2-7 to address the EPA ruling and subsequent "moderate" attainment status designation for 8-hour ozone.

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Letter E

IMPERIAL IRRIGATION DISTRICT

ENVIRONMENTAL, REGULATORY AND EMERGENCY PLANNING • P.O. BOX 937 • IMPERIAL, CA 92251
TELEPHONE (760) 482-3600 • FAX (760) 482-3603

GS-EREP June 28, 2010

Mr. Gordon Gaste
Planning Director
City of Brawley Planning Department
400 Main Street
Brawley, CA 92227

SUBJECT: Notice of Availability of a Draft Environmental Impact Report Rancho Porter Specific Plan and Development Project

Dear Mr. Gaste

A Notice of Availability was given by the City of Brawley and the Imperial County Local Agency Formation Commission for the Rancho Porter Specific Plan and Development Project Draft Environmental Impact Report (DEIR). The project proposes to develop approximately 210 acres, out of 274.4 acres of agricultural land, into residential, commercial, mixed-use and open space areas. The proposed project site is located adjacent to and east of the City of Brawley's boundary within the City's Sphere of Influence (SOI). The project is bordered by East Main Street to the north; State Route (SR) 111 generally to the east with some portion immediately east of SR 111; Best Avenue to the west; and unimproved agricultural land uses to the south.

Pursuant to the above, the Imperial Irrigation District (IID) has reviewed the DEIR and submits the following comments:

Energy

1. The document doesn't go into any detail regarding the electrical infrastructure improvements to be constructed within the Specific Plan area (DEIR page 2-8). E-1

2. The proposed power lines to be placed underground with aboveground easements and in public rights-of-way (DEIR page 2-11) are subject to approval of the IID. The project developer should contact IID's Imperial Valley Customer Service Operations and Real Estate Section for further discussion on this matter, and consult the guidelines at http://www.iid.com/Energy/NewConstruction. E-2

3. Power lines are adjacent to and within the Rancho-Porter project area. IID electrical service facilities include a 161 kV transmission line and a 92 kV transmission line that runs along Shank Road adjacent to or through the northern Luckey Ranch area. All transmission lines are required to be located above ground. E-3

4. The developer should coordinate with the IID to ensure that the installation of the electrical distribution infrastructure is properly provided for the project. Line extensions will be made in accordance with IID Regulations Nos. 15 and 2 (http://www.iid.com/Energy/IIDEnergyRegulations). Construction of the proposed substation to be located in the La Paloma subdivision, pending on new development in the vicinity and the justification for need, should abide by applicable IID substation site requirements. E-4

Water

1. The DEIR (page 4.12-7) notes that the project's Water Supply Assessment (WSA) is subject to IID's approval prior to the finalization of the EIR. Presently, the IID has not yet been formally consulted regarding the WSA (see IID's December 12, 2008 letter sent to all municipalities and is posted at http://www.iid.com/Media/12-2-08-IID-SB610_221-WSA_WSV-LETTER.pdf for further clarification). As such, IID reserves the right to provide input on the WSA and any potential water supply impacts during this consultation process. E-5

2. It is important for the City of Brawley to keep in mind that the IID's current Regulations for Equitable Distribution define municipal apportionments under Supply Demand Imbalance conditions (see following webpage: http://www.iid.com/Water/EquitableDistribution). Should this project have water demands in excess of the volumes stated in the DEIR, the City should be aware of this prior to project approval as it may want the project to fund supplemental water supplies for the City under IID's Interim Water Supply Policy (http://www.iid.com/Water/IndustrialCustomers). E-6

3. In order to obtain a water supply from IID for the project, the project developer will be required to comply with all applicable IID policies and regulations and may be required to enter into a water supply agreement with IID. Such policies and regulations require, among other things, that all potential environmental and water supply impacts of the project have been adequately assessed, appropriate mitigation has been developed, and appropriate conditions have been adopted by the relevant land use permitting/approving agencies. E-7

4. The impacts to the Salton Sea via the New River and to IID drains, due to loss or reduction of agricultural runoff caused by agricultural land conversion to urban use is not discussed in the document. Due to the potential loss or reduction of inflow to the Salton Sea and to IID drains with its concurrent environmental impacts, developer should address this issue as well as provide analysis that the project does not impact the IID Water Conservation and Transfer Draft Habitat Conservation Plan (HCP), the existing Section 7 Biological Opinion and the California Endangered Species Act (CESA) Permit 2081. E-8

5. Since the DEIR lacks any assessment or discussion of cumulative impacts considering other non-agricultural facilities whose water use (or potential water use) would reduce the inflow conveyed to IID drains and the Salton Sea, it is advisable that project proponent present a cumulative impact analysis on inflow to IID drains and the Salton Sea. E-9

The following are the access links to the documents mentioned:

- The **HCP** is part of the IID Water Conservation and Transfer Project, Final EIR/EIS and can be found at http://www.iid.com/Water/FinalEIREIS; Volume II, Appendix A, Habitat Conservation Plan. (The **HCP** in the Draft EIR/EIS may contain small changes from the final version of the EIR/EIS. It is in a different appendix in the draft than the final EIR/EIS. Until the final HCP/NCCP is approved IID uses the HCP in the draft document, which can be accessed at http://www.iid.com/Water/DraftEIREIS).
- The **Biological Opinion** (federal ESA permit) is at http://www.iid.com/Media/In-Valley-BO.pdf.
- The **CESA 2081** (the water transfer operates under this state ESA permit until NCCP is approved) can be found at http://www.iid.com/Media/California-Endangered-Species-Act.pdf and at http://www.iid.com/Media/LCR-MSCP-CESA-2081-Permit-Final.pdf.
- The **MMRP** (Mitigation Monitoring and Report Program) is at http://www.iid.com/Media/Exhibit-B---MMC_MMRP_Complete_6-12-08.pdf.

E-9 cont.

6. The project proposes to develop 210 acres, for residential, commercial, mixed, and open space uses. The project may or may not have a commercial overlay zone. Without a commercial overlay zone this project has less commercial use area than it would with a commercial overlay zone. The open space area is the same with or without a commercial overlay zone.

7. Imperial Irrigation District's water facilities that will be impacted include Best Canal and Bryant Drain. As discussed in DEIR on pages ES-1 and 2-13, the proponent lists Best Canal, Best Drain, and Bryant Drain as needing plan approval by IID to underground. The Best Drain mentioned in the document, located north of the project site, does not extend to the project site and is not an IID facility. The proponent should determine if this drain belongs to Caltrans. The Best Canal parallels Highway 111 along the project's western boundary. E-10

8. On page 2-10, Stormwater Drainage and Retention Basins Section, first sentence states that the project proponent plans to discharge stormwater drainage into existing IID drainage facilities. On page 4.12-9, Discussion Section, the second sentence states "All storm drains will flow into the existing Imperial Irrigation District drainage facilities." For the project to discharge stormwater flows into IID's drainage system, the proponent will be required to mitigate lost drain storage volumes. Impacts from developments will require a detailed drain hydraulic analysis to properly address impacts and design the pipeline. All costs associated with the analysis will be the responsibility of the project proponent. E-11

9. On page 7-11, 7.2.7 Hydrology and Water Quality Section, the second sentence needs to be reworded because the Central Main Canal does not discharge directly to the Salton Sea. The Alamo River does discharge to the Salton Sea. E-12

11. Any construction or operation on IID property or within its existing and proposed rights of way or easements will require an encroachment permit, 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. E-13

12. It is important to bear in mind that any new, relocated, upgraded 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, and water delivery and drainage structures) 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 upgrade of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **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.** E-14

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

Sincerely,

Donald Vargas
Environmental Specialist I

4

II.3.6 Response to Letter E

E-1 Response

Thank you for your comment. The project description has been expanded to include more information about the proposed electrical infrastructure. Page 2-11 now states:

Dry Utilities

Electricity and natural gas service would be provided to the site by IID and Southern California Gas Company, respectively. AT&T would likely provide telecommunications services. Utilities lines would be placed underground with aboveground easements and in public rights-of-way where feasible, as subject to approval of the agencies/companies providing service.

No IID facility will be constructed on site; however, a substation location has been dedicated to IID. The parcel is located on the La Paloma subdivision on the corner of Eastern Avenue and Panno Street. At this time, construction of this substation is pending on new development in the vicinity and the justification for need. Line extensions to serve the project will be made in accordance with IID Regulation No. 15 and Regulation No. 2. This project is not proposing relocation of existing lines on Best Road (Old Highway 111). The proposed project has been designed to ensure that installation of electrical distribution infrastructure, including adequate right-of-ways, easements, and improvements, is provided. All power lines to be placed underground with aboveground easements and in public rights-of-way are subject to IID approval.

Furthermore, all internal tract electrical utility lines would run within the areas covered by the EIR and the associated studies.

E-2 Response

Comment noted. The applicant will be required to contact IID's Imperial Valley Customer Service Operations and Real Estate Section for further discussion on undergrounding proposed power lines.

E-3 Response

Comment noted. Transmission lines will remain aboveground.

E-4 Response

Comment noted. The developer will be required to coordinate with the IID to ensure installation of the electrical distribution infrastructure is properly provided for the project.

E-5 Response

Comment noted. A full appendix was included in the draft EIR distribution. The appendix included the Project Water Supply Assessment (WSA).

E-6 Response

Comment noted.

E-7 Response

Comment noted. The developer will be required to comply with all applicable IID policies and regulations.

E-8 Response

Based on the Project WSA, the project site has the potential to use up to 1,104.8 acre feet (AF) per year as agricultural land and between 587.0 and 616.08 when developed with urban uses. As noted in the revised project drainage study, under current conditions, approximately 320.4 AF per year drains into the Salton Sea. At build-out the amount draining into the Salton Sea would drop to approximately 59.45 AF per year. A discussion of the potential cumulative effects on biological resources associated with the reduced water usage (and therefore reduced off-site drainage) has been added to Chapter 7, *Cumulative Impacts*, on page 7-9 and 7-10 of the final EIR.

E-9 Response

The cumulative impact analysis of inflow to IID drains and the Salton Sea has been studied by IID and is provided in existing IID reports (IID Water Conservation and Transfer Project). These reports have been performed with analyses for exiting and projected land uses. Because the proposed project was considered in the future scenario, the project is part of the cumulative development scenario. Please see the discussion added to Chapter 7, *Cumulative Impacts*, on page 7-9 and 7-10 of the final EIR.

E-10 Response

IID facilities that would be affected include Best Canal, and Bryant Drain with Bryant Drain #2 inside the project boundaries, but outside the proposed development boundaries. Reference to the Best Drain was an oversight and should not be referenced in the EIR, since the Best Drain does not border the project site or traverse through it. References to Best Drain have been removed.

E-11 Response

Comment noted. Text has been added to page 4.7-8 of the final EIR as follows:

> Once the final design has been prepared, and prior to its approval, a detailed drain hydraulic analysis to address pipeline design is required. Thus, the project proponent would be required to prepare a detailed drain hydraulic analysis to address stormwater discharge into IID's drainage system and determine final pipeline design. The analysis shall address the reduction in drainage flows if present.

E-12 Response

Comment noted. This has been clarified on page 4.7-2 of the final EIR.

E-13 Response

Comment noted. Table 2-7 and page 2-11 have been revised to note that an encroachment permit and IID approval would be needed where applicable.

E-14 Response

Comment noted. Please see response to E-1.

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THE COCOPAH INDIAN TRIBE
Cultural Resource Department
County 15th & Avenue G
Somerton, Arizona 85350
Telephone (928) 503-2291
Fax (928) 627-2280

Letter F

CCR-082-10-001

June 3, 2010

Gordon Gaste
Plannning Director
City of Brawley Planning Department
400 Main Street
Brawley, CA 92227

Re: Rancho-Porter Development Project, Draft Environmental Impact Report

Dear Mr. Gaste:

The Cocopah Indian Tribe appreciates your consultation efforts on this project. We are pleased that you contacted this department on this cultural resource issue for the purpose of solicitation of our input and to address our concerns on this matter. However, at this time we wish to make no comments on the development of this project, although we would like to continue to be a part of the consultation process in the future and would expect to be provided any and all documents, in both draft and final form, (i.e. EA, EIR, EIS, Cultural Resources Survey) that are produced in the completion of this project. In the event of discovery of any unreported buried archaeological/cultural resources, the appropriate agency officials should be notified immediately, pursuant to 36 CFR 800.13(b)(3), and NAGPRA. F-1

If you have any questions or need additional information please feel free to contact the cultural resource department. We will be happy to assist you with any future concerns or questions.

Sincerely,

H. Jill McCormick
Cultural Resource Manager

II.3.7 Response to Letter F

F-1 Response

Thank you for your letter. The City will provide your department with the project's final EIR.

THE TORRES MARTINEZ DESERT CAHUILLA INDIANS
P.O. Box 1160
Thermal, CA 92274
(760) 397-0300 – FAX (760) 397-8146

Letter G

June 7, 2010

Gordon Gaste, Planning Director
City of Brawley, Planning Department
400 Main Street
Brawley, California 92227

Re: The Rancho-Porter Project located in an unincorporated section of the City of Brawley's Sphere of Influence (SOI)

Dear Mr. Gaste:

On behalf of the Torres Martinez Desert Cahuilla Indians (TMDCI) I appreciate your observance of Tribal Cultural Resources and their preservation in your project. The project area is beyond both TMDCI Reservation lands and the Traditional Use Area of the Tribe. At this time we have no interest in this particular project. G-1

If you have questions or require additional information, please feel free to call me at (760) 397-0300, extension 1215.

Sincerely,

Lisa M. Auclair

Lisa M. Auclair
Planning Assistant

II.3.8 Response to Letter G

G-1 Response

Thank you for your letter. The City acknowledges that the Torres Martinez Desert Cahuilla Indians have no comments on the proposed project at this time.

Letter H

Gerard Sullivan
Senior General Attorney

June 30, 2010

VIA FACSIMILE 760-344-0907 and
e-mail at GGaste@brawley-ca.gov

City of Brawley, Planning Department
Attn: Gordon Gaste, Planning Director
400 Main Street
Brawley, CA 92227

Re: Notice of Preparation of Draft Environmental Impact Report for Rancho-Porter Community ("Project") for the City of Brawley, CA ("City")

Dear Mr. Gaste:

Union Pacific Railroad Company, a Delaware Corporation ("UP"), is delivering this letter regarding the above Project. It appears from the plans furnished that the Project is in the vicinity of UP's freight rail line. Accordingly, UP wishes to raise the following issues.

Development near UP rail lines can negatively impact rail services and create unintended consequences that are in neither UP's nor the City's best interests. New housing and other development predictably will attract more vehicles and pedestrians to the areas around the UP rail lines, and people may trespass onto the railroad right-of-way as well.

In addition to the obvious safety concerns of which UP remains vigilantly aware, these factors also have the result that trains may be forced to proceed more slowly through the City, and/or to make more frequent emergency stops, which makes rail service less effective and efficient. In the event of train slowdowns or stoppages, train cars may be forced to block at-grade roadway intersections, causing traffic disruptions. H-1

The City should examine the impacts associated with the increased vehicular traffic across the UP rail line at the main north south highway (SR 111) which is west of the right of way so residents will need to cross the railroad right of way to get to the main north/south highway. Developers of the Project should be required to bear the cost of mitigating these impacts through crossing improvements or grade separation.

UNION PACIFIC RAILROAD 1400 Douglas Street Stop 1580 Omaha, NE 68179 (402) 544-4468

Please give notice to UP of all future developments with respect to the Project as follows:

Mr. Freddy Cheung
Senior Manager of Industry and Public
Projects Union Pacific Railroad Company
19100 Slover Avenue
Bloomington, CA 92316

With a copy to:

Mr. Mike Sattler
Union Pacific Railroad Company
1400 Douglas Street - STOP 1690
Omaha, Nebraska 68179-1690

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Sincerely,

Gerard Sullivan
Senior General Attorney

cc: Mr. Freddy Cheung
Mr. Mike Sattler

II.3.9 Response to Letter H

H-1 Response

Thank you for your comment. The proposed project has been planned to provide new housing and commercial businesses in accordance with the City's General Plan and the land use designation map. A traffic impact analysis was prepared to determine the potential effects on local circulation if the proposal is approved and developed. New housing and commercial businesses would create additional traffic; however, all traffic would be accommodated. Road segments and intersection would maintain an acceptable level of service with the mitigation specified in the EIR and MMRP. Additionally, traffic would be required to obey all traffic laws, including stopping at railroad crossings when trains are present. The project will add traffic to the existing at-grade railroad crossings within the City of Brawley. However, there is not a nexus for the project to contribute to future crossing improvements or grade separations based solely on additional traffic. Future crossing improvements, as needed, will be made in accordance with the regulations and guidelines of the Federal Highway Administration, Federal Railroad Administration, and the California Public Utilities Commission (PUC), notably the Rail Crossings Engineering Section, which ensures that highway-rail crossings are designed, constructed, and properly maintained to ensure public safety.

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SECTION III
DRAFT EIR WITH FINAL REVISIONS

III

DRAFT EIR WITH FINAL REVISIONS

This chapter contains the entire draft EIR with revisions made based on comments received during the 45-day public review. Text deletions are shown in strikeout. Text additions are shown in underline. The Table of Contents has been updated, and the following chapters modified based on comments received:

- Executive Summary
- Chapter 2—Project Description
- Chapter 3—Environmental Setting
- Section 4.2—Air Quality
- Section 4.7—Hydrology and Water Quality
- Section 4.11—Transportation
- Chapter 7—Cumulative Impacts

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APPENDICES

(Appendices are bound in Volume II)

A	**Notice of Preparation and Responses (February 2008)**
B	**Rancho-Porter Initial Study (January 2008)**
C	**Land Evaluation and Site Assessment (LESA) (January 2009)**
D	**Air Quality Worksheets (April 2010)**
E	**Biological Technical Report, Burrowing Owl Survey (March 2008)**
F	**Geotechnical Report (January 2008)**
G	**Phase I Environmental Site Assessment (ESA) Report (September 2007)**
H	**Master Drainage Study (January 2008)**
I	**Traffic Analysis (November 2009)**
J	**Water Supply Assessment (February 2010)**
K	**Cultural Records (CONFIDENTIAL) (October 2008)**

TABLES

FIGURES

ACRONYMS

$\mu g/m^3$	micrograms per cubic meter
A2U	General Agriculture/Urban Overlay
AADT	average annual daily traffic
AB	Assembly Bill
ac	acre
ADT	Average Daily Trips
AFY	acre feet per year
AMP	Airport Master Plan
APNs	Assessor Parcel Numbers
AQAP	Air Quality Attainment Plan
AQMP	Air Quality Management Plan
BACM	Best Available Control Measures
BAU	business as usual
BMPs	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CalEPA	California Environmental Protection Agency
CAP	Climate Action Plan
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCAs	community choice aggregators
CCR	California Code of Regulations
CDC	California Department of Conservation's
CDFG	Department of Fish and Game
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CESA	California Endangered Species Act
CFCs	chlorofluorocarbons
CH_4	methane
City	City of Brawley
City GP	City General Plan
City Zoning Ordinance	City of Brawley Zoning Ordinance

CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2e	carbon dioxide equivalents
Colorado River RWQCB	Colorado River Basin Regional Water Quality Control Board
County	County of Imperial
CPUC	California Public Utilities Commission
C-RE	Commercial–Regional
CRHR	California Register of Historic Resources
CWA	Clean Water Act
dB	Decibel
dBA	A-Weighted Decibel
DD&E	Development Design & Engineering
DOC	diesel oxidation catalyst
DPM	diesel particulate matter
DPR	Department of Parks and Recreation
DTSC	California Department of Toxic Substances Control
du	Dwelling Units
du/ac	dwelling units per acre
EIR	Environmental Impact Report
ESA	Environmental Site Assessment
ESPs	energy service providers
FESA	Federal Endangered Species Act
Finding	Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases
FMMP	Farmland Mapping and Monitoring Program
GHGs	greenhouse gases
GPA	General Plan Amendment
GWP	global warming potential
HCP	Habitat Conservation Plans
HFCs	hydrofluorocarbons
HOA	Home Owners Association
HSWA	Hazardous and Solid Waste Act
HWCL	California Hazardous Waste Control Law
ICAPCD	Imperial County Air Pollution Control District
ICFL	Imperial County Free Library
IID	Imperial Irrigation District
IOUs	investor-owned utilities
IPCC	Intergovernmental Panel on Climate Change
IVAG	Imperial Valley Association of Governments
IVAG	Imperial Valley Association of Governments

IWMB	Imperial Waste Management Board
KBWC	Brawley Municipal Airport
kg	kilogram
kV	kilovolt
KWH	kilowatt hours
LAFCO	Local Agency Formation Commission
LCC	Land Capability Classification Rating
LCFS	Low Carbon Fuel Standard
Ldn	day-night sound level
LE	land evaluation
LEDs	light emitting diodes
L_{eq}	Equivalent Sound Level
L_{eq12h}	12-hour daytime period
LESA	Land Evaluation and Site Assessment
LLG	Linscott, Law & Greenspan
LLMD	Lighting and Landscaping Maintenance District
L_{min} and L_{max}	minimum and maximum sound levels
LOS	level of service
L_{xx}	Percentile-Exceeded Sound Level
MBTA	Migratory Bird Treaty Act
MEP	maximum extent practicable
mg/L	milligrams per liter
mg/m^3	milligrams per cubic meter
MGD	million gallons per day
MLD	Most Likely Descendent
MMT	million metric tons
$MMTCO_2e$	carbon dioxide equivalent
mpg	miles per gallon
mph	miles per hour
MPOs	metropolitan planning organizations
MU-P	Mixed Use Plaza
MWh	megawatt-hour
NAAQS	National Ambient Air Quality Standards
NAFTA	North American Free Trade Agreement
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plans
NCP	National Contingency Plan
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NO_2	nitrogen dioxide
NOI	notice of intent
NOP	Notice of Preparation
NO_X	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List

NRHP	National Register of Historic Places
O_3	ozone
OPR	Planning and Research
OS-P	Open Space–Park
OS-PF	Open Space–Public Facility
OS-R	Open Space–Retention
Pb	Lead
P-D	Planned Development
PM	particulate matter
PM_{10}	Respirable Particulate Matter
$PM_{2.5}$	Fine Particulate Matter
ppb	parts per billion
ppm	parts per million
proposed Project	Rancho-Porter Development project
RCPG	Regional Comprehensive Plan and Guide
RCRA	Resource Conservation and Recovery Act of 1976
R-CV	Residential–Single Family Caravilla
Resources Agency	California Resources Agency
ROG	reactive organic gas
R-PA	Residential–Single Family Patio
RPS	Renewable Portfolio Standard
RTPs	Regional Transportation Plans
R-VS	Residential–Village Suites
RWQCB	Colorado Regional Water Quality Control Board
SA	site assessment
SAP	Service Area Plan
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill 1078
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SF6	sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SMAQMD	Sacramento Metropolitan Air Quality Management District's
SO_2	sulfur dioxide
SOI	Sphere of Influence
SO_X	sulfur oxides
SP	Specific Plan
SSAB	Salton Sea Air Basin
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board

TACs	toxic air contaminant
TDM	Transportation Demand Management
TDS	Total dissolved solids
TMDL	Total Maximum Daily Load
TNM	Traffic Noise Model
TTM	Tentative Tract Map
TWSC	Two-Way Stop-Controls
UBC	Uniform Building Code
URM	Unreinforced Masonry
USACE	U.S. Army Corps of Engineers
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WDRs	Waste Discharge Requirements
WSA	Water Services Assessment
WTP	Water Treatment Plant
WWTP	wastewater treatment plant

ES

EXECUTIVE SUMMARY

ES.1 Project Synopsis

Project Description

The Rancho-Porter Development project (proposed Project) consists of 274.4 acres of agricultural land. Of the 274.4 acres, the project proposes to develop approximately 210 acres into residential, commercial, mixed-use and open space areas. A Specific Plan has been designed for the project area to address development issues unique to the proposed Project. Two development scenarios are included in the Specific Plan. The first scenario, the "Without Overlay," would include 110 duplex homes on 16.51 acres, 493 multi-family homes on 29 acres, 504 mobile homes on 53.63 acres, 21.04 acres of mixed use residential/commercial, approximately 35.45 acres of regional commercial, approximately 16.95 acres of parks, 16.29 acres of stormwater retention facilities, roughly 30.13 acres of open space-public facilities, and 55.70 acres of right-of-way. The second scenario, the "With Overlay," would include 110 duplex homes on 16.51 acres, 493 multi-family homes on 29 acres, 342 mobile homes on 38.39 acres, 21.04 acres of mixed use residential/commercial, approximately 14.76 acres of parks, approximately 53.11 acres of regional commercial, 16.06 acres of stormwater retention facilities, roughly 30.13 acres of open space-public facilities, and 55.70 acres of right-of-way. The project would be developed according to one of these two scenarios.

The Project will require approval by the City of Brawley for a General Plan Amendment, Pre-Zone Classification, Tentative Tract Map and the Specific Plan. The project also requires approval by Local Agency Formation Commission (LAFCO) for the annexation of the project area from the County of Imperial to the City, approval by California Department of Transportation for an encroachment permit, and by Imperial Irrigation District for approval of plans to underground Best Canal~~, Best Drain,~~ and Bryant Drain.

Project Setting

The proposed Project site is located adjacent to and east of the City's boundary within the City's Sphere of Influence (SOI). The project is bordered by East Main Street to the north; State Route (SR) 111 generally to the east with some portion immediately east of SR 111; Best Avenue to the west; and unimproved agricultural land uses to the south. Wildcat Road traverses the site on an east-west alignment in the southern portion of the site, and an unmanned, unmapped access road for two on-site residences bisects the site in a north-south direction. The surrounding properties to the north, east and south of the project site consist largely of agricultural land, and light industrial, commercial, and residential uses occur to the west. The La Paloma subdivision, situated just west of the project site, and the Luckey Ranch Specific Plan subdivisions, located north of the project site, are currently under construction.

According to the City of Brawley General Plan (1995), the proposed project includes the following four land use designations: commercial, low density residential, medium density residential, and public facility. The County of Imperial County has designated the site as A2U (General Agriculture/Urban Overlay) and M1NU (Light Industrial/Urban Overlay). These overlay zones are intended to designate areas that are within an Urban Area of an incorporated city or an Urban Area as designated on the County's General Plan.

ES.2 Summary of Significant Effects with Mitigation Measures

Significant direct (i.e., not cumulative) environmental impacts are discussed and analyzed in detail in Chapter 4 of this Environmental Impact Report (EIR). Significant cumulative impacts are discussed in Chapter 7 of this EIR. Technical studies were prepared to determine potential impacts to agricultural resources, biological resources, geology/soils, hazards/hazardous materials, hydrology/drainage, and transportation/traffic; their findings have been incorporated into this document, and copies of the reports (except for the confidential report for cultural resources) are provided as Appendices of this EIR.

Project implementation would result in significant direct impacts to agricultural resources, air quality and climate change, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, and traffic. The proposed Project will also contribute to significant cumulative impacts to agricultural resources, climate change, noise, and traffic. After mitigation, all impacts would be avoided or reduced to a level below significant except for cumulative greenhouse gas emissions and direct/indirect ~~direct~~ and cumulative traffic noise along Malan Street between SR-86 and Best Avenue. Table ES-1 presents a matrix of potentially significant impacts associated with the proposed project along with mitigation measures that will reduce or avoid the significant impacts.

ES.3 Environmentally Superior Project Alternative

The Reduced Project Alternative identified in Chapter 5 has been identified as the environmentally superior alternative because it reduces impacts to air quality, noise, public services and recreation, transportation, and utilities. Impacts related to agriculture, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and land use would be similar. The project as proposed will provide the greatest avoidance of significant impacts while meeting the purpose and need of the City of Brawley and the project proponent, and the environmental benefits of implementing the reduced project alternative instead of the proposed project are not substantial.

ES.4 Areas of Controversy

Section 15123(b)(2) of the California Environmental Quality Act (CEQA) Guidelines require any known areas of controversy surrounding the project be disclosed. At time of publication of this EIR, no controversies have come to light. Environmental issues of concern that have been raised by agencies, organizations, and the public through responses to the Notice of Preparation (NOP) and public scoping meeting are addressed in the EIR. Comment letters received in response to the NOP are contained in Appendix A. Comments have been received regarding potential impacts to air quality, biological resources, historical resources, hydrology, public services, transportation/traffic, and utilities.

Table ES-1. Matrix of Significant Impacts and Mitigation Measures

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
AGRICULTURAL RESOURCES				
Threshold AG-1: Would the Project convert Important Farmland to non-agricultural use, which would jeopardize the future availability or productivity of agricultural land in the region? Impact Determination: **Impact AG-1:** Impacts to Important Farmland as designated by the CDC would be significant. This determination is based on the Project's conversion of Prime Farmland and Farmland of Statewide Importance for urban uses.	Significant	**MM AG-1: Preservation of Agricultural Land.** Prior to the approval of the construction permit(s), including but not limited any permits which would allow grading, grubbing, trenching, or activity which will disturb existing agricultural land, the applicant and/or master developer shall either 1) provide an agricultural conservation easement, 2) enter into a 10-year Williamson Act Contract, or 3) pay into a mitigation fee to a local, regional, or statewide organization whose purpose includes acquisition and stewardship of agricultural conservation easements. Agricultural land considered for an easement or Williamson Act Contract shall be of equal or better quality as rated by the guidelines of the California Agricultural Land Evaluation and Site Assessment Model (LESA) and shall be proportional to the land proposed for conversion. Payment of the mitigation fee shall be determined by the City in consultation with the organization or agency managing the mitigation bank and shall be proportional to the potential agricultural impacts of the proposed project. A combination of 1), 2), or 3) is permissible subject to City approval.	Less than significant	No Project Alternative
Threshold AG-2: Would the Project conflict with agricultural zoning or a Williamson Act contract? Impact Determination: Implementation of the proposed Project would not break a Williamson Act contract, nor would it conflict with existing	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
zoning. No impact would occur.				
Threshold AG-3: Would construction and operation of the Project result in indirect impacts to existing agricultural uses? Impact Determination: Because it is adjacent to development and does not represent the "leap-frog" or "checkerboard" development amidst agricultural uses, the Project would not create significant, indirect impacts on expansive, ongoing agricultural uses east of the site. Furthermore, the County's Right to Farm Ordinance ensures that, through the Deed notice, agricultural uses in the area can continue to operate without being subject to activities which hinder existing agricultural operations. Impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Cumulative Impact Analysis: Impact Determination: Proper planning among the County, City, and other regional cities, ensures and will continue to ensure that cumulative development does not trigger cumulatively considerable indirect impacts to agricultural land, and will maintain the Imperial Valley's successful agricultural productivity while allowing for the necessary incremental growth and the maintenance of a diverse economy. Therefore, cumulative impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
AIR QUALITY				
Threshold AQ-1: Would the Project conflict or obstruct the implementation of the applicable AQMP or applicable portions of the SIP? Impact Determination: The current AQAP is outdated and has not been updated as required to reflect the land use plans of municipalities within the ICAPCD. Therefore, the best measure of a project's consistency with the AQAP is whether or not it would achieve the underlying goals and objectives of the applicable General Plan. In this case, the proposed Project would be consistent with the County of Imperial General Plan and Zoning Ordinance, the City of Brawley General Plan and Service Area Plan, and the SCAG RCPG. Therefore, the proposed Project is considered consistent with the AQAP, and impacts related to the inconsistency of emissions forecasts between the AQAP and the applicable General Plan are considered less than significant.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold AQ-2: Would Project result in construction-related air quality impacts? Impact Determination: Emissions of ROG, NO_X, CO, PM10, and PM2.5 are below the significance thresholds for construction. Therefore, Project construction would not result in a significant impact on air quality, and this impact is considered less than significant.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold AQ-3: Would the Project result in construction related increase in health risks related to diesel emissions? Impact Determination: PM10 emissions from diesel equipment are relatively low and well below the ICAPCD daily threshold of 150 pounds per day. Consequently, the human health impact of diesel risks associated with construction activities is considered to be less than	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
significant.				
Threshold AQ-4: Would the Project result in an increase in ozone precursor (ROG and NO_X) and PM10 emissions during Project operations? Impact Determination: **Impact AQ-1:** Based on emissions estimates for operation of the proposed Project, emissions would exceed the significance criteria for ROG, NO_X, CO, PM10, and PM2.5. Therefore, operation of the proposed Project would result in a significant air quality impact.	Significant	**MM AQ-1: Building and Site Design Measures.** The ICAPCD *CEQA Air Quality Handbook's* standard mitigation recommendations for residential, commercial, and industrial projects, including the following site design and energy efficiency standards, shall be implemented as determined feasible. Due to its size, the details of MM AQ-1 are included in Section 4.2. **MM AQ-2: Operational Development Fee.** For the impacts remaining after standard and discretionary mitigation measures, 100% mitigation may be satisfied by means of compliance with Rule 310—Operational Development Fee. Compliance with Rule 310 will reduce operational emissions through the purchase of offsets. The ICACPD states that compliance with Rule 310 reduces operational impacts to less-than-significant levels after implementation of feasible and discretionary mitigation. Compliance with Rule 310 would reduce all air quality impacts to less than significant.	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold AQ-5: Would the Project result in an impact on air quality from traffic-related CO Hot Spot analysis? Impact Determination: The Proposed Project is not anticipated to significantly contribute to CO ambient concentration impacts. Therefore, this impact is less than significant.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Threshold AQ-6: Would the Project expose sensitive receptors to substantial pollutant concentrations? Impact Determination: Exposure to sensitive receptors will be minimal. Therefore, this impact is considered to be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold AQ-7: Would the Project create objectionable odors affecting a substantial number of people? Impact Determination: The disclosure advises people that discomfort and inconvenience from odors, fumes, dust, smoke, and chemicals resulting from conforming and accepted agricultural operations are a normal and necessary aspect of living in agricultural areas of the County. Therefore, the impact is less than significant.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold 8: Would the Project conflict with the goals of AB 32? Impact Determination: **Impact AQ-23:** The proposed Project would contribute an estimated 48,321 metric tons of GHG emissions: a net increase of 45,437 metric tons over existing conditions. This would result in a significant cumulative impact. ~~The proposed Project would contribute an estimated 48,209 metric tons of GHG emissions: a net increase of 45,509 metric tons over existing conditions. This would result in a significant impact.~~		**MM AQ-3: GHG Reduction Measures.** GHG Mitigation Measures listed below shall be incorporated into Project design, where feasible, to reduce GHG emissions associated with Project construction and operation. Due to its size, the details of MM AQ-3 are included in Section 4.2.	Significant	
Cumulative Impact Analysis: Impact Determination: **Impact C-AQ-1:** The Project's incremental contribution to air quality impacts from past, present, and reasonably foreseeable projects would be cumulatively considerable.	Significant	Implement **MM AQ-1, MM AQ-2, and MM AQ-3.**	Significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
BIOLOGIC RESOURCES				
Threshold BIO-1: Would the Project result in a substantial adverse effect on a Candidate, Sensitive, or Special-Status Species? Impact Determination: **Impact BIO-1.** Construction of the Project would result in a substantial adverse effect on a Candidate, Sensitive, or Special-Status Species. There would be a significant impact to birds and their nests during the breeding season. Therefore, impacts to native birds would be a significant impact and mitigation would be required. Loss of burrows would be a biologically significant impact. Furthermore, as Burrowing Owls are known to occur on the project site, indirect effects may occur to owls adjacent to the project site. Impacts to Burrowing Owls would be a significant impact and mitigation would be required.	Significant	**MM BIO-1: Preconstruction Surveys and Relocation Activities.** **MM BIO-1a: Nesting Bird Surveys.** If construction activities are to commence between January 15 through August 31, a preconstruction survey (within three days prior to construction activities, or 30 days for Burrowing Owl) shall be conducted by a qualified biologist to determine the presence or absence of active nests within and adjacent to the project site in order to avoid the nesting activities of breeding birds. If nesting activities for non-raptor birds within 200 feet of the proposed work area, or within 500 feet of the proposed work area for raptors, are not detected, construction activities may proceed. If nesting activities are confirmed, construction activities shall be delayed within 200 feet of the active nest for non-raptor birds, and 500 feet for raptors, until the young birds have fledged and left the nest. A 200-foot zone around any active non-raptor nest and a 500-foot zone around any active raptor nest shall be demarcated and monitoring shall be conducted by a qualified biologist to ensure nesting birds are not being impacted. **MM BIO-1b: Preconstruction Burrowing Owl Survey and Avoidance.** In order to ensure Burrowing Owls are not injured or killed as a result of site development, a preconstruction Burrowing Owl survey following CDFG protocol shall be conducted by a qualified biologist within thirty (30) days prior to construction activities. A 300-foot buffer shall be	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		established around any active burrows during the breeding season (January 15 through August 31) and construction activities shall not commence within the buffer zone. During the non-breeding season (September 1 through January 14) a 160-foot buffer shall be established around active burrows and construction activities shall not commence within the buffer zone. **MM BIO-1c: Passive Relocation of Resident Burrowing Owls.** Resident owls will be passively relocated in accordance with CDFG's *Burrowing Owl Survey Protocol and Mitigation Guidelines* (1993) to ensure compliance with the federal MBTA and the CDFG Code. **MM BIO-1d: Compensation For Loss of Foraging and Roosting/Nesting Habitat.** Foraging and roosting/nesting habitat shall be replaced at a ratio of approximately 6.5 acres per Burrowing Owl pair or unpaired owl in conformance with CDFG's *Burrowing Owl Survey Protocol and Mitigation Guidelines* (1993). As 4 pairs were identified on-site, 26 acres is required for replacement. Lands shall be acquired by the property owner adjacent to the project site, if possible, or within the local vicinity. The project proposes to use 15acres of retention basins and 14 acres of parkland as burrowing owl relocation sites. If these sites are not to the satisfaction of CDFG, the applicant shall purchase habitat land suitable for burrowing owl relocation. Land acquired for such a purpose shall be in suitable "as-is" condition for burrowing owl habitat as to avoid any additional environmental impacts. Land that would require substantial alteration would not be appropriate unless in compliance with CEQA.		

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		CDFG shall agree to a suitable relocation site prior to the first grading permit. **MM BIO-1e: Burrowing Owl Worker Training Program.** Training shall be given to managers and foreman prior to the start of construction activities. Training will be conducted by a qualified biologist and will include information on the life history and ecology of Burrowing Owls, including measures that can be taken to avoid impacts to the owls on-site. **MM BIO-1f: Construction Related Activities Daylight Hours of Operation.** Construction will take place only during daytime hours to minimize disturbance to the owls. **MM BIO-1g: Biological Monitoring.** A qualified biologist will monitor all activities related to the Burrowing Owl survey and relocation program. These activities include: preconstruction surveys, establishment of buffer areas around active nests if detected during construction, periodic monitoring to assess the status of nesting activities as needed, implementation of passive relocation if needed, and implementation of a burrowing owl training program.		
Threshold BIO-2: Would the Project result in a substantial adverse effect on Riparian Habitat or Other Sensitive Natural Community? Impact Determination: The Project would not result in a substantial adverse effect on riparian habitat or other sensitive natural community. Impacts to riparian habitat or sensitive natural communities would be less	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
than significant.				
Threshold BIO-3: Would the Project result in substantial adverse effects on federally protected aquatic resources as defined by Section 404? Impact Determination: Project construction or operation would not result in substantial adverse effects on federally protected aquatic resources as defined by Section 404. Impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Cumulative Impact Analysis: Impact Determination: The Burrowing Owl has adapted to the agricultural coverage, and mitigation for relocating any pairs or borrows of this species is typically incorporated into projects as a precautionary measure. Because the burrowing owl has adapted to the agricultural land coverage, relocation of pairs or burrows of this species to undeveloped areas is sufficient to avoid impacts to the species and there is abundant suitable habitat for this species in Imperial County. Based on the Project WSA, the project site has the potential to use up to 1,104.8 acre feet (AF) per year as agricultural land and between 587.0 and 616.08 AF when developed with urban uses. As noted in the revised project drainage study, under current conditions, approximately 320.4 AF per year drains into the Salton Sea. At build-out the amount draining into the Salton Sea would drop to approximately 59.45 AF per year. Overall, this amount of runoff water, at the cumulative level, is exceedingly small and would not meaningfully contribute to the Salton Sea's lower sea level. Therefore, cumulative impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	~~No Project Alternative~~None

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
CULTURAL RESOURCES				
Threshold CUL-1: Would the Project cause a substantial adverse change in the significance of known archaeological or historical resources as defined in Section 15064.5 of the CEQA Guidelines? Impact Determination: The Project would not cause a substantial adverse change in the significance of known archaeological or historical resources as defined in Section 15064.5 of the CEQA Guidelines. Impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Threshold CUL-2: Would the Project cause a substantial adverse change in the significance of previously unidentified archaeological or historical resources pursuant to Section 15064.5 of the CEQA Guidelines? Impact Determination: **Impact CUL-1:** The Project would have the potential to cause a substantial adverse change in the significance of previously unidentified archaeological or historical resources pursuant to Section 15064.5 of the CEQA Guidelines. Impacts would be significant without mitigation.	Significant	**MM CUL-1: Significance Evaluation by Qualified Archaeologist.** In the event of the discovery of buried cultural resources, project activities in the vicinity of the resources shall be temporarily halted. A qualified archaeologist shall be consulted to assess the significance of the resource and to provide proper management recommendations (e.g., resource avoidance or data recovery excavations). These recommendations shall be implemented to the satisfaction of the City of Brawley and applicable regulatory agencies.	Less than significant	No Project Alternative
Threshold CUL-3: Would the Project disturb any human remains, including those interred outside of formal cemeteries? Impact Determination: **Impact CUL-2:** The Project would have the potential to disturb any human remains, including those interred outside of formal cemeteries. Impacts would be significant without mitigation.	Significant	**MM CUL-2: Consultation with County Coroner and Notification of Most Likely Descendant.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code Section 5097.98. The County Coroner shall be notified of the find immediately. If the remains	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC), which would determine and notify the Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.		
Cumulative Impact Analysis: Impact Determination: Since there are no CEQA or NRHP eligible cultural resources, the proposed project will not constitute a cumulative impact to archaeological or historical resources.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
GEOLOGY AND SOILS				
Threshold GEO-1: Would the Project result in a substantial risk to life or property from a 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, or through strong seismic groundshaking? Impact Determination: Implementation of the Project would not result in a substantial risk to life or property from a 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, or through strong seismic groundshaking. Therefore, impacts associated with faults and seismicity would be considered to be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Threshold GEO-2: Would the Project result in a substantial risk to life or property from a seismic-related ground failure, including liquefaction? Impact Determination: **Impact GEO-1:** The Project would potentially result in a substantial risk to life or property from a seismic-related ground failure, including liquefaction. The presence of potentially liquefiable soil is considered a significant impact without appropriate remediation actions.	Significant	**MM GEO-1:** One of the following two options for structural foundations shall be implemented: **MM GEO-1a:** Foundations that use grade-beam footings to tie floor slabs and isolated columns to continuous footings (conventional or post-tensioned), **or** **MM GEO-1b:** Structural flat-plate mats, either conventionally reinforced or tied with post-tensioned tendons. **MM GEO-2:** A site-specific subsurface investigation and liquefaction settlement analysis was performed prior to development of the project site by Landmark Inc. with results included in this report and made available in Appendix F. Findings and recommendations of the report shall be incorporated into the final project design. **MM GEO-3:** The project shall require foundations and slabs-on-grade designed to resist expansive soil heave (CBC Sections 1815 and 1816). The CBC design method requires grade-beam stiffening of floor slabs at a maximum spacing of 16 feet on center, grade-beam stiffened post-tensioned slabs or flat-plate structural slabs. If foundation designs are utilized which do not include provisions for expansive soil, an engineered building support pad consisting of a minimum of 4.0 feet of granular soil (meeting USCS classifications of SM, SP-SM, or SW-SM with a maximum rock size of 3 inches and 5 to 35% passing the No. 200 sieve) or lime treated soil (content established by the Eads-Grim Method with a resulting maximum Expansion	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		Index of 15 after lime addition), placed in maximum 8-inch lifts (loose), compacted to a minimum of 90% of ASTM D1557 maximum density at 2% below to 4% above optimum moisture, should be placed below the bottom of the slab. Design construction of site improvements should include provisions to mitigate clay soil movement. Additionally, the weak clay subgrade soil requires thickened structural sections for pavements. Additional information on clearing, grubbing, building pad preparation, trenching, backfilling, moisture control and drainage is available in Appendix F. All site preparation and fill placement should be continuously observed and tested by a representative of a qualified geotechnical engineering firm in order to detect undesirable materials or conditions and soft areas that may be encountered in the construction process. **MM GEO-4**: All buildings are required to meet the Uniform Building Code standards. **MM GEO-5:** Rigid foundations (10 to 12 inches thick) are required to support the structures on-site. **MM GEO-6:** Structural foundations should be designed to limit differential movement and/or swell to less than one inch. This can be accomplished with shallow spread foundations, flat plate structural mats, or grade-beam reinforced foundations (see Appendix F).		

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		MM GEO-7: Due to moderate to severe levels of sulfate ion and chloride ion concentrations the project shall require special concrete mixes and protection of embedded steel components when concrete and/or steel (and other buried metallic conduits) is placed in contact with native soil. A minimum of 6.0 sacks per cubic yard of concrete (4,500 psi) of Type V Portland Cement with a maximum water/cement ratio of 0.45 (by weight) should be used for concrete placed in contact with native soil on this project. Mitigation of corrosion on steel can be achieved by using steel pipes coated with epoxy corrosion inhibitors, asphaltic and epoxy coatings, cathodic protection or by encapsulating the portion of the pipe lying above groundwater with a minimum or 3 inches of densely consolidated concrete. No metallic water pipes or conduits should be placed below foundations. **MM GEO-8**: Erosion control requirements shall be incorporated into the project design at the time of development to mitigate this concern. These measures include landscaping and design per the Storm Water Pollution Prevention Plan (SWPPP).		
Threshold GEO-3: Would the Project result in a substantial risk to life or property from being located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. Impact Determination **Impact GEO-2:** The Project would result in a substantial risk to life or property from being located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property as the project site is, in	Significant	**MM GEO-1** through **MM GEO-8**, as listed above.	Less than Significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
general, underlain by clays of high expansion potential. Due to the possibility for liquefaction and expansion of soils, this impact is considered to be significant.				
Threshold GEO-4: Would the Project result in a substantial risk to life or property from Geologic hazards such as landslides? Impact Determination The Project would not result in a substantial risk to life or property from Geologic hazards such as landslides. Impacts related to land sliding are considered less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Cumulative Impact Analysis: Impact Determination Potential impacts to future development would similarly be reduced to below a level of significance through conformance to building construction standards for seismic safety with the Uniform Building Code (UBC). The UBC would assure that new structures would be able to withstand anticipated seismic events within the Project vicinity. Therefore, implementation of the proposed Project and associated future development in the subregion would not contribute to cumulative impacts.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
HAZARDS AND HAZARDOUS MATERIALS				
Threshold HAZ-1: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Impact Determination There are no other known components of the proposed Project that would result in the release of significant quantities of hazardous materials into the environment. Impacts related to the release of hazardous materials during operation and construction	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
of the project would be less than significant. Therefore, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.				
Threshold HAZ-2: Would the Project be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Impact Determination The Project would not result in a safety hazard for people residing or working in the project area. Impacts related to the operation of the Brawley Municipal Airport on the proposed Project would be less than significant.				
Cumulative Impact Analysis:	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Impact Determination Applicable federal, state, and local regulations would be adhered to during demolition, which would avoid any potential cumulatively significant impacts.				
HYDROLOGY AND WATER QUALITY				
Threshold WQ-1: Would the Project result in an impact on drainage such that substantial erosion or siltation onsite or offsite would occur, or (2) would substantially increase the rate or amount of surface runoff resulting in flooding onsite or offsite, (3) or create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, provide substantial additional sources of polluted runoff, or violate waste discharge requirements?	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Impact Determination Guidelines for the establishment of retention basin facilities within the project area are listed in the Rancho-Porter Specific Plan and would be implemented in the required engineering drainage plans. These guidelines include regulations on landscaping criteria, design of retention basins, and plans for long-term maintenance. However, once the final design has been prepared, and prior to its approval, a detailed drain hydraulic analysis to address pipeline design is required. Thus, the project proponent would be required to prepare a detailed drain hydraulic analysis to address stormwater discharge into IID's drainage system and determine final pipeline design. The analysis shall address the reduction in drainage flows if present. With implementation of these guidelines for the establishment of retention basin facilities, impacts related to drainage on and around the project site would be less than significant.				
Threshold WQ-2: Would the Project violate any water quality standards or result in other substantial degradation of water quality? Impact Determination **Impact WQ-1**: Impacts to surface water quality and groundwater quality due to construction-related earth disturbing activities and construction-related hazardous substances would be considered significant.	Significant	**MM WQ-1: Comply with NPDES Construction General Permit and City's of Brawley Stormwater Program** Due to its size, the details of MM WQ-1 are included in Section 4.7. **MM WQ-2: Implement a Spill Prevention and Control Program** Due to its size, the details of MM WQ-2 are included in Section 4.7. **MM WQ-3: Implement measures to maintain groundwater or surface water quality** Due to its size, the details of MM WQ-3 are included in Section 4.7. **MM WQ-4: Provisions for dewatering** Due to its size, the details of MM WQ-4 are	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		included in Section 4.7. **MM WQ-5: Implement Best Management Practices to maximize storm water quality** Due to its size, the details of MM WQ-5 are included in Section 4.7.		
Threshold WQ-3: Would the Project deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the groundwater table level? Impact Determination The project would not significantly deplete groundwater supply in the region since construction activities would increase groundwater recharge and operation of the proposed Project would slightly reduce the amount of recharge of groundwater. Therefore, impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
Threshold WQ-4: Would the Project place housing or other structures in a 100-year flood zone, or expose people to health risks from flooding? Impact Determination No impacts from flooding would occur since the site is not within a 100-year flood zone.	No impact	No mitigation is required	No impact	No Project Alternative
Cumulative Impact Analysis: Impact Determination The project would reduce agricultural sources of impairment to the New River, Imperial Valley Agricultural Drains, and the Salton Sea. Thus, the project would have a less than significant impact on CWA Section 303(d) listed water bodies.	Less than significant	No mitigation is required	Less than significant	No Project Alternative

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
LAND USE				
Threshold LU-1: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project, which would result in a significant environmental impact? Impact Determination As identified in the above analysis, the proposed Project would not result in any conflicts with the County of Imperial General Plan or Zoning Ordinance, the City of Brawley General Plan, and Service Area Plan, and the Southern California Association of Government's Regional Comprehensive Plan and Guide. As such, impacts would not occur. **Cumulative Impact Analysis:** Impact Determination Projects that are consistent with applicable land use plans generally are not considered to be cumulatively significant; as such, no cumulative impacts related to land use or policy issues have been identified.	Less than significant	No mitigation is required	Less than significant	No Project Alternative
NOISE				
Threshold NOI-1: Would the Project expose new, noise sensitive land uses to transportation noise levels in excess of City standards? Impact Determination **Impact NOI-1:** The Project would expose new, noise sensitive land uses to transportation noise levels in excess of City standards.	Significant	**MM NOI-1:** Implement noise-reducing measures at new noise sensitive residential and park uses to comply with City land use compatibility guidelines for noise. Details are listed in Section 4.9. **MM NOI-2:** Implement noise-reducing measures at new noise sensitive commercial uses to comply with City land use compatibility	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		guidelines for noise. Details are listed in Section 4.9.		
Threshold NOI-2: Would the Project develop noise generating land uses in proximity to or integrated with noise sensitive land uses? Impact Determination **Impact NOI-2:** The Project would develop noise generating land uses in proximity to or integrated with noise sensitive land uses.	Significant	**MM NOI-3:** Implement noise-reducing measures at commercial uses such that noise generated at adjacent noise sensitive uses complies with Imperial County noise standards. Details are listed in Section 4.9.	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold NOI-3: Would the Project expose off-site noise sensitive land uses to increased traffic noise? Impact Determination **Impact NOI-3:** The Project would expose off-site noise sensitive land uses to increased traffic noise.	Significant	**MM NOI-4:** Implement traffic noise reduction measures.	Significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold NOI-4: Would the Project expose off-site noise sensitive land uses to short-term construction noise? Impact Determination **Impact NOI-4:** The Project would expose off-site noise sensitive land uses to short-term construction noise.	Significant	**MM NOI-5:** Employ Measures to Reduce Construction Noise to Comply with Applicable County Construction Noise Standards	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Cumulative Impact Analysis: Impact Determination The project's contribution to the significant cumulative noise impact at residences located along Malan Street between SR 86 and Best Avenue is considered to be cumulatively considerable. Although implementation of Mitigation Measure MM NOI-4 would reduce this impact, it is not considered feasible to reduce this cumulative impact to a less-than-significant level. The project's contribution to the significant cumulative noise impact in the project area is therefore considered to be significant and	Significant	Implement MM NOI-4.	Significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
unavoidable along Malan Street between SR 86 and Best Avenue.				
PUBLIC SERVICES AND RECREATION				
Threshold PS-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services? **Threshold PS-1a:** Fire protection? Impact Determination With the payment of mandatory development impact fees, the proposed project would not result in significant impacts to fire protection services. **Threshold PS-1b:** Police protection? Impact Determination With the payment of mandatory development impact fees, the proposed project would not result in significant impacts to law enforcement services. **Threshold PS-1c:** Schools? Impact Determination The payment of mandatory development impact fees would provide compensation for the increase in educational costs incurred as a result of increased student enrollment generated by the proposed project.	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Threshold PS-1d: Library Facilities? Impact Determination With the payment of mandatory development impact fees, the proposed project would not result in significant impacts to library services or facilities. **Threshold PS-1e:** Solid Waste Management Facilities? Impact Determination Because of the adequate existing landfill capacity to accommodate solid waste generated by the proposed project, the project would not result in significant impacts to solid waste management facilities. **Cumulative Impact Analysis:** Impact Determination Implementation of the proposed Project would result in incremental increases in demand for public services including fire protection/emergency services, law enforcement services, schools, libraries, solid waste disposal, and recreation/parks. Increases in these services, along with other cumulative developments, may result in the need or demand for new or modified public services facilities. However, in the event that fees are needed, mandatory payment of development impact fees would be required prior to the issuance of building permits to ensure that future development contributes a fair share toward needed public services and recreation. As such, no cumulative impacts would occur upon Project implementation.	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
TRANSPORTATION AND TRAFFIC				
WITHOUT OVERLAY ONLY **Threshold TR-1:** Would the Project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)? **and** **Threshold TR-2:** Would the Project cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways? **Project Impacts by Phase:** *Phase I Impacts in Without Overlay* Impact Determination **Impact TR-1:** Traffic conditions at the intersection of Best Avenue / Malan Street would be reduced from an LOS A in the existing condition to an LOS E in the PM peak hour upon implementation of Phase I of the proposed Project, and a significant direct impact would result. **Impact TR-2:** Traffic conditions at the intersection of Best Avenue / Wildcat Drive would be reduced from an LOS A in the existing condition to an LOS F in the PM peak hour upon implementation of Phase I of the proposed Project, and a significant direct impact would result.	Significant	**MM TR-1:** Prior to the issuance of occupancy permits for Phase I, the developer or master builder shall install a traffic signal at the intersection of Best Avenue and Malan Street, and add the following additional lane improvements: northbound – dual left turn lanes, a through-land, and a right turn lane; westbound – a left turn lane and a through lane; and eastbound – a right turn lane and a through lane. **MM TR-2:** Prior to the issuance of occupancy permits for Phase I, the developer or master builder shall install a traffic signal at the intersection of Best Avenue and Wildcat Drive, in addition to the following lane improvements; a northbound left turn lane and a right turn lane, a southbound left turn lane, a westbound left turn lane and a right turn lane, an eastbound left turn lane and a right turn lane.	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Project Impacts by Phase: *Phase II Impacts in Without Overlay*	Significant	**MM TR-3:** Prior to the issuance of occupancy permits for Phase II, the developer or master builder shall restrict the left and through movements from I Street (east and west) and provide right-turn out only. The northbound	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Impact Determination **Impact TR-3:** Traffic conditions at the intersection of Best Avenue / I Street would be reduced from an LOS B in the existing condition to an LOS E in the PM peak hour upon implementation of Phase II of the proposed Project, resulting in a significant direct impact. **Impact TR-4:** Traffic conditions along the roadway segment of Best Avenue from I Street to Malan would be reduced from an LOS A in the existing condition to an LOS D upon implementation of Phase II of the proposed Project, resulting in a significant direct impact.		approach should provide an exclusive right-turn lane and the southbound approach should provide an exclusive left turn lane. **MM TR-4:** Prior to the issuance of occupancy permits for Phase II, the developer or master builder shall widen Best Avenue to a Major Arterial, per the Brawley General Plan, from I Street to Malan Street.		
Project Impacts by Phase: *Phase III Impacts in Without Overlay* Impact Determination **Impact TR-5:** Traffic conditions at the intersection of SR-111 / Wildcat Drive would be reduced from an LOS C in the existing condition to an LOS D in the PM peak hour upon implementation of Phase III of the proposed Project, and a significant direct impact would result.	Significant	**MM TR-5:** Prior to the issuance of the grading permits for Phase III, the developer will re-evaluate the traffic signal warrants for SR-111 and Wildcat Road to determine if a traffic signal is still warranted at the Phase II stage. If the signal warrants are met and Caltrans approves the installation of a traffic signal, a project study report will be required. If the signal warrants are not by Phase III, then signal warrants shall be reanalyzed prior to Phase IV, and at project completion, which if met at that time, shall be submitted to Caltrans for consideration and approval. The developer or master builder shall install a traffic signal when/if warranted by the project related traffic impacts and provide dedicated eastbound left and right-turn lanes and a westbound dedicated right-turn lane once approved by Caltrans. ~~**MM TR-5: Prior to the issuance of grading permits for Phase III, the developer or master builder shall install a traffic signal and provide dedicated eastbound left and right turn lanes and a westbound dedicated right turn lane.**~~	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Project Impacts by Phase: *Phase IV Impact in Without Overlay* Impact Determination No additional intersection or segment improvements are required for Phase IV of the development.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
WITH OVERLAY ONLY **Threshold TR-1:** Would the Project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)? **and** **Threshold TR-2:** Would the Project cause, either individually or cumulatively, exceedance of a level-of-service standard established by the county congestion management agency for designated roads or highways? **Project Impacts by Phase:** *Phase I Impacts in With Overlay* Impact Determination **Impact TR-1:** Traffic conditions at the intersection of Best Avenue / Malan Street would be reduced from an LOS A in the existing condition to an LOS E in the PM peak hour upon implementation of Phase I of the proposed Project, and a significant direct impact would result. **Impact TR-2:** Traffic conditions at the intersection of Best Avenue / Wildcat Drive would be reduced from an LOS A in the existing condition to an LOS F in the PM peak hour upon implementation of Phase I of the proposed Project, and a significant direct impact would result.	Significant	Implement MM TR-1 for Impact TR-1 Implement MM TR-2 for Impact TR-2.	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Project Impacts by Phase: *Phase II Impacts in With Overlay* Impact Determination **Impact TR-~~20~~19:** -Traffic conditions at the intersection of SR-78 (E. Main Street) / Best Avenue would be reduced from an LOS B in the existing condition to an LOS D in the PM peak hour upon implementation of Phase II of the proposed Project, resulting in a significant direct impact. In the event that Caltrans maintains jurisdiction over SR-78 and it does not change to the city's jurisdiction, the SR-78/Seabolt Drive intersection would result in a right-in/right-out turn only at Seabolt Drive. Traffic~~In the event that Caltrans restricts the intersection of SR-78 / Seabolt Drive to a right-in/right-out turn only, then traffic~~ conditions at the intersection of SR-78 (E. Main Street) / Best Avenue would be reduced from an LOS B in the existing condition to an LOS D in the PM peak hour upon implementation of Phase II of the proposed Project, resulting in a significant direct impact. To mitigate for this direct impact, SR-78/ S. Best Avenue shall provide an additional westbound left-turn lane and an intersection shall not be permitted at SR-78/Seabolt Drive. **Impact TR-~~21~~20:** ~~In the event that Caltrans restricts the intersection of SR-78 / Seabolt Drive to a right-in/right-out turn only, then traffic conditions at the intersection of SR-78 (E. Main Street) / Best Avenue would be reduced from an LOS B in the existing condition to an LOS D in the PM peak hour upon implementation of Phase II of the proposed Project, resulting in a significant direct impact.~~ Traffic conditions at the intersection of Best Avenue / I Street would be reduced from an LOS B in the existing condition to an LOS F in the PM peak hour upon implementation of Phase II of the proposed Project, resulting in a significant direct impact.	Significant	**MM TR-~~20~~19:** Prior to the issuance of grading permits for Phase II, the developer or master builder shall provide a dedicated northbound right turn lane and an additional dedicated westbound right turn lane at the intersection of SR-78 (E. Main Street) / Best Avenue. ~~Prior to the issuance of grading permits for Phase II, the developer or master builder shall provide a dedicated northbound right turn lane and an additional dedicated westbound right turn lane at the intersection of Best Avenue / I Street.~~ If SR-78 remains in Caltrans jurisdiction at the time of the project's implementation, then intersection at SR-78 / Seabolt Drive shall be improved to a right-in/right-out turn only and improvements to SR-78/ S. Best Avenue shall be required during Phase I, which shall include an additional westbound left-turn lane. An intersection shall not be permitted at SR-78/Seabolt Drive. **MM TR-~~21~~20:** Prior to the issuance of grading permits for Phase II, the developer or master builder shall provide a dedicated northbound right turn lane and an additional dedicated westbound right turn lane at the intersection of Best Avenue / I Street.~~Prior to the issuance of grading permits for Phase II, the developer or master builder shall provide a dedicated northbound right turn lane and an additional dedicated westbound right turn lane at the intersection of SR-78 (E. Main Street) / Best Avenue.~~ **MM TR-~~22~~21:** Prior to the issuance of grading permits for Phase II, the developer or master builder shall improve Best Avenue to a Major Arterial, per the Brawley General Plan, from I	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Impact TR-~~22~~21: Traffic conditions along the roadway segment of Best Avenue from I Street to Malan Street would be reduced from an LOS A in the existing condition to an LOS E upon implementation of Phase II of the proposed Project, and a significant direct impact would result. **Impact TR-22~~3~~:** Traffic conditions along the roadway segment of Best Avenue from Malan Street to Wildcat Drive would be reduced from an LOS A in the existing condition to an LOS D upon implementation of Phase II of the proposed Project, and a significant direct impact would result.		Street to Malan Street. **MM TR-22~~3~~:** Prior to the issuance of grading permits for Phase II, the developer or master builder shall improve Best Avenue to a three-lane Major Arterial, per the Brawley General Plan, from Malan Street to Wildcat Drive.		
Project Impacts by Phase: *Phase III Impacts in With Overlay* Impact Determination **Impact TR-5:** Traffic conditions at the intersection of SR-111 / Wildcat Drive would be reduced from an LOS C in the existing condition to an LOS D in the PM peak hour upon implementation of Phase III of the proposed Project, and a significant direct impact would result.	Significant	Implement MM TR-5	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Project Impacts by Phase: *Phase IV Impacts in With Overlay* Impact Determination No additional intersection or segment improvements are required for Phase IV of the development.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold TR-3: Would the Project substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Impact Determination The proposed Project would provide for access improvements according to City roadway standards and would not substantially	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
increase hazards because of a design feature or incompatible uses. As such, impacts would be less than significant.				
Threshold TR-4: Would the Project result in inadequate parking capacity? Impact Determination The Project would provide parking according to City standards for parking and would not result in a significant impact.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Threshold TR-5: Would the Project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle tracks)? Impact Determination The Project would not conflict with adopted policies, plans, or programs supporting alternative transportation. Impacts would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives
Cumulative Impact Analysis: **WITH AND WITHOUT OVERLAY** *(All Phases, With and Without Overlay)* Impact Determination **Impact TR-6:** Traffic conditions at the intersection of SR-78 / Best Avenue would be reduced from an LOS B in the existing condition to an LOS E[1] and F in the AM and PM peak hour cumulative condition, respectively, in the "Without Overlay" scenario only, resulting in a significant cumulative impact.	Significant	**MM TR-6:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards providing an additional westbound through lane and an exclusive northbound right-turn lane with overlap at the SR-78 / Best Avenue intersection. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods.	Less than significant	No Project, Reduced Density, and No Commercial (C-RE) Alternatives

[1] In the event that jurisdiction over SR-78 is transferred from CALTRANS to the City of Brawley, then the Seabolt Drive / SR-78 intersection would be improved with a four-way traffic signal as a component of the proposed Project. This would result in a reduction from LOS B to an LOS D in the AM peak hour cumulative condition.

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Impact TR-7: Traffic conditions at the intersection of SR-86 / Malan Street would be reduced from an LOS C in the existing condition to an LOS E in the AM and PM peak hours in the proposed plus cumulative projects condition for the "Without Overlay" scenario. Similarly, traffic conditions at the intersection of SR-86 / Malan Street would be reduced from an LOS C in the existing condition to an LOS E and F in the AM and PM peak hour cumulative condition, respectively, in the "With Overlay" scenario, resulting in a significant cumulative impact.		**MM TR-7:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards providing a dedicated eastbound right-turn lane with overlap at the SR-86 / Malan Street intersection. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods.		
Impact TR-8: Traffic conditions at the intersection of S. Imperial Avenue / Malan Street would be reduced from an LOS B and A in the existing AM and PM peak hour, respectively, to an LOS D and F, in the proposed Project plus cumulative projects condition under both the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact.		**MM TR-8:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards installing a traffic signal, providing bike lanes on Malan Street, and implementing intersection geometry improvements at the intersection of S. Imperial Avenue / Malan Street. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods.		
Impact TR-9: Traffic conditions at the intersection of Cesar Chavez Street / Malan Street would be reduced from an LOS A in the existing condition to an LOS E and F in the AM and PM peak hours, respectively, in the proposed Project plus cumulative projects condition under both the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact.		**MM TR-9:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards installing a traffic signal, providing bike lanes on Malan Street, and implementing intersection geometry improvements at the intersection of Cesar Chavez Street / Malan Street. The fair share contribution shall be		
Impact TR-10: Traffic conditions at the intersection of Eastern Avenue / Malan Street would be reduced from an LOS A in the existing condition to an LOS D and F in the AM and PM peak hours, respectively, in the proposed Project plus cumulative projects condition under both the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact.				
Impact TR-11: Traffic conditions at the intersection of Best Avenue / Malan Street would be reduced from an LOS A in the existing condition to an LOS D in the PM peak hours, in the proposed Project plus cumulative projects condition under the				

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
"Without Overlay" scenario, resulting in a significant cumulative impact. SimilarlySimilarly, traffic conditions at the intersection of Best Avenue / Malan Street would be reduced from an LOS A in the existing condition to an LOS D and F in the AM and PM peak hour cumulative condition, respectively, in the "With Overlay" scenario, resulting in a significant cumulative impact. **Impact TR-12:** Traffic conditions at the intersection of Best Avenue / Wildcat Drive would be reduced from an LOS A in the existing condition to an LOS F in the AM and PM peak hour cumulative condition in the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact. **Impact TR-13:** Traffic conditions at the intersection of SR-111 / Wildcat Drive would be reduced from an LOS B and C in the existing AM and PM peak hours, respectively, to an LOS F in the proposed Project plus cumulative projects condition in the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact. **Impact TR-14:** Traffic conditions at the intersection of SR-111 / Schartz Road would be reduced from an LOS B and C in the existing AM and PM peak hour condition, respectively, to an LOS F in the proposed Project plus cumulative projects condition in the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact. **Impact TR-15:** Traffic conditions at the intersection of SR-111 / Harris Road would be reduced from an LOS B in the existing condition to an LOS F in the proposed Project plus cumulative projects condition in the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact. **Impact TR-16:** Traffic conditions along the segment of SR-78 from SR-111 (west) to Best Avenue would be reduced from an LOS A in the existing condition to an LOS F in the proposed Project plus cumulative projects condition in the "With Overlay"		proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods. **MM TR-10:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards installing a traffic signal, providing bike lanes on Malan Street, and implementing intersection geometry improvements at the intersection of Eastern Avenue / Malan Street. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods. **MM TR-11:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards modifying the southbound shared through / right lane into a through lane and an exclusive right-turn lane at the intersection of Best Avenue / Malan Street. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods.		

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
and "Without Overlay" scenarios, resulting in a significant cumulative impact. **Impact TR-17:** Traffic conditions along the segment of SR-78 from Best Avenue to SR-111 (east) would be reduced from an LOS A in the existing condition to an LOS E and F in the proposed Project plus cumulative projects condition in the "With Overlay" and "Without Overlay" scenarios, respectively, resulting in a significant cumulative impact. **Impact TR-18:** Traffic conditions along the segment of Malan Street from Eastern Avenue to Best Avenue would be reduced from an LOS A in the existing condition to an LOS D in the proposed Project plus cumulative projects condition in the "With Overlay" and "Without Overlay" scenarios, resulting in a significant cumulative impact.		**MM TR-12:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards the installation of an all-way stop at the intersection of Best Avenue / Wildcat Avenue. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods. **MM TR-13:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards providing dual eastbound right-turn lanes with overlap phasing and dual northbound left-turn lanes at the intersection of SR-111 / Wildcat Drive. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods. **MM TR-14:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute a fair share towards installing a traffic signal and providing one left-turn, and one shared through/right-turn lane in the eastbound and westbound directions at the intersection of SR-111 / Schartz Road. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's		

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
		Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods. **MM TR-15:** Prior to the issuance of grading permits for Phase IV, the developer or master builder shall contribute the Project's fair share towards installing a traffic signal and providing one left-turn and one shared through / right-turn lane in the eastbound and westbound directions at the intersection of SR-111 / Harris Road. The fair share contribution shall be proportional to the project's impacts and will be established based on consultation with the City of Brawley's Public Works Department and the County of Imperial's Public Works Department (as appropriate) in accordance with industry standard fair share calculation methods in accordance with industry standard fair share calculation methods. **MM TR-16: Implement MM TR-7 for Impact TR-16** **MM TR-17: Implement MM TR-4 for Impact TR-17.** **MM YR-18: Implement MM TR-12 for Impact TR-18.**		
UTILITIES				
Threshold UT-1: Would the Project require or result in the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects, or have insufficient water supplies available to serve the project from existing entitlements and resources, and new	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
expanded entitlements would be needed?				
Impact Determination				
The proposed Project has been considered in recently-prepared water reports which have indicated that water services and adequate supply would be available to the proposed Project site. As such, impacts on water systems and supply would be less than significant.				
Threshold UT-2: Result in a determination by the wastewater treatment provider that serves or may serve the project that it would not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives
Impact Determination				
Existing wastewater facilities have capacity above the current demand and the Project proponent would be required to pay any development impact fees for wastewater services, which is a standard fee imposed for any developments that require wastewater facilities in the City. As such, impacts on sewer systems would be less than significant.				
Threshold UT-3: Would the Project 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?	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives
Impact Determination				
All storm drain systems would be designed to City of Brawley and California Regional Water Quality Control Board standards; therefore, significant impacts would not occur.				
Threshold UT-4: Would the Project result in a demand for Energy Systems such as electricity, natural gas, and telecommunication in which the existing utility systems are insufficient to meet the Project need and would therefore require new systems to be constructed?	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives

Environmental Effects	Level of Significance	Proposed Mitigation	Level of Significance after Mitigation	Alternatives That May Reduce Impacts
Impact Determination Since the project involves coordination with the developer, along with the City of Brawley and IID, to ensure that installation of electrical distribution infrastructure, including adequate right-of-ways, easements, and improvements are provided for the project; using natural gas lines located near the project site; adherence to all energy conservation policies of the City and conformity to State Regulations and IID energy conservation measures; and accommodation by SBC and Cox Communications for project demand, significant impacts would not occur.				
Cumulative Impact Analysis: Impact Determination The project's demand for water, wastewater and solid waste disposal, electricity, natural gas, and telephone services can be accommodated without contributing to a future shortage since the supply of these services is not projected to be in shortage and the project would comply with all energy conservation measures by the IID to help promote energy conservation. Therefore, cumulative impacts related on utilities services systems would be less than significant.	Less than significant	No mitigation is required	Less than significant	No Project and Reduced Density Alternatives

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1.0

INTRODUCTION

An EIR is an informational document prepared pursuant to the CEQA to inform decision-makers, responsible or interested agencies, and the general public of the environmental effects of a proposed project. In addition to being an informational document, another primary purpose of an EIR is to provide feasible mitigation measures designed to reduce project-related impacts on specific environmental resources to less than significant levels. This draft EIR presents the environmental analysis conducted to determine the physical effects of the Rancho-Porter Development Project (referred to throughout this draft EIR as "the Project" or "the proposed Project").

The Project would develop 210 acres of the 274.4 project site located adjacent to the incorporated boundaries of the City of Brawley (City). The project entails annexation of the project site to the City from its current location within the County of Imperial (County); amending the City General Plan (City GP); prezoning the site in accordance with the City of Brawley Zoning Ordinance (City Zoning); approval of a Specific Plan outlining the development of residential, commercial, parks, and retention basin uses on the site; and construction and operation of the residences, commercial areas, parks, basins, and infrastructure.

The City and County will serve as co-lead agencies pursuant to Section 15051 of the State CEQA Guidelines to maximize the efficiency of a single document for the various actions necessary to approve the project. In accordance with CEQA requirements, the City circulated a NOP to interested agencies, organizations, and individuals in February 2008 and solicited comments regarding the scope of environmental review for the Project. All comments received were considered during the preparation of this draft EIR. The NOP and comments are included as Appendix A of this draft EIR. In accordance with CEQA Guidelines, a public scoping meeting was held on March 6, 2008, at the City of Brawley's Public Works Room. A list of attendees of the scoping meeting is also included in Appendix A.

This draft EIR has been prepared in conformance with the requirements of CEQA (Public Resources Code 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.), and the rules, regulations and procedures for implementation of CEQA adopted by the City of Brawley. The City will review and consider all comments to the draft EIR prior to the completion of the final EIR. The draft EIR is made available for review by public and private agencies and the general public for 45 days. Written comments are due to the City prior to the expiration of the 45-day review period. Responses to comments will be prepared and included as a part of the final EIR, which the Brawley City

Council will review and consider prior to making a decision to approve, revise and approve, or deny the proposed project.

This draft EIR is further intended to serve as the primary environmental document for all future entitlements associated with the proposed Project, including all discretionary approvals required to implement the project. In addition, this draft EIR is intended for use by other local, regional, and state public agencies with permitting authority over the proposed project site or proposed actions.

1.1 Regulatory Documents

The following regulatory land use plans establish planning guidance that is relevant to the project site and to development within the City as a whole, and are referenced in this EIR:

- County of Imperial General Plan (2004);
- City of Brawley General Plan (2008);
- City of Brawley Specific Area Plan (2007); and
- City of Brawley Zoning Ordinance (2008).

Reference is also made to the 1993 Policies, Standards, and Procedures Manual for the Imperial County LAFCO with regard to the proposed annexation.

1.2 Requested Actions

Decision-makers with the City, the County, and LAFCO will use this draft EIR when approving the project's proposed annexation, General Plan amendment, pre-zoning, and tentative map. Other agencies will also need to grant permits in order for construction to proceed on the site. Table 2-6 in Chapter 2 presents a summary list of the agency approvals that will be required to implement the proposed Project.

1.3 Environmental Impact Report Organization

This draft EIR is organized into chapters presenting information required by CEQA. In addition to the preceding Executive Summary chapter and this Introduction chapter (Chapter 1), the EIR contains the following chapters:

- Chapter 2, Project Description, presents a detailed description of the Project, the Project location, the purpose and objectives identified for the Project by the applicant and the City, and a summary of discretionary actions and approvals necessary to implement the Project.
- Chapter 3, Environmental Setting, describes the existing physical conditions of the project site and the surrounding area.
- Chapter 4, Environmental Analysis, provides the detailed discussion of the Project's environmental impacts and the mitigation measures identified to reduce the consequences of these impacts. Within

Chapter 4, individual sections are provided for the environmental resource areas identified during the scoping process and the preparation of this EIR as being potentially significant, including agriculture, air quality, biological resources, cultural resources, geology/soils, hazardous materials, hydrology/water quality, land use, noise, public services, traffic, and utilities. For each environmental resource area, the sections explain the existing conditions of the project site relative to the resource; identify significance thresholds used to determine the significance of an impact; describe the potential direct, indirect, short-term, and/or long-term impacts; identify and enforce mitigation measures that would reduce the impacts; and identify those residual impacts which would be considered significant and unavoidable after mitigation or in cases where mitigation is not feasible.

- Chapter 5, Alternatives, describes the design alternatives to the Proposed Project and the No Project Alternative, which are discussed and evaluated in accordance with CEQA requirements in order to discern whether different versions of the project would reduce or avoid significant impacts while successfully meeting the project objectives.
- Chapter 6, Growth Inducement, addresses the potential for the Project to directly or indirectly spur additional growth in the City or the region.
- Chapter 7, Cumulative Impacts, provides an overview of other development projects in the vicinity of the proposed project, considers their cumulative impact on the environment, and analyzes whether the project would contribute to any such impacts.
- Chapter 8, Significant Irreversible Changes, addresses the effects on finite resources, which cannot be recovered (e.g. fossil fuel) or returned to the pre-Project condition.
- Chapter 9, References, Persons, and Agencies Consulted, contains the sources and references used in preparation of this document. Also included is a list of preparers.

A list of acronyms and abbreviations is provided for the reader's reference immediately following the list of tables in the Table of Contents.

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2.0

PROJECT DESCRIPTION

This chapter explains the purpose and objectives of the proposed Project; describes the Project location; provides an overview of the Project; and lists the discretionary and ministerial approvals required by the Project. These approvals include the proposed Specific Plan (SP), which is intended to guide the implementation of the residential, commercial, mixed-use, and infrastructure improvements for the proposed Project.

2.1 Project Purpose and Objectives

The Project's overall goal is to provide residential and recreational opportunities for the growing population of the City. Project objectives include:

1. creating a well-planned, high-quality community of residential and commercial development;
2. providing an assortment of high-quality housing, including affordable housing, that allows residents to live in close proximity to employment opportunities in the City;
3. providing an assortment of commercial businesses and restaurants to serve residents of the Project site and throughout the City and region;
4. providing increased recreational opportunities for local residents and visitors; and
5. accommodating growth projections for the region.

2.2 Project Location and Boundary

The Project site comprises approximately 274.4 acres in unincorporated Imperial County. As shown on Figure 2-1, *Regional Location Map*, the Project site is located approximately 10 miles southeast of the Salton Sea and approximately15 miles north of Interstate 8, east of and adjacent to the current boundary of the City, and within the City's adopted SOI. The Project site is bounded by East Main Street to the north, SR 111 generally to the east with some portions immediately east of SR 111, Best Avenue to the west, and unimproved agricultural land uses to the south. The portions of the project site east of SR 111 are not proposed for development by the project. The shape of the site comes to a point at its southern

end, near the intersection of SR-111 and Best Avenue. Wildcat Road (paved) traverses the site on an east–west alignment in the southern portion of the site, and an unnamed unpaved access road for two onsite residences bisects the site in a north–south direction. The Project site can be seen in context with adjacent surrounding land uses on Figure 2-2, *Vicinity Map*.

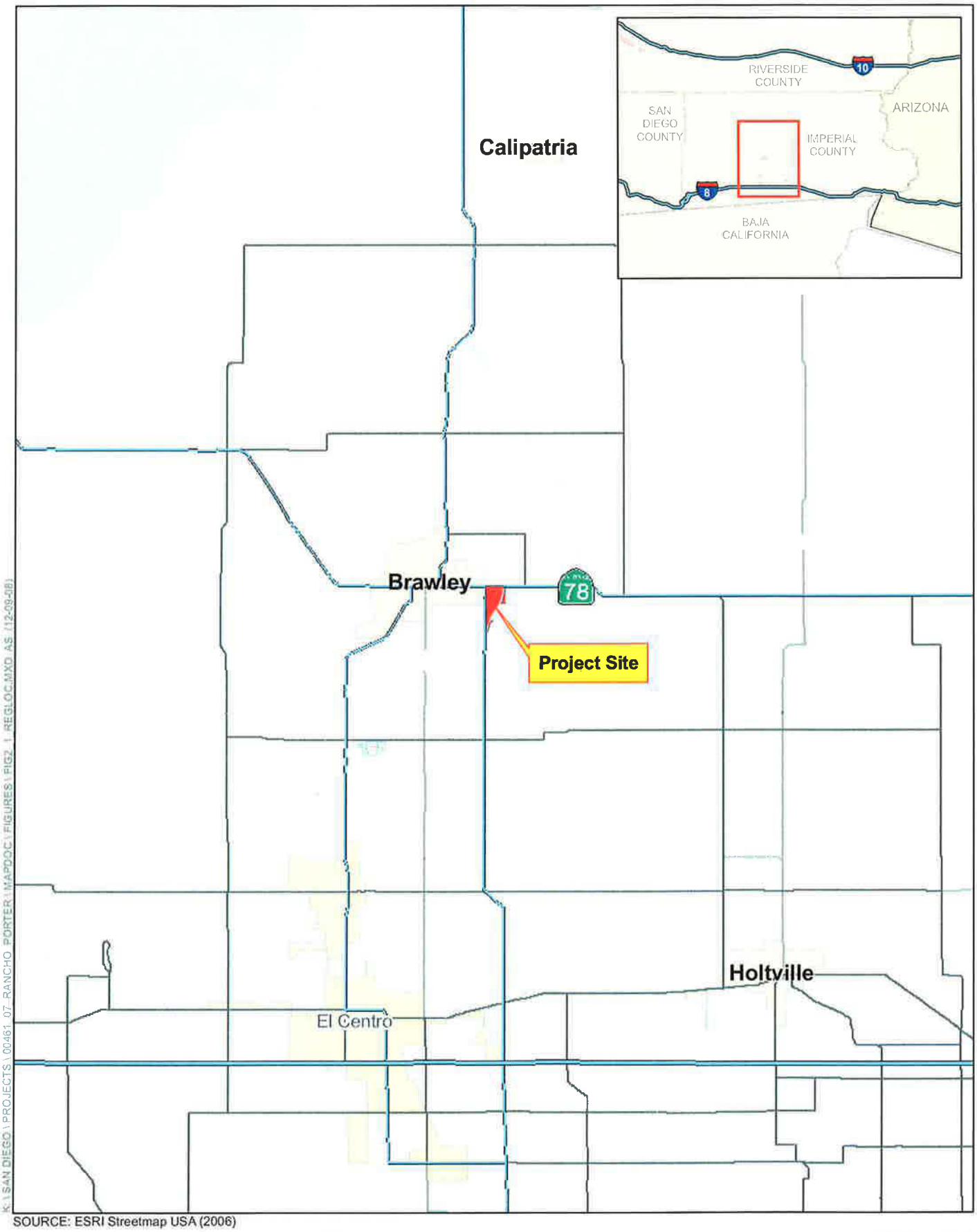
2.3 Project Overview

The Rancho-Porter Project consists of a General Plan Amendment, Specific Plan, Prezone, Tentative Tract Map, and other related implementing actions to allow the development of residential, commercial, and park land uses, as described in Table 2-1, *Rancho-Porter Land Use Summary*. As detailed below in the following paragraphs, the Project would proceed either with or without a commercial overlay zone, referred to as the "*With Overlay*" and "*Without Overlay*" scenarios. A copy of the proposed Rancho-Porter entitlement applications are on file with the City of Brawley and can be reviewed by the public at the City Planning Department, 400 Main Street, Brawley, Ca 92227.

Table 2-1. Rancho-Porter Land Use Summary

	Area (ac)		Dwelling Units (du)		Density (du/ac)	
Land Use	**w/o**	**w/**	**w/o**	**w/**	**w/o**	**w/**
Residential–Patio (3500 sq. ft.)	16.51	16.51	110	110	6.7	6.7
Residential–Caravilla (Mobile Home Park)	53.63	38.39	504	342	9.4	8.9
Residential–Village Suite (Multi-family)	29.00	29.00	493	493	17.0	17.0
Mixed Use–Plaza (Commercial & Multi-family)	21.04	21.04	252	252	12.0	12.0
Commercial–Regional	35.45	53.11	--	--	--	--
Open Space–Park	16.95	14.76	--	--	--	--
Open Space–Public Facility	30.13	30.13	--	--	--	--
Open Space–Retention	16.29	16.06	--	--	--	--
Right of Way	55.7	55.7	--	--	--	--
Total	**274.4**		**1,359**	**1,197**	**5.0**	**4.4**

Note: du = dwelling unit; ac = acre; w/o = without commercial overlay; w/ = with commercial overlay
Source: Rancho-Porter Specific Plan, 2008, DD&E



SOURCE: ESRI Streetmap USA (2006)

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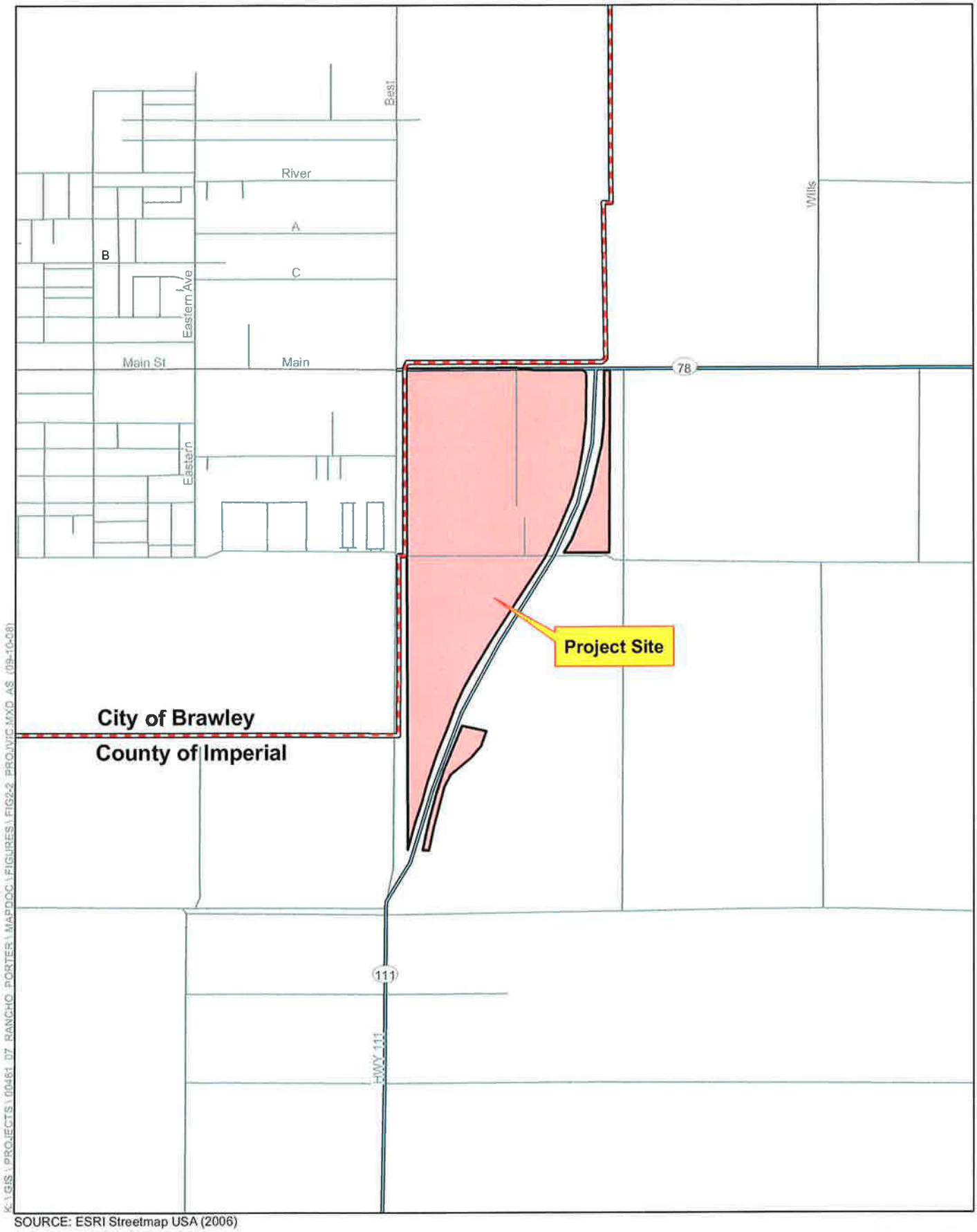
Figure 2-1
Regional Location Map
Rancho-Porter Project EIR



K:\GIS\PROJECTS\00461_07_RANCHO_PORTER\MAPDOC\FIGURES\FIG2-2_PROJVIC.MXD AS (09-10-08)

SOURCE: ESRI Streetmap USA (2006)

ICF Jones & Stokes
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Figure 2-2
Vicinity Map
Rancho-Porter Project EIR

2.3.1 Specific Plan

The Rancho-Porter Specific Plan would provide a development plan to implement the site's "Special Study Area" General Plan Designation, pursuant to California Government Code Sections 65450, 65451a, and 65451b. The Project would be developed according to one of two scenarios (herein referred to as "Project scenarios"), as shown in on Figure 2-3, *Land Use Map,* and detailed below.

Rancho-Porter Development Plan (Without Overlay): The *Without Overlay* development plan scenario would include a total of 1,359 residential units within approximately 274.4 acres. Land uses would consist of 110 duplex homes, 493 multi-family homes, 252 mixed-use residential units, 504 mobile homes, approximately 16.95 acres of parks, approximately 35.45 acres of commercial use, 16.29 acres of stormwater retention facilities, and roughly 30.13acres of open space-public facility.

Rancho-Porter Development Plan (With Overlay): The *With Overlay* development plan scenario would include a total of 1,197 residential units within approximately 274.4 acres. Land uses would consist of 110 duplex homes, 493 multi-family homes, 252 mixed-use residential units, 342 mobile homes, approximately 14.76 acres of parks, approximately 53.11 acres of commercial use, 16.06 acres of stormwater retention facilities, and roughly 30.13 acres of open space-public facility.

2.3.1.1 Proposed Residential Land Uses

A maximum of 1,359 residences are proposed throughout 120.18 acres of the Project site within four different land use designations: Residential–Single Family Patio (R-PA), Residential–Single Family Caravilla (R-CV), Residential–Village Suites (R-VS), and Mixed Use–Plaza (MU-P). The proposed layout of residential development is depicted in Figure 2-3, *Land Use Map*. If the commercial overlay is applied to the site, commercial development would replace approximately 15.24-acres of the R-CV area and 2.19-acres of open space, and a maximum of 1,197 dwelling units could be constructed. Table 2-2, *Rancho-Porter Specific Plan Residential Land Uses*, summarizes the acreages, density, and maximum number of dwelling units assigned to each of these land uses, comparing the Without Overlay (w/o) and With Overlay (w/) conditions. Characteristics of the development that would occur within each land use designation are described below.

Table 2-2. Rancho-Porter Specific Plan Residential Land Uses

Land Use Designation	Land Use Name	Type of residence	Density (du/ac)		Acres		Maximum Units	
			w/o	w/	w/o	w/	w/o	w/
R-PA	Residential–Single Family Patio	Single-family, Cottage/duplex 3500 sq. ft.	6.7	6.7	16.51	16.51	110	110
R-CV	Residential–Single Family Caravilla	Mobile homes	9.4	8.9	53.63	38.39	504	342
R-VS	Residential–Village Suites (apartments)	Multi-family, apartments	17.0	17.0	29.00	29.00	493	493
MU-P	Mixed Use–Plaza	Multi-family (over retail, office commercial	12.0	12.0	21.04	21.04	252	252
Total			**11.31**	**11.4**	**120.08**	**104.94**	**1,359**	**1,197**

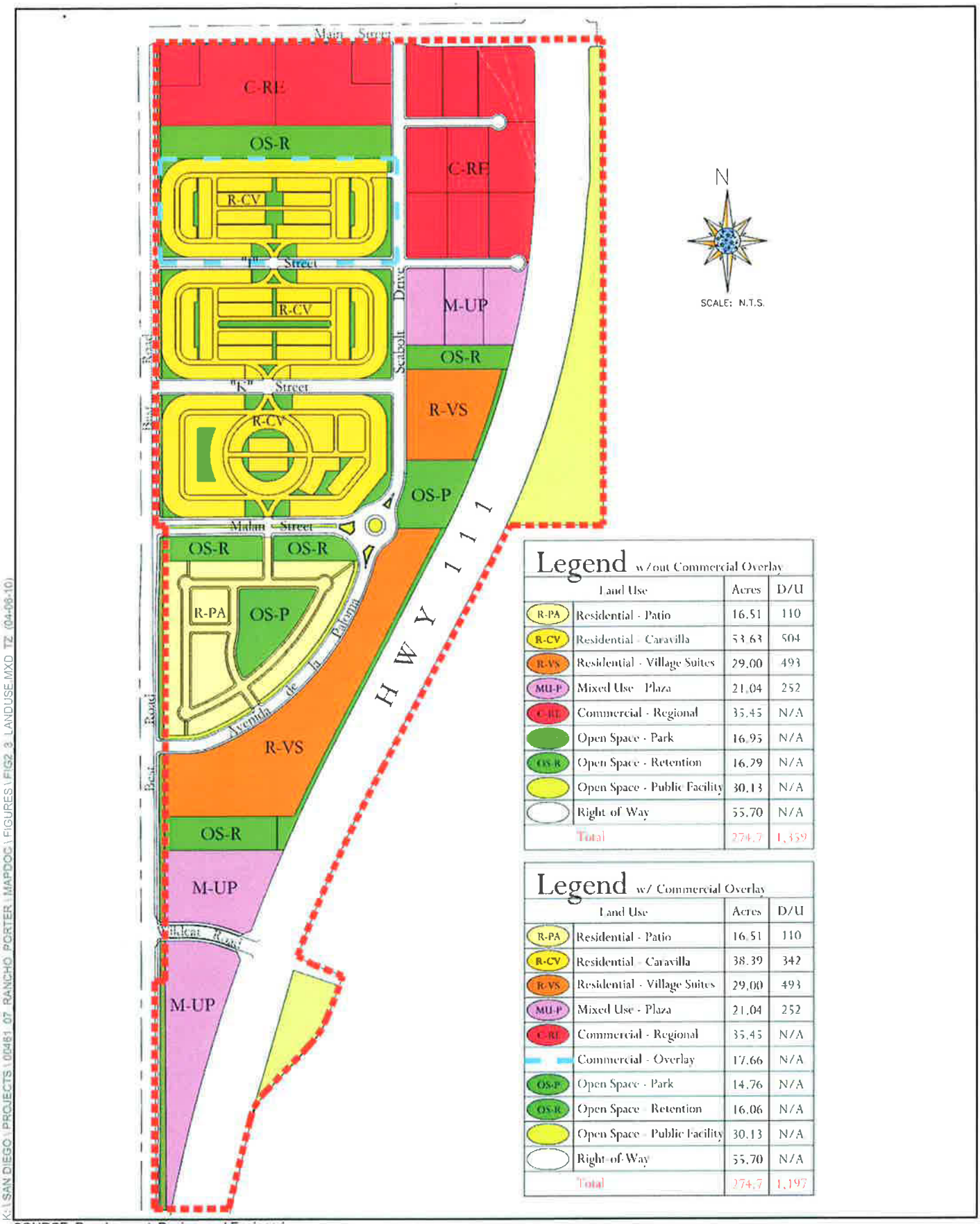
Note: du = dwelling unit; ac = acre; w/o = without commercial overlay; w/ = with commercial overlay
Source: Rancho-Porter Specific Plan, 2008, DD&E

Residential–Patio (R-PA)

The R-PA designation would allow development of 110 single-family residential homes, either detached ("cottage homes") or attached ("duplex homes"), on minimum 3,500-square-foot lots at a maximum density of 6.7 dwelling units per acre (du/ac) under both Project scenarios. Units would be two-stories with a maximum height limit of 35 feet. The proposed Project layout would apply this designation to a single area in the west-central portion of the site and would include a 1-acre park and two retention basins along the south side of Malan Street.

Residential–Caravilla (R-CV)

The R-CV land use would permit a mobile home park or mobile home subdivision of 504 units in the Without Overlay scenario and 342 units in the With Overlay scenario at a residential density of approximately 9.4 and 8.9 du/ac, respectively. Lot size would vary depending on whether the lots are owner- or renter-occupied, but would be a minimum of 3,200 square feet. Two-story buildings would be allowed, with a maximum height limit of 35 feet. Development of a retirement community within part or all of the areas designated as R-CV would be allowed. The proposed SP layout applies this designation to an area located in the northwestern portion of the site. A series of parks and linear parks would be constructed within the R-CV residential area, providing landscape buffers between residences and surrounding roadways.



Legend w/out Commercial Overlay

Land Use	Acres	D/U
R-PA Residential - Patio	16.51	110
R-CV Residential - Caravilla	53.63	504
R-VS Residential - Village Suites	29.00	493
MU-P Mixed Use - Plaza	21.04	252
C-RE Commercial - Regional	35.45	N/A
Open Space - Park	16.95	N/A
OS-R Open Space - Retention	16.29	N/A
Open Space - Public Facility	30.13	N/A
Right of Way	55.70	N/A
Total	274.7	1,359

Legend w/ Commercial Overlay

Land Use	Acres	D/U
R-PA Residential - Patio	16.51	110
R-CV Residential - Caravilla	38.39	342
R-VS Residential - Village Suites	29.00	493
MU-P Mixed Use - Plaza	21.04	252
C-RE Commercial - Regional	35.45	N/A
Commercial - Overlay	17.66	N/A
OS-P Open Space - Park	14.76	N/A
OS-R Open Space - Retention	16.06	N/A
Open Space - Public Facility	30.13	N/A
Right-of-Way	55.70	N/A
Total	274.7	1,197

K:\SAN DIEGO\PROJECTS\00481.07 RANCHO PORTER\MAPDOC\FIGURES\FIG2-3 LANDUSE.MXD TZ (04-06-10)

SOURCE: Development, Design, and Engineering

ICF Jones & Stokes
an ICF International Company

Figure 2-3
Land Use Map
Rancho-Porter Project EIR

Residential–Village Suite (R-VS)

The R-VS land use designation would allow development of attached, apartment-style residential buildings at a maximum density of 17.0 du/ac under both Project scenarios with residences clustered and centered around common courtyard areas. Buildings would be multi-story stories with a maximum height limit of 40 feet. The Project proposes two areas of R-VS development in the center of the site for a total of 29 acres, separated by open space and retention basins.

2.3.1.2 Commercial Land Uses

Commercial development would comprise either 35 or 53 acres of dedicated retail development in the Without Overlay and With Overlay scenarios, respectively. In the Without Overlay condition, commercial development designated Commercial–Regional (C-RE) would be provided in addition to the 21.04 acres proposed as MU-P, which would allow retail and office commercial uses. The proposed layout of commercial development is depicted in Figure 2-3, *Land Use Map*. In the With Overlay scenario, additional C-RE development would replace a 15.24-acre area of R-CV and its associated parks, and the acreage of C-RE land would increase from 35 to 53. Table 2-3, *Rancho-Porter Specific Plan Commercial Land Uses*, summarizes the acreages and maximum square footage of commercial development assigned to the two commercial-related land use scenarios, comparing the Without Overlay and With Overlay conditions. Characteristics of the development that would occur within each land use designation are described below.

Table 2-3. Rancho-Porter Specific Plan Commercial Land Uses

		Acres		Maximum Square Feet	
Land Use Designation	**Land Use Name**	**w/o**	**w/**	**w/o**	**w/**
MU-P	Mixed Use–Plaza multi-family residential, retail & office commercial	21.04	21.04	275,000	275,000
C-RE	Commercial–Regional	35.45	53.11	475,000	725,000
Total [1]		**56.49**	**74.15**	**750,000**	**1,000,000**

[1] Total includes land that is not designated solely for commercial purposes.

Source: Rancho Porter Specific Plan, DD&E

Commercial–Regional (C-RE)

The C-RE designation would allow for the development of commercial structures with a maximum building height of 40 feet in the northernmost portions of the Project site. Buildings would be permitted to have a maximum lot coverage of 55%. Commercial uses in this designation would include retail shops and restaurants, and would easily be accessible to and from East Main Street and would serve the greater surrounding area in addition to the proposed Project area.

2.3.1.3 Mixed Use–Plaza (MU-P)

As discussed above, the MU-P designation would allow development of mixed-use buildings featuring commercial uses—such as restaurants, retail shops, and office commercial businesses—on the ground floor and multi-family residential uses on the upper floors. The maximum allowed height of the buildings would be 45 feet, and maximum lot coverage would not exceed 50%. Commercial uses in this designation would include retail shops and restaurants, as well as office commercial uses, in compliance with the City Zoning Ordinance. The proposed MU-P designation is shown in two locations—one in the northeastern portion of the site, just south of the commercial development proposed at the intersection of Main Street and SR-111, and the second in the larger area in the southern corner of the Project site.

The residential component within the MU-P designation would feature attached apartment dwellings at a residential density of 12.0 du/ac under either Project scenario. The proposed Project layout shows the MU-P designation in two locations—one in the northeastern portion of the site, just south of the commercial development proposed at the intersection of Main Street and SR-111, and the other in the extreme southern corner of the Project site.

2.3.1.4 Open Space Uses

The Project proposes a total of 28.61 acres of recreational park uses within three land use categories in the Without Overlay scenario, including Open Space–Park (OS-P), Open Space–Retention (OS-R), and Open Space–Public Facility (OS-PF). The proposed layout of open space areas under both Project scenarios is depicted in Figure 2-3, *Land Use Map*. If the With Overlay scenario is applied to the site, then one residential area of the site and its associated open space land use would be replaced with C-RE land use. The Project under the With Overlay scenario would reduce the open space acreage provided by the Project by approximately 0.66-acres. Table 2-4, *Rancho-Porter Open Space/Park Uses*, summarizes the acreages provided within each of these open space land uses for both Project scenarios. Characteristics of the development that would occur within each land use designation are described below.

Table 2-4. Rancho-Porter Open Space/Park Uses

Land Use Designation	Land Use Name	Primary Uses Permitted	Acres	
			w/o	w/
OS-P	Open Space–Park	Parks and recreation	16.95	14.76
OS-R	Open Space–Retention	Retention and passive park	16.29	16.06
OS-PF	Open Space–Public Facility	Parkways, and pedestrian, bicycle ways	30.13	30.13
Total			**63.37**	**60.95**

Source: Rancho Porter Specific Plan, DD&E

Open Space–Park (OS-P)

The OS-P designation would allow construction of recreational facilities for public use. OS-P is applied to larger parcels designated as neighborhood and community parks, which are determined by park size; neighborhood parks are between 2 and 15 acres in size, and community parks greater than 15 acres. Both neighborhood and community parks may be designated as active- or passive-use parks. Those designated as active parks may feature a combination of grass playfields (baseball, softball, and/or soccer fields), hard-court recreational facilities (basketball, volleyball, racquetball, and/or badminton courts), public swimming pools, and recreational trails, as well as picnic/barbecue areas and landscaped garden areas. Those designated as passive parks may include gardens, open lawn space, shade structures, and barbecues areas.

The main area designated as OS-P is located in the east-central portion of the site, occupying a 2.4-acre parcel and a 3.4-acre parcel separated by a stormwater retention area. Another 1.0-acre OS-P area is located in the center of the R-PA residential area on the site's western side. Smaller OS-P areas are scattered throughout the R-CV residential area in the west.

All OS-P areas would be designed by professionally qualified landscape architects. According to standards set forth in the Rancho Porter Specific Plan, park facilities designated OS-P are required to (1) be graded (2% slopes or less) and landscaped with drought tolerant plants, (2) possess adequate infrastructure for stormwater and irrigation drainage, and (3) provide unisex restrooms facilities. Structures would be required to feature architectural design that compliments the character of surrounding residential communities. Land designated OS-P and dedicated for public parks may be maintained through a Lighting and Landscaping Maintenance District (LLMD) or by the City of Brawley, as determined by the City at the time the respective facilities are constructed.

Open Space–Retention (OS-R)

The OS-R designation would be applied to a series of onsite stormwater retention basins that are primarily necessary as drainage infrastructure for the proposed development, but that would also be designed to double as recreational areas. The Specific Plan sets forth standards stating that the basins are not to be greater than 5.5 feet deep and that they shall be landscaped and properly irrigated and maintained. Landscaping standards set forth in the Specific Plan require that no more than 50% of each OS-P area be concrete. Their ultimate size would be determined by a qualified civil engineer, as necessary to provide adequate retention of stormwater flows within the site. The retention basins would be maintained either through a LLMD or a local Home Owners Association (HOA).

Recreational uses allowed within OS-R areas would be any legal recreational activities that do not require the erection of a permanent structure (where appropriate, temporary structures may be allowed by temporary use permit). To encourage passive recreational use within these basins, the OS-R areas would include such features as multi-purpose trails and grass cover, with pedestrian links among the basins and connecting to surrounding residential areas.

Additional discussion of the proposed retention basins and their standards for construction is provided in Section 2.3.1.5, "Infrastructure".

Open Space–Public Facility (OS-PF)

The OS-PF designation applies to landscaped buffer areas between land uses that would also serve as pedestrian/bicycle links throughout the Rancho-Porter Specific Plan area. The paths would be constructed as logical pedestrian and bicycle extensions of neighborhood roads, where motorized vehicles are not permitted to travel, and would be a minimum of 10 feet wide. When feasible, pedestrian link pathways would line up with a public right of way (street or sidewalk) to allow for maximum visibility through the entire length of the link.

2.3.1.5 Infrastructure

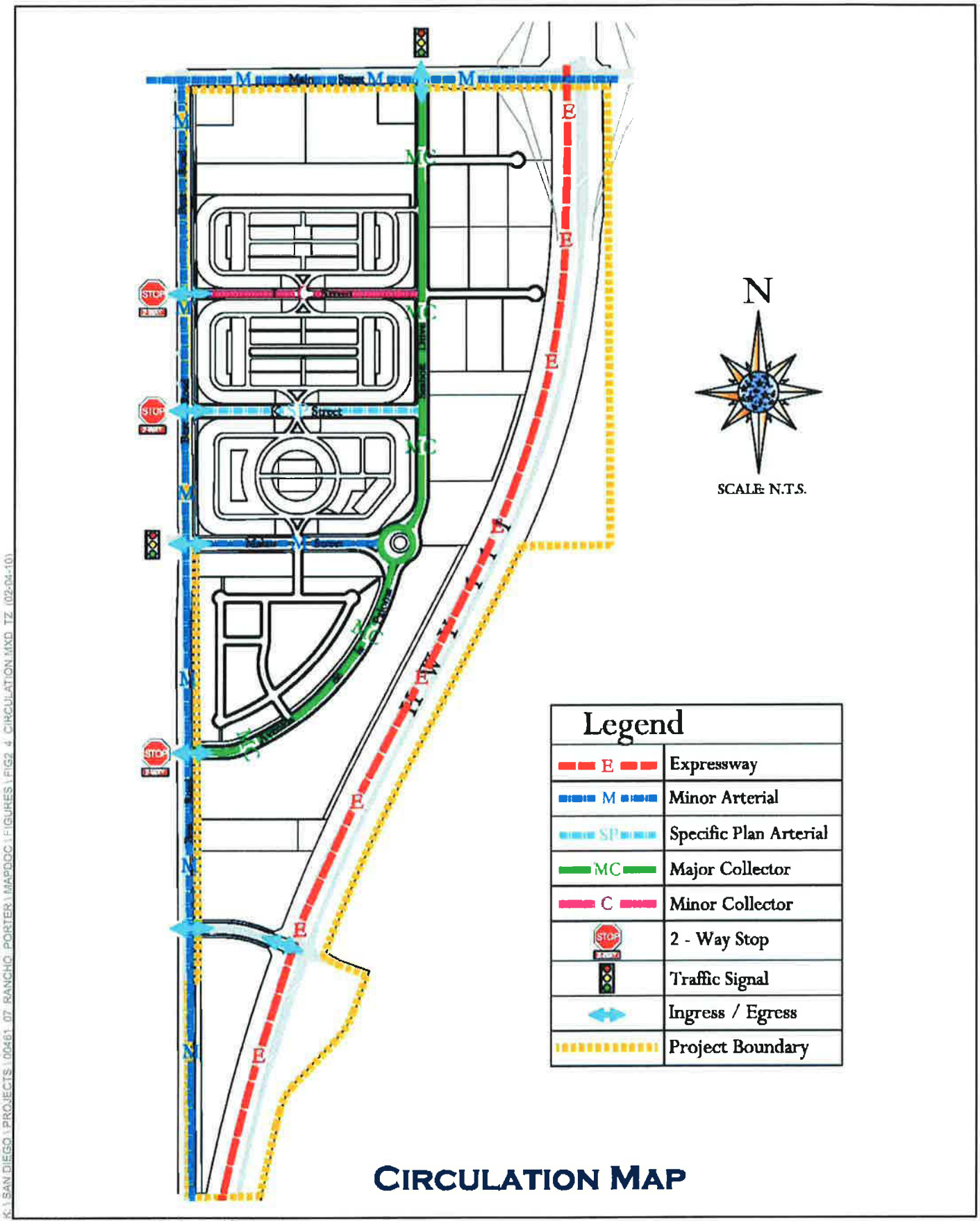
Infrastructure improvements to be constructed within the Specific Plan area include public roadways, sewer and water lines, gas and electric connections, and stormwater retention basins and drainage facilities.

Roadways and Circulation

The Rancho-Porter Specific Plan includes a Circulation Element specifying the layout of proposed roadways through the Project site, their connection to the regional arterial and highway network, and the design standards to which the onsite roadways would be constructed. A circulation map of the Specific Plan area is included as Figure 2-4. Roadway design is based on the City General Plan Circulation Element. The Specific Plan Circulation Element also outlines the network of pedestrian, bicycle, and public transit considerations proposed to allow alternatives to automobile travel within the Project area and beyond.

Regional access to the site is currently available from the south via SR-111 and Best Avenue, and from the east and west via East Main Street. The southernmost portion of the site is also accessed by Wildcat Road, which is currently paved; access from the north is available via Best Avenue. Project-related roadway improvements would include the following:

- Widening Best Avenue along the Project frontage, in accordance with City plans. The roadway would be widened from two to four lanes within a 108-foot right of way, with a 14-foot median and a 5-foot, Class I bike lane.
- Widening Wildcat Road along the Project frontage, in accordance with City plans. The roadway would be widened from two to four lanes within a 108-foot right of way, with a 14-foot median and a 5-foot, Class I bike lane. If desired, Wildcat Road may contain 15 feet of sidewalk, instead of a 5-foot parkway between the sidewalk and bike path along the mixed-use portion of the Project.
- Widening Main Street along the Project frontage, in accordance with City plans. The roadway would be widened from two to four lanes within a 108-foot right of way, with a 16-foot median and a 4-foot, Class II bike lane.
- Paving Malan Street on an east–west alignment in the western portion of the site, terminating at the three-way intersection with the proposed Avenida de la Paloma and Seabolt Drive. This roadway would be constructed as a four-lane arterial within a 108-foot right of way; matching City-planned



K:\SAN DIEGO\PROJECTS\00461.07 RANCHO PORTER\MAPDOC\FIGURES\FIG2-4 CIRCULATION.MXD TZ (02-04-10)

SOURCE: Development, Design, and Engineering

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Figure 2-4
Circulation Map
Rancho-Porter Project EIR

improvements of the roadway west of the Project site, and feature a 16-foot median and a 10-foot multi-purpose trail.

- Paving K Street and I Street on east–west alignments through the western portion of the site, both terminating at Seabolt Drive. Both of these facilities are currently paved west of Best Avenue, but do not exist on the Project site. K Street would be constructed as a four-lane arterial, and I Street would be constructed as a two-lane minor collector.
- Paving Avenida de la Paloma through the western portion of the Project site to meet up with the proposed roadway to be constructed west of Best Avenue as part of the adjacent La Paloma subdivision. This roadway would be constructed as a four-lane arterial within an 84-foot right of way, entering the site on the western boundary and curving north, terminating at its three-way intersection with Malan Road and Seabolt Drive.
- Paving Seabolt Drive on a north–south alignment through the central portion of the site to meet up with the proposed roadway to be constructed north of East Main Street as part of the adjacent Luckey Ranch subdivision. The proposed alignment is similar to that of an existing unpaved road providing access to onsite residents and agricultural operations. The roadway would be constructed as a four-lane arterial within an 84-foot right of way, entering the site on the northern boundary and terminating at its three-way intersection with Malan Road and Avenida de la Paloma.
- Paving a system of residential streets providing direct access to onsite residences. All residential streets would include 5-foot-wide concrete sidewalks and stormwater gutters.

A total of five driveways are proposed to access the Project site. In order to ensure the smooth flow of traffic within the Project site and in and out of driveways, the following access improvements would be required to ensure smooth flow of traffic.

- Traffic signals would be installed at the following Project driveways when signal warrants are met:
  - Seabolt Drive / SR-78
  - S. Best Avenue / Malan Street
- Two-Way Stop-Controls (TWSC) should be installed at the following project driveways:
  - S. Best Avenue / I Street
  - S. Best Avenue / K Street
  - S. Best Avenue / Avenida De La Paloma
- Dedication of right-of-way and/or widening the following streets along the project frontage to City of Brawley/Caltrans Standards should be completed:
  - SR-78 (E. Main Street) from S. Best Avenue to SR-111
  - S. Best Avenue from SR-78 to project southerly boundary
  - Wildcat Drive from S. Best Avenue to SR-111

The Project will also include Class I and II bicycle routes along major transportation corridors, depending on the size and design of the facility. Bike routes will follow the existing and proposed bike routes of the City General Plan Circulation Plan. The Project would provide one transit stop for use by Imperial Valley Transit, which would be coordinated with IVAG Transit. This stop would likely be provided on East Main Street near the Seabolt Drive intersection pending confirmation from IVAG Transit.

No improvements are proposed for SR-111 as part of the Project. Pedestrian facilities would be provided throughout the site, including sidewalks within roadway rights of way, walkways connecting parks and developed areas, and a multi-purpose trail located along Malan Street, terminating at the seven-acre park on the site's eastern side. Raised crosswalks would be incorporated into the Project design to promote safety and pedestrian-friendly conditions.

Stormwater Drainage and Retention Basins

The Project would install a stormwater drainage system that would connect to the existing IID facilities that convey storm water to the New River. The onsite system would consist of five retention basins, drains, inlets, and gutters along the Project streets. The location of the retention basins and drains are shown in Figure 2-3. The basins would be designed to handle a 100-year, 24-hour storm event. They are proposed to have an average depth of about five feet and would total approximately 16.29 or 16.06 acres within the site. Retention basins may be terraced or sloped, and would be designed by the criteria listed in Table 2-5, *Maximum Slope Requirements for Retention Basins*, to ensure adequate drainage and maintenance of public safety.

Table 2-5. Maximum Slope Requirements for Retention Basins

Portion of Basin	Slope Ratio
Turf Areas	4:1
Non-Turf Areas	3:1
Side Slope Adjacent to Street	6:1
Slopes between Terraced Tiers	1:1 in non–public-access area 3:1 in public-access area
Active Recreation Areas	Flat, with minimum slopes required for drainage

Source: Rancho Porter Specific Plan, DD&E

Landscaping standards set forth in the Rancho-Porter Specific Plan require the establishment of landscape plans and long-term maintenance plans for the OS-R areas. Landscape plans would be required to plant basin slopes with low-maintenance, drought-tolerant landscaping served by drip or bubbler style irrigation systems, and to plant the basin bottoms with drought-tolerant grass and an automatic sprinkler system. At least 50% of the retention basins would be required to be xeriscaped, as specified in landscape plans prepared for the OS-R areas. At the basin's lowest levels where water may pool, natural wetland habitat would be installed to accommodate saturated soils in a desert climate. Maintenance plans would be required to include consideration of long-term management of soil maintenance and effective drainage. In addition to these maintenance and landscape plans, the Project also includes amenities plans outlining the location and size of facilities such as trash cans and park benches.

Water and Wastewater Facilities

Treated, potable water service would be provided to the Project's residences, businesses, parks, and other landscape elements by the City system, which purchases raw water from IID and treats it at the municipal treatment plant located at the intersection of Highway 86 and Cattle Call Road, approximately two miles west of the Project site. The Project would require the installation of a series of 12-inch water mains in East Main Street, I Street, Malan Street, Avenida de la Paloma, Best Avenue, and Seabolt Drive, and would provide individual connections to this main system to serve Project residences and businesses. Design would be subject to the review and approval of the City Engineer.

Wastewater collection, treatment, and disposal for the site would be provided by the City, under authority of the Public Works Department. The City system includes sewer mains that convey wastewater to the treatment plant, located at 1550 Best Avenue, approximately 2.3 miles north of the proposed Project. The plant then discharges treated wastewater to the New River. The Project would install a series of 12-inch sewer mains in K Street, Avenida de la Paloma, Seabolt Drive, and a portion of the Project's Best Avenue frontage, and would provide individual connections to this main system to serve Project residences and businesses.

Dry Utilities

Electricity and natural gas service would be provided to the site by IID and Southern California Gas Company, respectively. AT&T would likely provide telecommunications services. Utilities lines would be placed underground with aboveground easements and in public rights-of-way where feasible, as subject to approval of the agencies/companies providing service.

No IID facility will be constructed on site; however, a substation location has been dedicated to IID. The parcel is located on the La Paloma subdivision on the corner of Eastern Avenue and Panno Street. At this time, construction of this substation is pending on new development in the vicinity and the justification for need. Line extensions to serve the project will be made in accordance with IID Regulation No. 15 and Regulation No. 2. This project is not proposing relocation of existing lines on Best Road (Old Highway 111). The proposed project has been designed to ensure that installation of electrical distribution infrastructure, including adequate right-of-ways, easements, and improvements, is provided. All power lines to be placed underground with aboveground easements and in public rights-of-way are subject to IID approval.

Agricultural Canals and Drains

The Best Canal ~~and Best Drain~~ runs ~~parallel to each other~~ within the Project site along the western boundary. The Bryant Drain runs east–west through the Project site along the general alignment of Malan Road. These facilities are all owned and operated by IID. In accordance with IID policy, the Project would place these facilities underground and maintain an easement favoring IID for ongoing maintenance. The design and method of undergrounding requires approval of IID, and this aspect of the Project would be closely coordinated with representatives of the agency.

2.3.2 General Plan Amendment

The Rancho-Porter Project includes an amendment to the City of Brawley General Plan, pursuant to Government Code Section 65300 *et seq*., which must be adopted by the City to serve as a long-range planning tool to guide development in a manner consistent with the long-range goals and objectives of the community. The General Plan Amendment (GPA) would remove the "Urban Area" designation per the County of Imperial General Plan, and redesignate the site "Special Study Area," which encourages large-scale master planned development per the City of Brawley General Plan.

2.3.3 Prezone

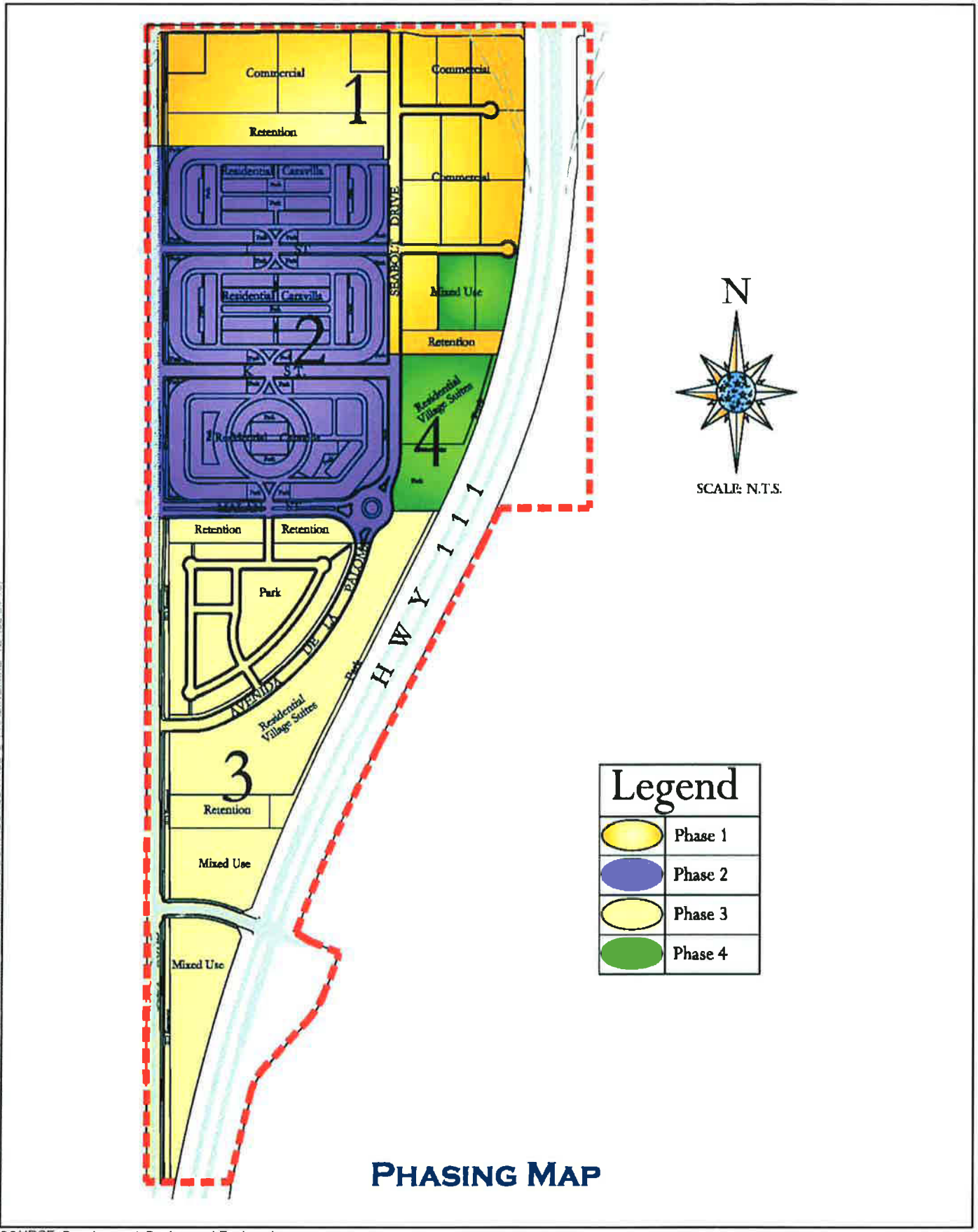
The Prezone would remove the County's A2U (General Agriculture/Urban Overlay) zone and designate the site as Planned Development (P-D), pursuant to the City of Brawley Zoning Ordinance, which would implement the land uses provided in the associated Specific Plan.

2.3.4 Tentative Tract Map

A Tentative Tract Map (TTM) would be prepared to create individual legal lots to provide for the residential, commercial, open space, and circulation elements of the Rancho-Porter Project. The TTM also would show the location of each lot, the location and alignment of onsite roadways, and the location of public water, sewer, and drainage infrastructure improvements.

2.4 Project Phasing

The proposed Project would be developed under 4 phases over a period of 5 to 15 years as illustrated by Figure 2-5, *Phasing Map*. Table 2-6, *Project Phasing*, lists the phases by planned schedule, acreages, and proposed land uses. The specific timing of each phase is contingent on many factors, including: market demand, growth in the Imperial Valley, and economic conditions. Other factors that could influence build-out include agency permitting from the City of Brawley, Caltrans, Imperial County, and the Imperial Irrigation District.



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SOURCE: Development, Design, and Engineering

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Figure 2-5
Phasing Map
Rancho-Porter Project EIR

Table 2-6. Project Phasing

Phase	Schedule	Acreage	Land Uses
1	2010-2013	58	Commercial, Mixed-use, Retention, Easements
2	2013-2015	73	Residential, Park, Easements, Commercial (With Overlay Only)
3	2015-2017	69	Residential, Mixed-Use, Parks, Retention, Easements
4	2018-2020	10	Residential, Parks

Source: Rancho Porter Specific Plan, DD&E

2.5 Required Approvals

Table 2-7, *Matrix of Project Approvals*, lists the actions and approvals that would be required for Project implementation.

Table 2-7. Matrix of Project Approvals

Agency	Action or Approval
Local Agency Formation Commission	Approval of Annexation of the Project site to the City of Brawley
Imperial County	Approval of Annexation of the Project site to the City of Brawley
City of Brawley	General Plan Amendment Prezone classification Tentative Tract Map Specific Plan Environmental Impact Report Certification Various Construction Permits (e.g., grading)
California Department of Transportation	Encroachment Permit
Imperial Irrigation District	Encroachment Permit for work within easements and R/W Approval of plans to underground Best Canal~~, Best Drain,~~ and Bryant Drain

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3.0

ENVIRONMENTAL SETTING

The project site is in an unincorporated area of central Imperial County that is just southeast of the City boundaries and within its existing SOI. Geographically, the site is located in the Imperial Valley of south-central California, approximately 20 miles north of the international border with Mexico, and about 10 miles southeast of the Salton Sea. Figure 2-1 depicts the local and regional location of the site. The Imperial Valley is a northwest-southeast trending desert valley that constitutes the southeastern end of the Colorado Desert. Dictated by this geographic setting, the climate and environment of the project area and its surrounding region are typical of desert country in southern California, marked by extremes in temperature and aridity. Temperatures in the region reach over 120 degrees in summer. Average annual precipitation is less than three inches, and the average annual evaporation rate exceeds three feet.

The site is composed of six Assessor Parcel Numbers (APNs): 049-270-005, 049-270-050, 049-270-051, 049-270-052, 047-100-04, and 047-100-005. The parcels north of Wildcat Road are currently used for row crop cultivation; other crops previously grown on the site have included alfalfa, Bermuda grass, and Sudan grass. The parcel south of Wildcat Road is a mixture of vacant, disturbed land and fallow agricultural land, with a power line running across the site from east to west.

Three single-family residences are located on the site—all north of Wildcat Road. One residence is located in the site's northwestern corner, just southwest of the East Main Street/Best Avenue intersection; the other two residences are grouped together in the east-central portion of the site, along SR 111. The residences are all single-level structures, and are surrounded by ornamental landscaping and accessory structures, including barns, sheds, etc. The northern residence is accessed by a dirt driveway connecting to East Main Street. The two southern residences are accessed by a dirt roadway running north to south between East Main Street and Malan Street.

On-site terrain is level, with an elevation of approximately 120-130 feet below mean sea level. The Best Canal ~~and Best Drain~~, ~~both~~a facility~~ies~~ of the Imperial Irrigation District (IID), run~~s~~ ~~parallel to one another~~ along the site's western boundary, within the project site. The canal is an open, concrete-lined channel that carries agricultural irrigation water supplied by the IID to the site and surrounding areas. ~~The drain is an open, dirt channel that drains agricultural runoff from the site and surrounding areas.~~ The Rockwood Canal, another open canal of the IID system, runs in a north-south alignment just east of the site. The Bryant Drain—a dirt channel—crosses the site in an east-west alignment, fronting on the unpaved portion of Malan Street. Agricultural infrastructure on the site also includes a tile drain system

underlying the surface that was constructed to regulate groundwater levels at the on-site agricultural operations. This system is composed of 4" plastic and/or clay pipes configured approximately 5.5-6.5' below the surface. The site also features dirt paths used for accessing the crop operations.

The project site is located in an area on the outskirts of the City that is currently transitioning from agricultural and industrial uses to residential and commercial uses. Like the project site, adjacent properties are topographically flat, and there is little change in elevation in the general vicinity. As shown in Figure 3-1 and 3-2, the site is surrounded by fallow agricultural land and recently developed residential and commercial uses on the north, and by active agricultural land on the east and south. Industrial land abuts the northern portion of the site's western boundary, while the La Paloma residential subdivision is currently under construction on land abutting the southern portion of this boundary. All the land north of the project site is within the Luckey Ranch Subdivision, including the fallow agricultural land located immediately north of the Project site.

From central western boundary of site along Best Ave, facing East

From northern part of site's eastern boundary, along SR111, facing West

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SOURCE: ICF Jones & Stokes

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Figure 3-1
Site Photographs (E&W)
Rancho-Porter Project EIR

From central western boundary of site along Best Ave, facing North

From central western boundary of site along Best Ave, facing South

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SOURCE: ICF Jones & Stokes

ICF Jones & Stokes
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Figure 3-2
Site Photographs (N&S)
Rancho-Porter Project EIR

4.0

ENVIRONMENTAL ANALYSIS

This chapter presents the analysis of individual environmental resource categories that have the potential of being substantially affected if the proposed Project were implemented. Where significant impacts would occur, mitigation measures have been identified to avoid or reduce those impacts. Sections in this chapter cover the following issues: agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public services and recreation, traffic, and utilities. Cumulative impacts are identified for each resource area in Chapter 7.

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4.1

AGRICULTURAL RESOURCES

This section discusses the existing agricultural setting, the regulatory setting for agricultural resources, and analyzes the Project's impacts on agricultural resources. A Land Evaluation and Site Assessment (LESA) was conducted for the proposed project site and is included as Appendix C. After mitigation, impacts on agricultural resources from the proposed Project's construction and operation would be less than significant.

4.1.1 Agricultural Resources Setting

Imperial County is an extremely productive agricultural area. The presence of suitable soils, weather that permits a year-round growing season, and the availability of imported water from the Colorado River create conditions in the region that are highly conducive to cultivating a wide range of crops, including vegetables, cotton, alfalfa and other agronomic crops, fruits, nuts, and nursery products. The regional climate is also well suited for raising livestock. Agricultural production has been one of the most important regional economic activities throughout the last century and is expected to play a major economic role in the foreseeable future.

4.1.1.1 Existing Agricultural Operations

A majority of the project site is currently used for agriculture, with the portion north of Wildcat Road in active production. Recent crops on the parcels north of Wildcat Road include wheat, alfalfa, barley, Bermuda grass, cotton, sugar beets, onions, and lettuce. The portion of the site south of Wildcat Road is not in active production, and ceased being used for such purposes in approximately 2004.

Much of the land east of the site is also in active crop production, including the parcels immediately adjacent to the site, across SR-111. The industrial land to the west is not used for agriculture. Some land north of the site is currently in agricultural production, but this is the location of Luckey Ranch Specific Plan area, a planned residential and commercial development, which is under development.

4.1.1.2 On-Site Soils

Soil on the site is comprised of four types, as mapped by United States Department of Agriculture in their 1981 survey of soils in the County. These are Holtville silty clay, wet (map unit 110), Imperial silty clay, wet (map unit 114), Imperial-Glenbar silty clay loams (map unit 115), and Meloland very fine sandy loam, wet (map unit 122). The layout of these soils is shown in Figure 4.1-1, *On-Site Soils*. Table 4.1-1 lists the on-site soils and their approximate acreages and percentages of total area on the site.

Table 4.1-1. On-Site Soil Types

Soil Map Unit	Soil Name	Land Capability Class [1]	On-Site Acres	% of On-Site Land
110	Holtville silty clay, wet	II	45.2	16%
114	Imperial silty clay, wet	III	90.5	33%
115	Imperial-Glenbar silty clay loams	III	129.2	47%
122	Meloland very fine sandy loam	III	11.9	4%
Totals			**276.8[2]**	**100%**

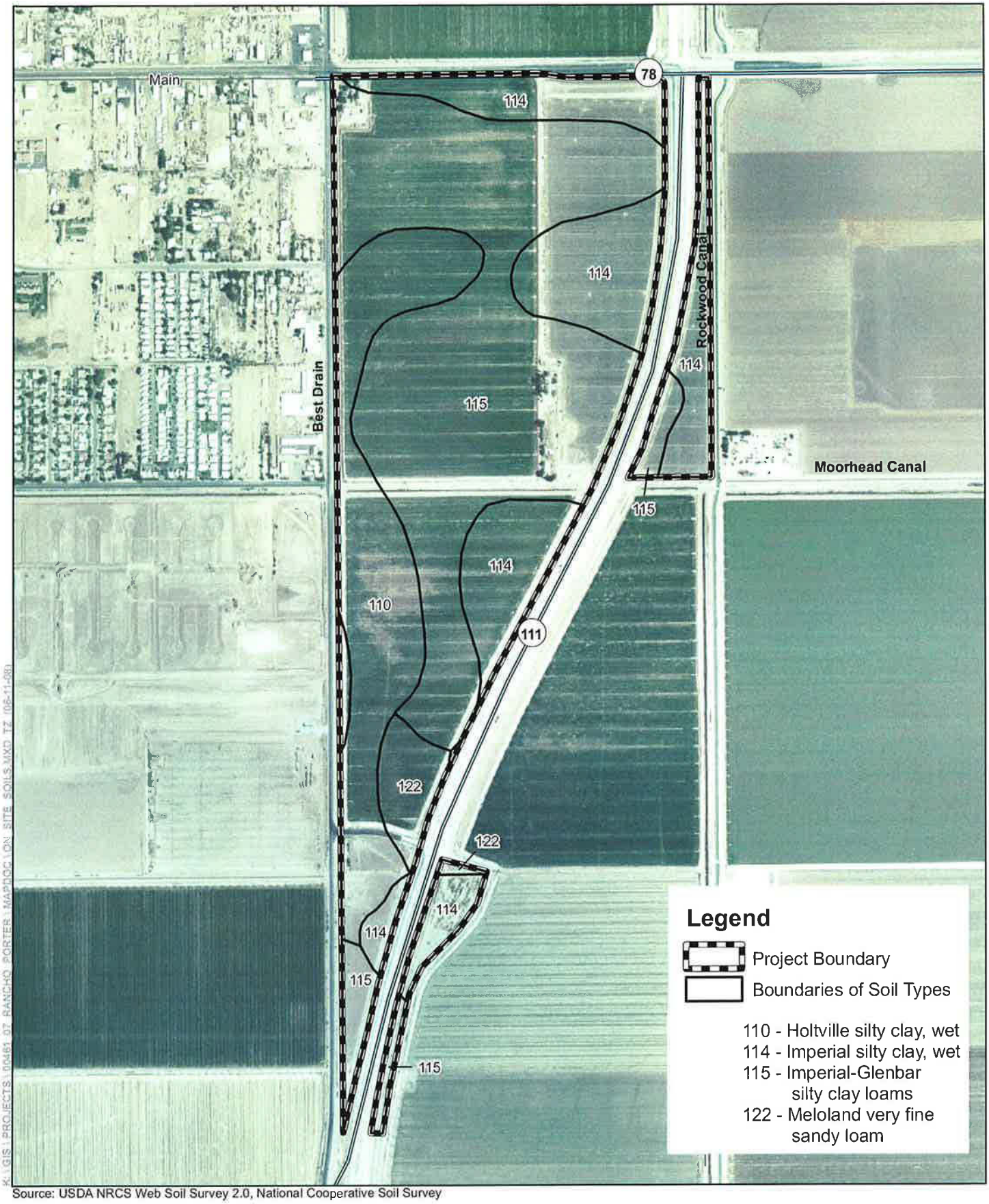
[1] Land Capability Class is a roman-numeral ranking for the agricultural suitability of soil, I being the highest and VII being the lowest.

[2] On-site acreage total calculated from soils map varies slightly from project description acreage due to rounding.

Source: LESA, DD&E, Inc. 2009

One soil type within the site, Holtville silty clay, is considered a candidate for designation as Prime Agricultural soils by the California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP).1 Candidacy for the Prime Farmland designation means that these soils are exceptional for crop production. The remainder of the on-site soils rate lower, though they are still considered high-quality agricultural soils.

1 The FMMP, established in 1982, is a non-regulatory program providing analysis of changes to agricultural land use throughout California. The program maps farmland and potential farmland throughout the state, and coordinates with cities and counties to amass data on conversion of agricultural land to non-agricultural uses. Land is mapped as one of seven categories depending on its suitability for agricultural use: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-up Land, or Other Land. The first two categories qualify as "Prime Farmland" and are considered significant agricultural resources by the CDC.



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Source: USDA NRCS Web Soil Survey 2.0, National Cooperative Soil Survey

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Figure 4.1-1
On-Site Soils
Rancho-Porter Project EIR

4.1.1.3 Farmland Mapping and Monitoring Program Designation

As shown in Figure 4.1-2, *On-Site Farmland Designations*, the majority of the project site is assigned the FMMP designation of Farmland of Statewide Importance, with a smaller area of Prime Farmland where the high-quality soil noted above is located. Prime Farmland on the site totals approximately 45.2 acres, or 16 percent of the site, with the remaining 231.6 acres, or 84 percent of the site, designated as Farmland of Statewide Importance. Both of these FMMP designations are considered "Important Farmland" by the CDC. Prime Farmland is defined by the CDC as land with the best combination of physical and chemical characteristics for the production of crops. Farmland of Statewide Importance is land with a good combination of physical and chemical characteristics for the production of crops, but a step below the level of quality of Prime Farmland.

4.1.2 Regulatory Setting

The proposed Project is governed by agricultural land use regulations established by Imperial County and the City of Brawley, through their respective general plans, zoning regulations, and other ordinances. The State of California does not regulate the farmland or agricultural uses on the project site. The CDC's FMMP is a non-regulatory analytical program that is intended to provide a "consistent and impartial analysis of agricultural land use and changes to those uses throughout the state. The Williamson Act is a state-sanctioned program that is enacted by individual counties or cities, including Imperial County. There are no federal regulations pertaining to agricultural land use.

4.1.2.1 State of California

Farmland Mapping and Monitoring Program

The CDC maintains the FMMP as a non-regulatory program of data collection, analysis, and dissemination. The goal of the FMMP is to provide data to decision makers in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. California Government Code Section 65570(b) establishes the program and requires the CDC to collect data on farmland conversion and publish it in biennial reports, and prepare maps in coordination with local jurisdictions.

California Land Conservation (Williamson) Act

The California Land Conservation Act, better known as the Williamson Act, was enacted in 1965. Williamson Act contracts, as they are known, are arrangements whereby private landowners contract with counties and cities to voluntarily restrict land to agricultural and open uses. The vehicle for these agreements is a rolling term 10-year contract (i.e. unless either party files a "notice of nonrenewal" the contract is automatically renewed annually for an additional year). In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market

value. According to a Williamson Act fact sheet, nearly 16.9 million of the state's 29 million acres of farm and ranch land are currently protected under the Williamson Act. (CDC, Williamson Act Questions and Answers, pamphlet, available on CDC website, < http://www.conservation.ca.gov>, accessed May 2008) The State provides the framework for the Williamson Act program, but it is administered by individual counties and cities.

4.1.2.2 Imperial County

Imperial County General Plan and Land Use Ordinance

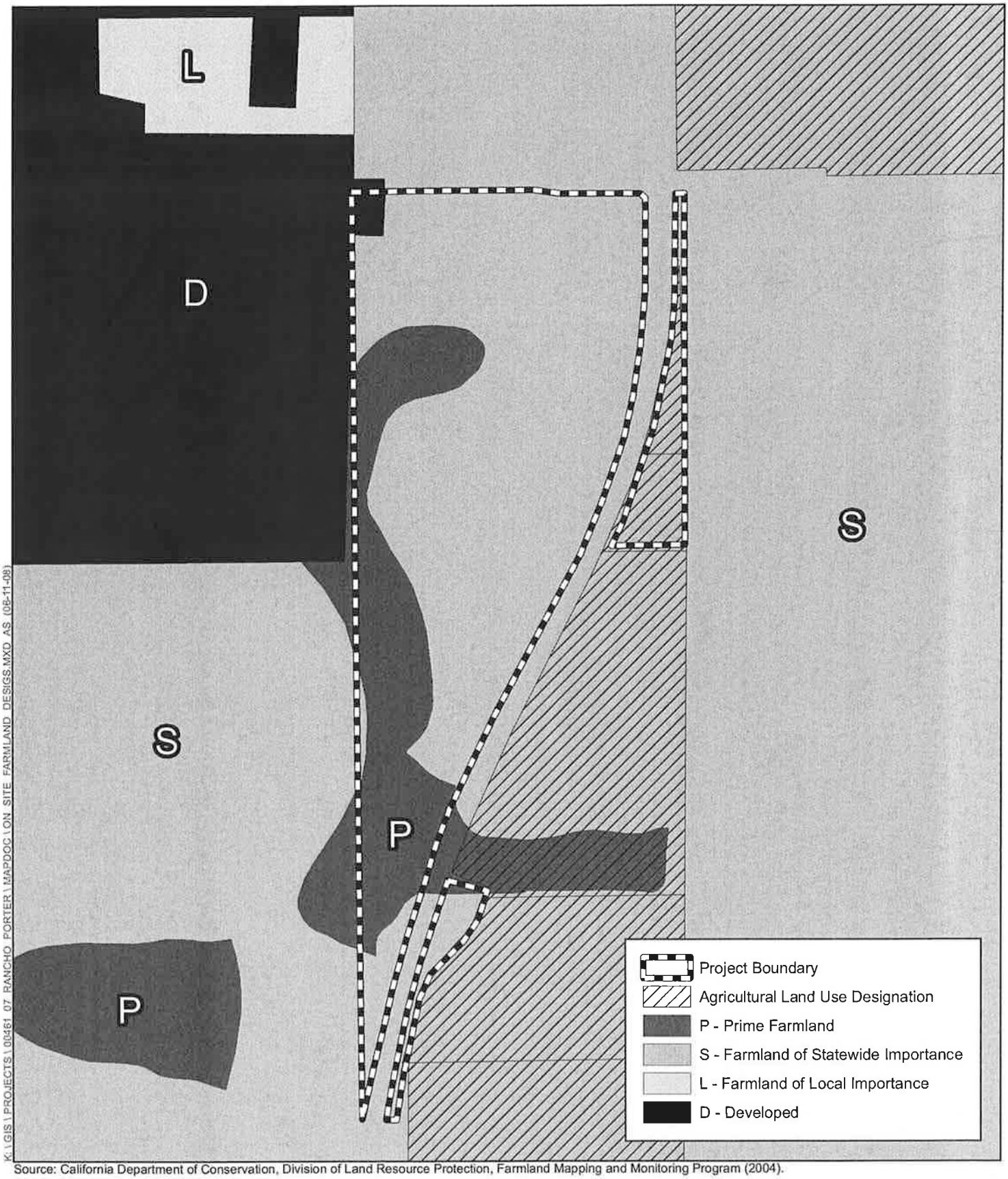
Zoning in Imperial County is defined and assigned pursuant to Title 9 of the Municipal Code, known as the Land Use Ordinance. The ordinance defines four zone designations for agricultural uses, plus two designations for agriculture-related industrial uses. The agricultural zones are A-1, Limited Agriculture (Urban Area only), which allows uses suitable for occurring within larger residential living environments; A-2, General Agriculture, which allows uses suitable for a broader range of agricultural uses that would not need restricting due to their proximity to residences; A-3, Heavy Agriculture, which identifies agriculture-dominated areas and prevents the encroachment of incompatible uses onto and within those agricultural lands; and A-A, Conditional Agriculture, which has not yet been defined. The industrial zones allowing certain agricultural uses, such as farm processing and packaging, are AM-1, Agriculturally Related Light Industrial, and AM-2, Agriculturally Related Medium Industrial.

For County areas that are adjacent to the established corporate boundaries of cities and that are expected to eventually be annexed into those cities and developed, the County assigns the "U" overlay zone, identifying future "Urban Area." Much of the land assigned the "U" overlay is active agricultural land that, through coordination between planning staff of the County and the respective cities, has been identified as suitable for the logical extension of city boundaries and, thus, for removal of the agricultural uses.

As a counterpart to zoning, the County General Plan maintains land use designations to assist planners with future development in the County. The General Plan includes three agricultural designations—light, medium, and heavy—identifying areas where varying levels of intensity in agricultural operations will be allowed. Some agricultural uses are also conditionally acceptable in land assigned certain residential and public-facilities designations.

Agricultural Zoning and Land Use On-Site

The site is currently in the jurisdictional boundaries of the County and in the City's SOI. The majority of the site is designated A-2U, or General Agriculture, Urban Overlay, though the northwest corner of the site is designated M-1NU, Light Industrial, No Residential Overlay, and Urban Overlay. The current agricultural activity on the site, along with the on-site residences associated with the agricultural operations, is compatible with the County's existing zone of A2U, an agricultural designation that accepts ongoing agricultural activity but indicates likely conversion to urban uses as part of planned expansion of the City's urban area. Thus, the County General Plan acknowledges the likely conversion of the project site's agricultural land to non-agricultural uses. The existing agricultural and residential uses in the



Source: California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (2004).

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Figure 4.1-2
On-Site Farmland Designations
Rancho-Porter Project EIR

project site's northwestern corner are incompatible with the M-1NU zoning, but the Urban Area overlay indicates the acknowledgement of future development of this part of the site, too.

Imperial County Right-to-Farm Ordinance

The Imperial County Board of Supervisors approved the "Right-to-Farm" Ordinance in 1990 in recognition of the potential threats to agricultural productivity posed by increased encroachment by non-agricultural uses. Upon adoption of this ordinance, a "notice" was mailed to all owners of real property in Imperial County. The notice is also provided to potential purchasers of property in Imperial County, and is attached to all building permits issued for projects on or within 0.25 mile of agricultural land. The notice states that existing and potential owners of property near agricultural lands may be subject to inconvenience or discomfort from nearby agricultural operations. The notice further states that existing and potential owners must be willing to accept such inconvenience and discomfort as a normal and necessary aspect of living in a county with an active agricultural sector. The ordinance is generally supportive of agricultural activity and clarifies the circumstances under which agricultural operations may be considered a nuisance.

4.1.2.3 City of Brawley

City of Brawley General Plan and Zoning Ordinance

The site is located within the City's Sphere of Influence boundaries, meaning it is anticipated for annexation into the City, consistent with the County's "U" overlay. The City General Plan maintains an agricultural land use designation, but this only applies to portions of its Sphere of Influence and outside the corporate boundaries, and most land within the City's Sphere of Influence is designated for urban development.

The Land Use Element, Resource Management Element, and Open Space/Recreation Element of the General Plan present several goals, objectives, and policies related to agricultural resources, and spell out the City's overall goal to minimize the loss of agricultural land (RME Goal 8), while adopting several agricultural planning features such as buffer areas, preventing "leap-frog" and "checkerboard" development patterns, and maintenance of adequate circulation routes for agricultural transport. Through these planning features, the General Plan seeks not only to limit the unnecessary conversion of agricultural land, but to minimize the indirect impacts on ongoing operations from expanding and encroaching urban development. In sum, the City General Plan acknowledges the importance of agricultural land to the local, regional, and state economy, and balances the need to maintain this regional agricultural production with the necessity to expand residential and commercial development, which is required to serve projected increases in housing demand and to maintain a diverse economy for the City and region. Applicable General Plan goals and policies related to agriculture are summarized below.

> **LUE Policy 7.1.3**: Establish regulations to reduce conflicts between agricultural and adjacent or nearby non-agricultural uses resulting from the use of agricultural machinery, agricultural product or by-product processing, pest control techniques, etc., which does not conflict with the County's Right to Farm Ordinance.

RME Goal 8: Minimize the Loss of Agricultural Lands

RME Objective 8.1: Conserve and protect designated agricultural lands and plan for their continued use

RME Policy 8.1.1: All Important Farmland, including the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance, as defined by State and Federal agencies, outside the City's boundaries should be reserved for agricultural uses.

RME Policy 8.1.2: Encourage infill development and establish buffers between agricultural and non-agricultural uses.

RME Policy 8.1.3: Provide "adequate circulation routes for the transport of agricultural products and machinery."

RME Policy 8.1.5: Limit the introduction of conflicting uses into farming areas, including residential development of existing parcels, which may create the potential for conflict with continued agricultural use of adjacent property.

RME Policy 8.1.6: Prohibit "leapfrogging" or checkerboard patterns of non-agricultural development in designated agricultural areas.

RME Policy 8.1.8: Proposed development must be contiguous to the City's boundary, and must be sequential and orderly.

RME Objective 8.2: Manage the production of economically valuable agricultural resources to achieve a balance between current market forces and long-term community values.

RME Policy 8.2.1: Support the County's Right to Farm Ordinance.

OSRE Policy 2.1.1: Provide adequate buffers between residential and agricultural land uses.

Agricultural Zoning & Land Use On-Site

The City General Plan designates the project site as primarily Low-Density Residential, with a patch of Commercial-designated land in the site's northeastern corner. Agricultural operations of the scale currently conducted on the site are not allowed in either of these land use designations, and the City General Plan's intention to convert the site to developed uses is compatible with the County's future urban-boundary zoning.

The City of Brawley has zoned the project site as Planned Development. While agricultural uses are currently on-site, the site is zoned to allow future residential, commercial, and open space uses.

4.1.3 Impact Analysis

4.1.3.1 Methodology

Farmland Mapping and Monitoring Program Designation

As noted in the existing agricultural setting above, the majority of the project site is assigned the FMMP designation of Farmland of Statewide Importance, with a smaller area of Prime Farmland where the high-quality soil is located (Figure 4.1-2). Prime Farmland on the site totals approximately 45.2 acres, or 16 percent of the site, with the remaining 231.6 acres, or 84 percent of the site, designated as Farmland of Statewide Importance. Both of these FMMP designations are considered "Important Farmland" by the CDC. Prime Farmland is defined by the CDC as land with the best combination of physical and chemical characteristics for the production of crops. Farmland of Statewide Importance is land with a good combination of physical and chemical characteristics for the production of crops, but a step below the level of quality of Prime Farmland. The impact analysis uses the FMMP designations in the discussion below.

LESA Model

Because the project site is currently involved in cultivation of row crops, a LESA[2] analysis was prepared for the site, following guidelines established by the California Resources Agency, to help determine the impact of removing the land from agricultural production. The LESA Model Analysis Report, prepared in January 2009 by Development Design & Engineering, is summarized below and included in this EIR as Appendix C.

The LESA Model consists of two components: land evaluation (LE) and site assessment (SA). The LE score consists of the Land Capability Classification Rating (LCC) and the Storie Index Rating for on-site soils, which quantify the general suitability of the land and its soils for agricultural purposes. The SA score consists of four factors: the acreage of the Project, water resource availability, surrounding agricultural land, and surrounding protected resource land. This later series of ratings looks at the bigger picture of a site's agricultural viability, rating the land in terms of its context. The LE and the SA components, each of which have a maximum score of 50, are tallied to a final LESA score, with a maximum of 100.

Williamson Act Contracts

The California Land Conservation Act of 1965 – commonly referred to as the Williamson Act – enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use in return for reductions in property tax assessments. Review of the Williamson Act records indicates that none of the parcels making up the

[2] A brief description of the LESA methodology for determining significant agricultural resources is provided below in the "Thresholds of Significance" discussion.