APPENDIX A

Notice of Preparation / Public Scoping

A-1 NOP/Initial Study
A-2 Public Scoping Meeting
A-3 Public Comments Received

This page intentionally left blank.

A-1 Notice of Preparation / Initial Study

This page intentionally left blank.

Imperial County
Planning & Development Services Department
NOTICE OF PREPARATION OF DRAFT SUPPLEMENTAL EIR TO THE MCCABE RANCH II SPECIFIC PLAN EIR FOR THE MCCABE RANCH II TRACT MAP 994 PROJECT AND NOTICE OF PUBLIC SCOPING MEETING

The Imperial County Planning & Development Services Department intends to prepare a Supplement Environmental Impact Report (SEIR) to the McCabe Ranch II Specific Plan Environmental Impact Report (SCH No. 2008111037) for the proposed McCabe Ranch II Tract Map 994 (Project) in accordance with current County of Imperial Guidelines for the Implementation of the California Environmental Quality Act (CEQA) of 1970 and the State CEQA Guidelines, as described below. The Supplemental EIR will tier off the McCabe Ranch II Specific Plan EIR, which was certified by the County of Imperial in December 2010.

A public scoping meeting for the proposed Supplemental EIR will be held by the Imperial County Planning & Development Services Department at 6:00 PM on June 13, 2024. The scoping meeting will be held at the Board of Supervisors Chambers, 2nd Floor, County Administration Center located at 940 Main Street, El Centro, CA 92243. Comments regarding the scope of the SEIR will be accepted at this meeting. Additionally, comments may be sent to the Planning & Development Services Department, 801 Main Street, El Centro, California 92243, attention Jim Minnick, Director.

PROJECT BACKGROUND: The McCabe Ranch II Specific Plan (SP07-004), which established a framework for the development of a variety of land uses within the approximately 468-acre Specific Plan Area (SPA), was approved by the Imperial County Board of Supervisors (Board) in December 2010. Additionally the Board approved a related Subdivision Tentative Map (TR 00979), which has subsequently expired. As part of the Specific Plan approval, the Board also certified the Final Environmental Impact Report (2010 Final EIR), Mitigation and Monitoring Program (MMRP) and CEQA Findings. The previously certified 2010 Final EIR (2010 Previous FEIR) analyzed the direct, indirect and cumulative changes to the physical environment that would result from development of a maximum of 2,300 single- and multiple-family dwelling units; 19.2-acres of parks; an 8.4-acre business park; 3.2 acres of commercial uses; two (2) elementary school sites for the McCabe Unified and Heber Unified School Districts (28.5 acres combined) and associated public improvements within the McCabe Ranch II SPA [(1)].

SUBJECT: McCabe Ranch II Tract Map 994 Project

BOARD OF SUPERVISORS CONSIDERATION: Spring 2025.

[1] Source: McCabe Ranch II Specific Plan Final Environmental Impact Report, Table 3.0-1, Proposed Land Uses. County of Imperial, 2010.

PROJECT LOCATION: McCabe Ranch II Tract Map 994 Project site is an approximately 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area generally located north of the Community of Heber and south of the City of El Centro, in the County of Imperial, California (see **Figure 1, Regional Location and Figure 2, Project Location**). The McCabe Ranch II Tract Map 994 Project site is bounded by McCabe Road on the north, Dogwood Road on the east, State Route 86 (SR-86) on the west, and the western extension of Correll Road on the south. The McCabe Ranch II Tract Map 994 Project site is located in Section 20, Range 14 East, Township 16 South within the U.S. Geological Survey (USGS) Heber, California 7.5-minute topographic.

PROJECT DESCRIPTION: McCabe Ranch Realty, LLC (Applicant) is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements (**Figure 3, Proposed McCabe Ranch II Tract Map 994**). The McCabe Ranch II Tract Map 994 (Project or proposed Project) is comprised of four (4) parcels; County of Imperial Assessor Parcel Numbers (APNs) 054-130-072, 054-130-076, 054-130-077, and 054-130-078. The Imperial Irrigation District's Date Drain No. 3 and Dogwood Canal both traverse the Project area in a north-south direction.

Development of the proposed McCabe Ranch II Tract Map 994 is proposed to occur in phases (Phase 1A, 1B, 2A, 2B, 3A, 3B, 3C) over a 14 year period between 2025 and 2039 as shown on **Figure 4, Proposed Phasing Plan**. A detailed breakdown of development by phase for the proposed McCabe Ranch II Tract Map 994 is presented on **Table 1**. Development within that portion of the McCabe Ranch II Specific Plan area outside of Tract Map 994, may develop prior to, concurrently with, or subsequent to the Tract Map 994 and is denoted as Phase 4. **Table 2** provides a summary of proposed land uses within the entirety of the Specific Plan Area

The development phasing for of the McCabe Ranch II Tract Map 994, and for the Phase 4 area differs from that identified in the adopted McCabe Ranch II Specific Plan. For this reason, an amendment to the McCabe Ranch II Specific Plan is also proposed. Land uses included in the McCabe Ranch II Specific Plan are shown on **Figure 5**.

Sewer, water, park maintenance, and landscape and lighting maintenance services would be provided by the Heber Public Utility District (HPUD). However, in order for services to be provided, the Specific Plan Area must be annexed into the HPUD. The Project also includes a Development Agreement with the County of Imperial related to the 351.2-ac portion controlled by McCabe Ranch Realty LLC pursuant to Imperial County Land Use Ordinance Title 9, Division 23. The annexation and Development Agreement will also be addressed in the Supplemental EIR.

DESIGNATED AREA PLAN: The Project site is designated as SP (Specific Plan Area) by the General Plan and zoned as Mc Ra 2 SPA (McCabe Ranch II Specific Plan).

BOARD OF SUPERVISORS DISTRICT: District 2, Supervisor, Luis A. Plancarte

ANTICIPATED SIGNIFICANT EFFECTS: The Supplemental EIR will analyze potential impacts associated with the following: Air Quality, Biological Resources, Energy Conservation, Greenhouse Gas Emissions, Land Use and Planning, Noise, Public Services, Transportation/Traffic, Tribal Cultural Resources, Utilities and Service Systems and Wildfire.

Potential impacts to Aesthetics, Agricultural, Cultural and Paleontological Resources, Geology and Soils, Hazard and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Population and Housing, and Recreation will also be evaluated in the Supplemental EIR. Impacts to these resources are anticipated to similar to those identified in the 2010 Previous Final EIR.

COMMENTS REQUESTED: The Imperial County Planning & Development Services Department would like to know your ideas about the effects this project might have on the environment and your suggestions as to alternatives, mitigation or ways the project may be revised to reduce or avoid any significant environmental impacts. Your comments will guide the scope and content of environmental issues to be examined in the Supplemental EIR . Your comments may be submitted in writing to: Jim Minnick, Director, Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA 92243. Available project information may be reviewed at this location. Due to the limits mandated by State law, your response must be sent at the earliest possible date but no later than June 18, 2024.

NOTICE OF PREPARATION REVIEW PERIOD: May 20, 2024 through June 24, 2024.

TABLE 1. DETAILED DEVELOPMENT BY PHASE, MCCABE RANCH II TRACT MAP 994

PROPOSED LAND USES		PHASE 1 (a)		PHASE 2 (a)		PHASE 3 (a)			TOTALS
		1A	1B	2A	2B	3A	3B	3C	
Development Year		2025 - 2026	2026 -2027	2029 - 2031	2032 - 2033	2034 - 2035	2036 - 2037	2038 - 2039	
RESIDENTIAL DEVELOPMENT									DUs
Single-Family	Density								
Traditional Single Family	5 DU/AC	-0-	-0-	160	134	151	-0-	88	533
Small Lot Single-Family	7 DU/AC	-0-	157	100	-0-	-0-	-0-	-0-	257
Flex Lot Single-Family	9 DU/AC	157	-0-	-0-	-0-	-0-	88	-0-	245
Mini Estate	3 DU/AC	-0-	-0-	-0-	-0-	-0-	-0-	19	19
Estate Lot	2 DU/AC	-0-	-0-	-0-	25	-0-	-0-	-0-	25
Single-Family Subtotal		157	157	260	159	151	88	107	1,079
Multi-Family	Density								
Multi-Family 1 (NW Corner)	20 DU/AC	-0-	-0-	-0-	196	-0-	-0-	-0-	196
Multi-Family 2 (NE Corner)	19 DU/AC	-0-	-0-	-0-	-0-	-0-	335	-0-	335
Multi-Family 3	22 DU/AC	-0-	-0-	-0-	-0-	-0-	-0-	-0-	0
Multi-Family Subtotal		-0-	-0-	196	-0-	151	335	-0-	-0-
TOTAL RESIDENTIAL		157	157	260	355	151	423	107	1,610
NON - RESIDENTIAL DEVELOPMENT									Acres
McCabe Elementary (K-5) School Site		-0-	-0-	12.3	-0-	-0-	-0-	-0-	12.3
Commercial		-0-	-0-	-0-	-0-	-0-	-0-	3.14	-0-
Business Park		-0-	-0-	-0-	-0-	-0-	-0-	-0-	- 0 -
Park/Detention/Greenbelt (inc. IID Easement)		-0-	-0-	-0-	-0-	-0-	-0-	-0-	38.78
Major Collector Roads		-0-	-0-	-0-	-0-	-0-	-0-	-0-	48.3

Notes: (a) Denotes property controlled by McCabe Ranch Realty, LLC. Included in TM 994.
DU = Dwelling Units. AC = Acres -0- = No development during this phase

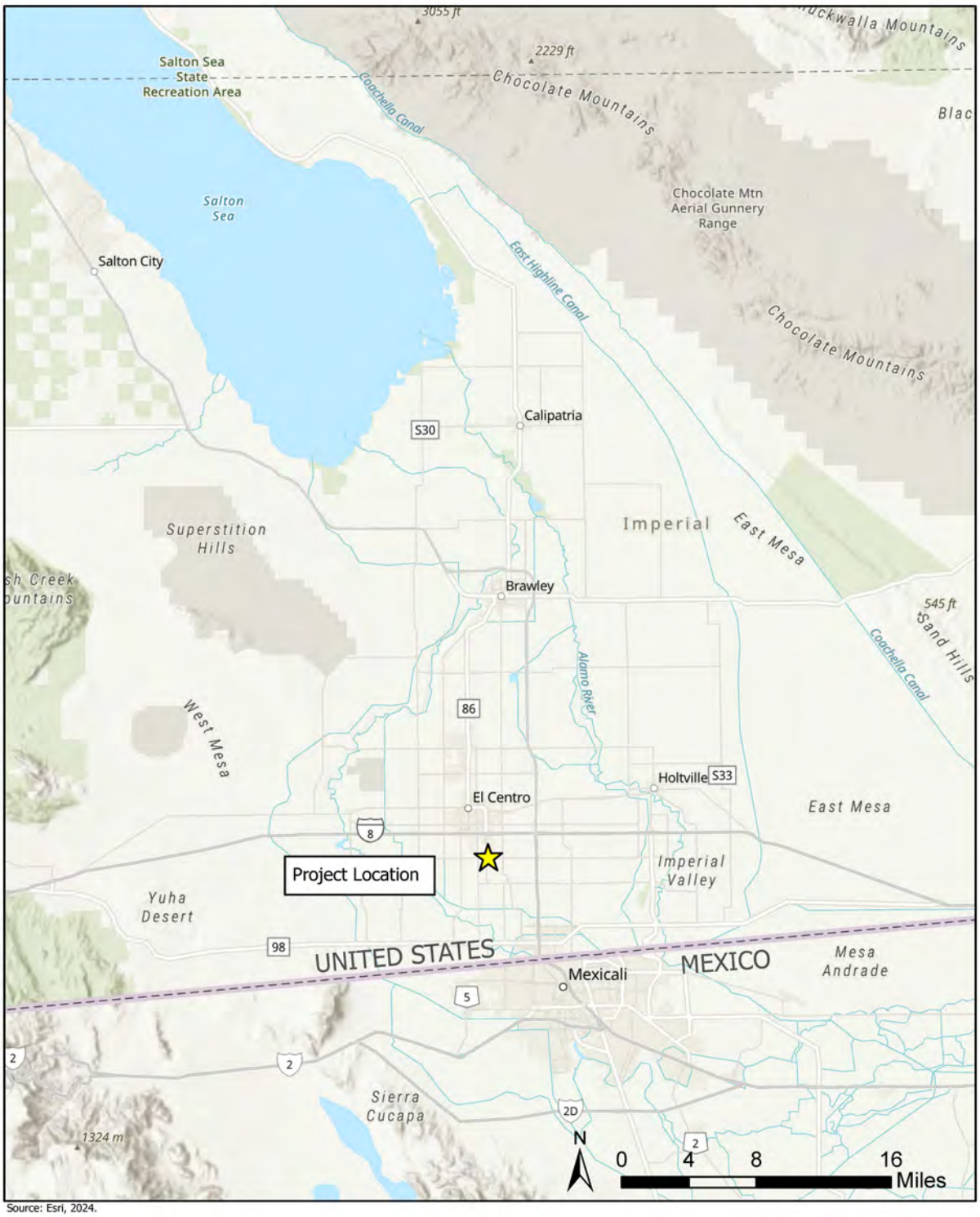
Source: McCabe Ranch Realty, April 2024.

TABLE 2. **SUMMARY OF LAND USES WITHIN MCCABE RANCH II SPECIFIC PLAN AREA(1)**

Land Use	Approx. Gross Acres	% of Total Specific Plan Area	Dwelling Units
Residential Uses			
Traditional Lot – Single Family (5,000 SF+)	121.46	25.9	569
Small Lot – Single Family (4,000 SF – 5,000 SF)	58.02	12.4	406
Flex Lot – Single Family (2,000 SF – 4,000 SF)	65.54	14.0	482
Mini-Estate Lot – Single Family (9,000 SF+)	6.72	1.5	19
Estate Lot – Single Family (20,000 SF+)	19.85	4.2	25
Single Family Subtotal	271.59	58.0	1,501
Multi-Family 1 (Northwest Corner)	9.82	2.0	196
Multi-Family 2 (Northeast Corner)	17.57	3.8	335
Multi-Family 3	12.2	2.6	268
Multi-Family Subtotal	39.59	8.4	799
Residential Uses Subtotal	*311.18*	*66.4*	*2,300*
Non-Residential Uses			
Business Park	9.41	2.0	-0-
Commercial	3.14	0.7	-0-
Elementary School Site (McCabe)	12.3	2.6	-0-
Elementary School Site (Heber)	16.29	3.5	-0-
Non-Residential Uses Subtotal	***41.14***	***8.8***	
Open Spaces/Recreation			
Parks / Detention / Greenbelts (incl IID easement)	62.3	13.3	
Open Space/Recreation Subtotal	**62.38**	**13.3**	
Major Collector Roads Subtotal	**53.62**	**11.5**	
GRAND TOTAL	**468.32**	**100**	**2,300**

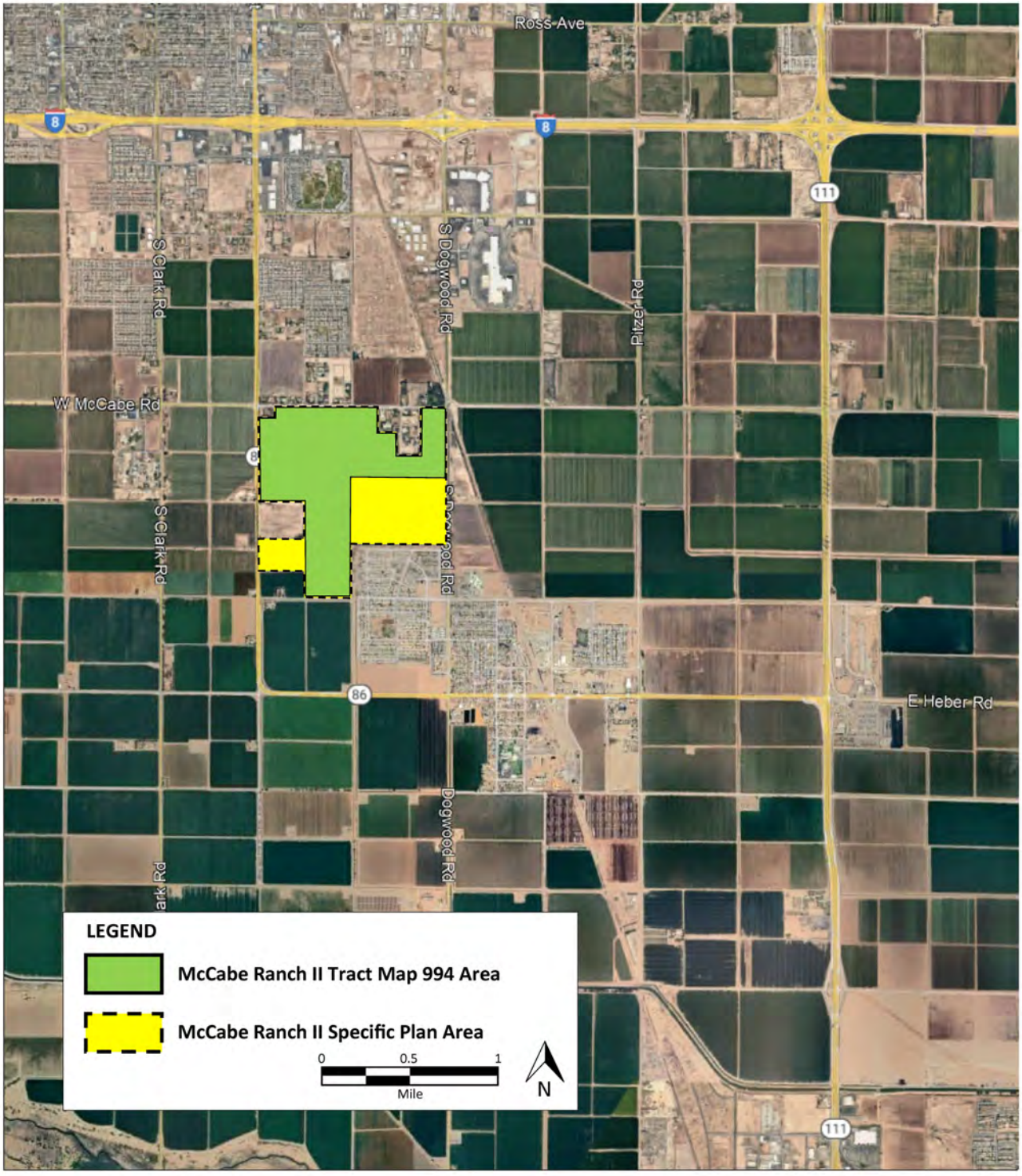
Notes: (a) Includes properties controlled by McCabe Ranch Realty, LLC. (McCabe Ranch II TM 994) as well as property under separate ownership (not controlled by McCabe Ranch Realty LLC).

Source: McCabe Realty, LLC, April 2024.



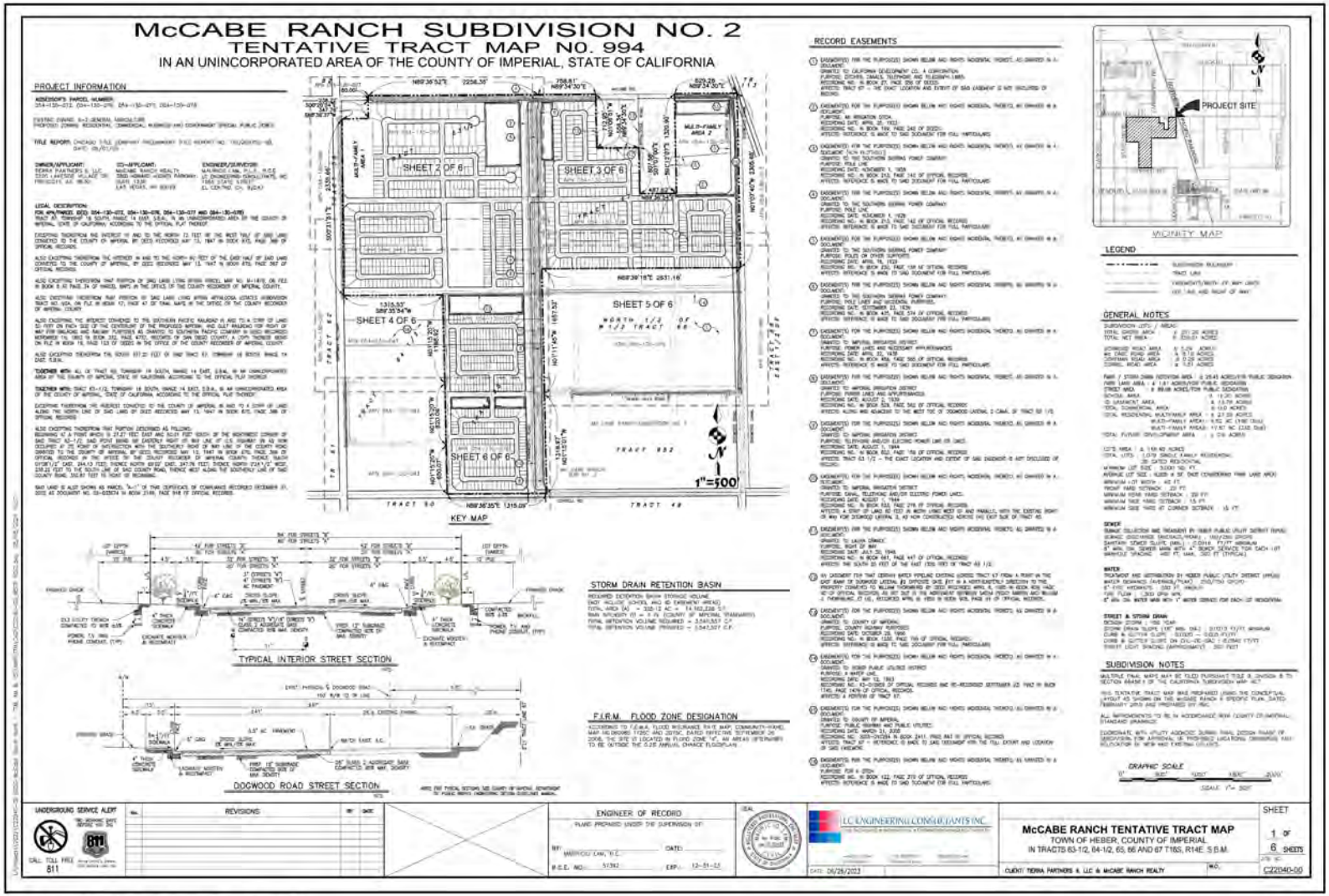
Source: Esri, 2024.

Regional Location
McCabe Ranch II Tract Map 994 (TR000994)
Figure 1



Source: McCabe Realty, LLC, 2024

Project Location Map
McCabe Ranch II Tract Map 994 (TR000994)
Figure 2



Source: McCabe Ranch Realty, LLC, 2024.

Proposed Tract Map
McCabe Ranch II Tract Map 994
(TR000994) Figure 3

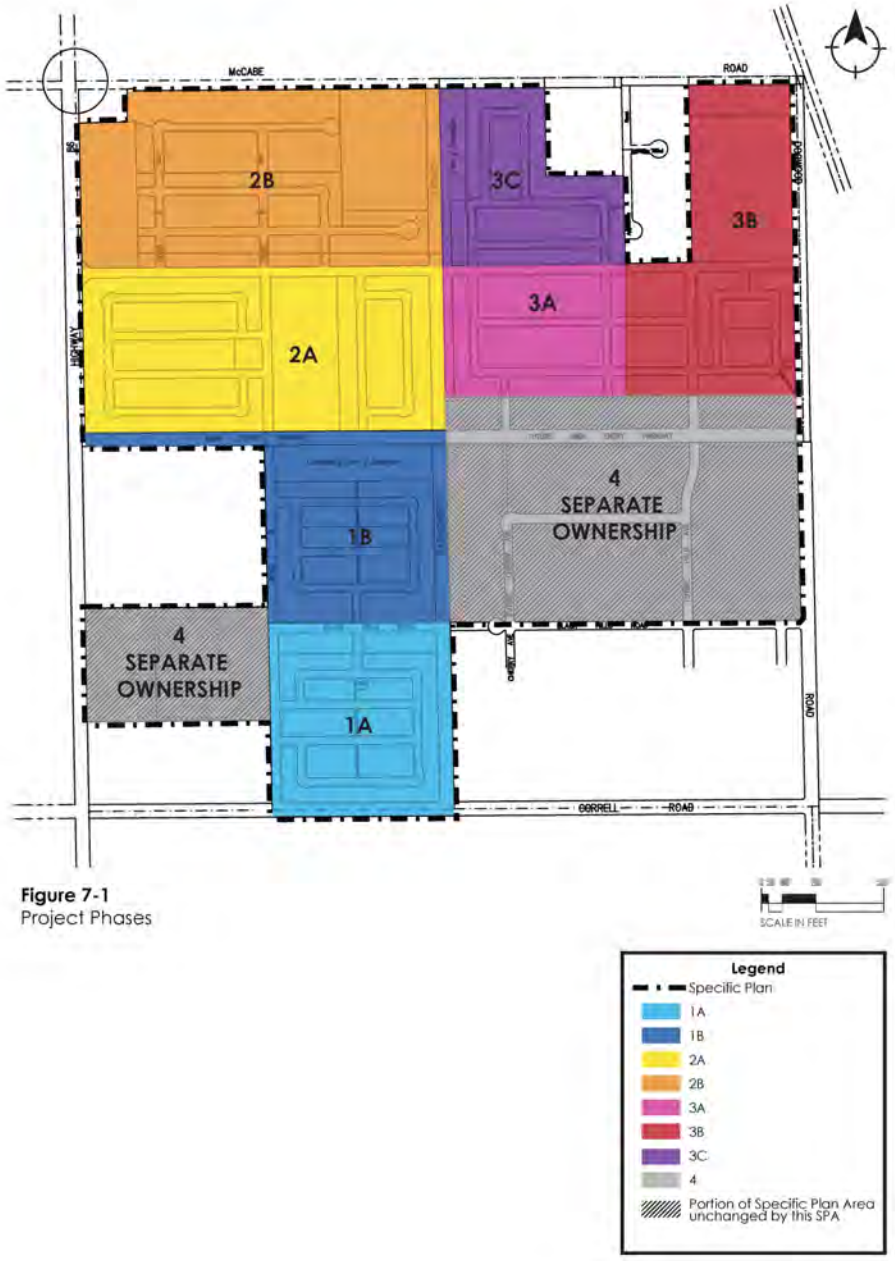


Figure 7-1
Project Phases

Source: McCabe Realty, LLC, 2024

Proposed Phasing Plan McCabe Ranch II Tract Map 994 (TR000994)
Figure 4



Figure 2-1
Specific Plan Land Use

Source: McCabe Realty, LLC, 2024

McCabe Ranch II Specific Plan Land Uses
McCabe Ranch II Tract Map 994 (TR000994)
Figure 5

Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Samuel Assefa
Director

Memorandum

Date: May 30, 2024

To: All Reviewing Agencies

From: Samuel Assefa, Director

Re: SCH # **2024050879**
McCabe Ranch II Tract Map 994

The Lead Agency has added some additional information to this project. Refer to the attachment(s) **_NOP McCabe Ranch II TM 994 (May 2024)V2**. All other project information remains the same.

.

May 29, 2024

OPR State Clearinghouse

Laryssa Alvarado, Administrative Secretary

NOP Document addition to McCabe Ranch II SCH #2024050879

To Whom It May Concern:

Attached hereto please find Notice of Preparation to be added to already submitted docs for SCH # referenced above for McCabe Ranch II TM 994. When uploading the NOP to your website, I mistakenly forgot to upload the Notice of Preparation attachment hence the reason for this request. Nothing else of the published document needs to be changed or corrected. Should you have any questions, please contact me at laryssaalvarado@co.imperial.ca.us or at 442-265-1767. Thank you.

Initial Study

For:

McCabe Ranch II Tract Map 994 (TR00094)
Specific Plan Amendment #24-0001

Prepared By:

COUNTY OF IMPERIAL

Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
www.icpds.com

May 2024

This page intentionally left blank.

TABLE OF CONTENTS

SECTION			PAGE
SECTION I.	INTRODUCTION		1
	A.	PURPOSE	1
	B.	CEQA REQUIREMENTS AND THE IMPERIAL COUNTY "GUIDELINES AND REGULATIONS TO IMPLEMENT CEQA AS AMENDED"	1
	C.	INTENDED USES OF INITIAL STUDY	2
	D.	CONTENTS OF INITIAL STUDY	2
	E.	SCOPE OF ENVIRONMENTAL ANALYSIS	3
	F.	POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS	4
	G.	TIERED DOCUMENTS AND INCORPORATION BY REFERENCE	4
SECTION II.	ENVIRONMENTAL CHECKLIST		7
	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:		12
	ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION		12
	PROJECT SUMMARY		13
	Project Background		*13*
	Project Description		*13*
	EVALUATION OF ENVIRONMENTAL IMPACTS:		23
	I.	*AESTHETICS*	*24*
	II.	*AGRICULTURAL AND FOREST RESOURCES*	*25*
	III.	*AIR QUALITY*	*26*
	IV.	*BIOLOGICAL RESOURCES*	*27*
	V.	*CULTURAL RESOURCES*	*29*
	VI.	*ENERGY*	*30*
	VII.	*GEOLOGY AND SOILS.*	*31*
	VIII.	*GREENHOUSE GAS EMISSIONS*	*33*
	IX.	*HAZARDS AND HAZARDOUS MATERIALS*	*34*
	X.	*HYDROLOGY AND WATER QUALITY*	*35*
	XI.	*LAND USE AND PLANNING*	*37*
	XII.	*MINERAL RESOURCES*	*38*
	XIII.	*NOISE*	*39*
	XIV.	*POPULATION AND HOUSING*	*40*
	XV.	*PUBLIC SERVICES*	*41*
	XVI.	*RECREATION*	*42*

XVII. TRANSPORTATION / TRAFFIC 43
XVIII. TRIBAL CULTURAL RESOURCES 44
XIX. UTILITIES AND SERVICE SYSTEMS 45
XX. WILDFIRE 46
XXI. MANDATORY FINDINGS OF SIGNIFICANCE 47
SECTION IV. PERSONS & ORGANIZATIONS CONSULTED/ REFERENCES 50
A. PERSONS & ORGANIZATIONS CONSULTED 50
County Of Imperial 50
B LIST OF PREPARERS 50
SECTION V. REFERENCES 51

FIGURES

FIGURE PAGE

Figure 1 Regional Location 17
Figure 2 Project Location 18
Figure 3 Proposed Tract Map 994 19
Figure 4 Proposed Phasing Plan 20
Figure 5 McCabe Ranch II Specific Plan Land Uses 21

TABLES

TABLE PAGE

Table 1 Existing Land Uses, Zone Classification and General Plan Designation 8
Table 2 Potential Consultation and Permitting Requirements 9
Table 3 Detailed Development By Phase, McCabe Ranch II Tract Map 994 15
Table 4 Summary of Land Uses within McCabe Ranch II Specific Plan 16

SECTION I. INTRODUCTION

A. PURPOSE

This document is a ☐ policy-level; ☒ project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Project.

B. CEQA REQUIREMENTS AND THE IMPERIAL COUNTY "GUIDELINES AND REGULATIONS TO IMPLEMENT CEQA AS AMENDED"

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

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

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

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

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

☒ According to Section 15162, a Supplemental to an EIR (Supplemental EIR) is deemed appropriate when an EIR has been certified for a project, and the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following conditions occur:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Initial Study has determined that substantial changes are proposed in the project and there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previously certified Final Environmental Impact Report (SCH No. 2008111037) for the proposed McCabe Ranch II Specific Plan. Therefore, a Supplemental EIR is deemed as the appropriate document to provide necessary environmental evaluation.

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

C. INTENDED USES OF INITIAL STUDY

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

The Initial Study and Notice of Preparation, is prepared for the project, will be circulated for a period of 35 days for public and agency review and comments.

D. CONTENTS OF INITIAL STUDY

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

SECTION I

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

SECTION II

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

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

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

SECTION III

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

IV. PERSONS AND ORGANIZATION CONSULTED identifies those persons consulted and involved in preparation of this Initial Study.

V. REFERENCES lists bibliographical materials use in the preparation of this document.

VI. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING AND REPORTING PROGRAM (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are five (5) possible responses, including:

1. Substantial Change in Project Requiring Major EIR Revisions: applies when substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. When a checklist question receives this response, a subsequent or supplemental EIR must be prepared.

2. Substantial Change in Circumstances Requiring Major EIR Revisions: applies where substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. When a checklist question receives this response, a subsequent or supplemental EIR must be prepared.

3. New Information Showing Potentially New or Increased Significant Effects: applies where new information, including regulatory changes, results in a potentially significant new impact or a potential increase in the severity of a previously identified significant effect. When a checklist question receives this response, a subsequent or supplemental EIR must be prepared.

4. Less Than Significant Impact/No Changes or New Information Requiring Preparation of an EIR: some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. No additional environmental analysis is required beyond that provided in the certified EIR.

5. No Impact applies where a project does not create an impact in that category. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one proposed (e.g., the project falls outside of a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.

F. POLICY-LEVEL OR PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

(1) Were not examined as significant effects on the environment in the prior EIR; or

(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines, Section 15150[a]). The General Plan EIR is available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243, phone (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243; phone (442) 265-1736.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the 1993 County of Imperial General Plan Final EIR is SCH #93011023.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).

SECTION II. ENVIRONMENTAL CHECKLIST

1. Project Title:	McCabe Ranch II Tract Map 994
2. Lead Agency Name and Address:	Imperial County Planning & Development Services Department
3. Contact Person and Phone Number:	David Black, Planner IV, 442-265-1736
4. Address:	801 Main Street, El Centro CA, 92243
5. E-mail:	DavidBlack@co.imperial.ca.us

6. Project Location: McCabe Ranch II Tract Map 994 Project site is an approximately 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area located in the general area north of the Community of Heber and south of the City of El Centro, in the County of Imperial, California (Figure 1, Regional Location). The McCabe Ranch II Tract Map 994 Project site is bounded by McCabe Road on the north, Dogwood Road on the east, State Route 86 (SR-86) on the west, and the western extension of Correll Road on the south. The proposed Tract Map is bisected by the Imperial Irrigation District's Date Drain No. 3 and Dogwood Canal and is located in Section 20, Range 14 East, Township 16 South San Bernardino Base Meridian within the U.S. Geological Survey (USGS) Heber, California 7.5-minute topographic map.

7. Project Sponsor's Name and Address:	McCabe Ranch Realty, LLC 3800 Howard Hughes Parkway, Suite 1230 Las Vegas, NV 89169
8. General Plan Designation:	SP (Specific Plan Area)
9. Zoning:	Mc Ra 2 SPA (McCabe Ranch II Specific Plan)

10. Description of Project:

McCabe Ranch Realty, LLC (Applicant) is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 12.3-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements. The McCabe Ranch II Tract Map 994 Project site is an approximately 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area generally located north of the Community of Heber and south of the City of El Centro, in the County of Imperial, California (see Figure 1, Regional Location and Figure 2, Project Location). It is bounded by McCabe Road on the north, Dogwood Road on the east, State Route 86 (SR-86) on the west, and the western extension of Correll Road on the south. The McCabe Ranch II Tract Map 994 Project site is located in Section 20, Range 14 East, Township 16 South within the U.S. Geological Survey (USGS) Heber, California 7.5-minute topographic.

The McCabe Ranch II Tract Map 994 (Project or proposed Project) is comprised of four (4) parcels; County of Imperial Assessor Parcel Numbers (APNs) 054-130-072, 054-130-076, 054-130-077, and 054-130-078. The Imperial Irrigation District's Date Drain No. 3 and Dogwood Canal both traverse the Project area in a north-south direction (Figure 3, Proposed McCabe Ranch II Tract Map 994).

Development of the Tract Map will require an amendment to the McCabe Ranch II Specific Plan, annexation to the Heber Public Utilities District. McCabe Ranch Realty, LLC also proposes to enter into a Development Agreement with the County.

11. Surrounding Land Uses and Setting:

The McCabe Ranch II Tract Map 994 Project site is an approximately 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area (Specific Plan Area). The Specific Plan area is approximately 468 acres in size and is currently in multiple ownerships. McCabe Ranch Realty LLC is under ownership contract with the current owner, Tierra Partners LLC, of approximately 345 acres of the 468-acre total, consisting of APNs 054-130-078, 054-130-072, 054-130-077, and 054-130-076. The properties identified as APNs 054-130-079 and 054-130-042 are held in separate ownerships.

The Specific Plan Area consists of generally flat terrain with very gently topography sloping to the northwest. The site elevation is approximately 19 to 23 feet below mean sea level (msl). The area is under various phases of active cultivation with agricultural crops and contains canals and drains that are utilized to transport water to and from the agricultural fields. One lateral canal (the Dogwood lateral) and one drain (Date Drain #3) traverse the area in a north-south direction. Adjacent to Date Drain #3 is an above ground utility line owned by the Imperial Irrigation District that generally serves the area. Adjacent to both sides of the canal are unpaved access roads. The Date Drain #3-A runs in an east-west direction through the western half of the site in the approximate alignment of Black Hills Road.

Surrounding land uses include agricultural lands to the east and west of the Project site. There are several scattered single family residential structures to the northwest, northeast, and west. The residential subdivision known as "McCabe Ranch I Specific Plan" abuts the Project site on the south and east, and there is a small cluster of homes located along McCabe Road. The Heber Essential Services Facility housing, the Heber Public Utility District (HPUD), and the County Fire Department are located approximately one mile to the south along the eastside of Dogwood Road. HPUD's water treatment plant is located east and south of the Heber Essentials Facility

Existing land uses on and surrounding the Project site are presented on Table -1.

TABLE 1: EXISTING LAND USES, ZONE CLASSIFICATION AND GENERAL PLAN DESIGNATION

Direction	Existing Land Uses	Zoning	General Plan
Project Site	Agriculture	Mc Ra 2 SPA	Specific Plan
North	Agriculture and Residential	A-1-U and A-2-U	Urban Area
South	Agriculture and Residential	A-2-G-SPA	Specific Plan
East	Agriculture	A-2-SPA	Specific Plan
West	Agriculture	A-2	Agriculture

12. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement):

The federal, state and local permits and consultations that may be required for the Project are listed on Table -2.

TABLE 2. POTENTIAL CONSULTATION AND PERMITTING REQUIREMENTS

Jurisdiction Level	Type of Permit/Approval	Agency	Purpose
Federal	Section 404 of the Federal Clean Water Act Permit	U.S. Army Corps of Engineers (USACE)	Regulates discharge of dredged and/or fill material into Waters of the United States.
Federal	Endangered Species Act (ESA) Section 7 Consultation	U.S. Fish and Wildlife Service (USFWS)	Required for any activity that may affect a federally listed endangered or threatened species or designated critical habitat.
State	Review of Hazardous Materials Business Plan and hazardous materials transportation plans.	California Department of Toxic Substances Control (DTSC)	Required for industrial developments' potential use and/or transport of hazardous materials.
State	1602 Lake and Streambed Alteration Agreement	California Dept. of Fish & Wildlife (CDFW)	Required for construction activities in or adjacent to rivers, streams, lakes, wetlands and waterbodies
State	California Streets and Highways Code 660 to 711.21, California Code of Regulations (CCR) 1411.1 to 1411.6	Caltrans, District 11	▪ Encroachment permit(s) for any encroachment or any improvements to SR-86, SR-111 or I-8 (if needed). ▪ Traffic Control Plans ▪ Permits required for oversized and/or overweight truckloads that exceed legal load limits
State	Construction Stormwater General Permit (Order No. 2022-0057-DWQ NPDES No. CAS000002 as amended).	Regional Water Quality Control Board, Colorado River Basin, Region 7	▪ Management of stormwater during construction. Preparation and implementation of Stormwater Pollution Prevention Plans (SWPPPs). ▪ Notice of Intent (NOI) to obtain covered under the general permit.
State	401 Water Quality Certification, Waste Discharge Requirements, and/or Waivers of Waste Discharge Requirements	Regional Water Quality Control Board, Colorado River Basin, Region 7	Required for dredge or fill activities that may result in discharges of pollutants to Waters of the United States or Waters of the State

TABLE 2. POTENTIAL CONSULTATION AND PERMITTING REQUIREMENTS

Jurisdiction Level	Type of Permit/Approval	Agency	Purpose
Local	Specific Plan Amendment	Imperial County Board of Supervisors	Approval of modifications to adopted 2010 McCabe Ranch II Specific Plan
Local	Approval of Tentative Tract Map 994	Imperial County Planning and Development Services Department (ICPDSD)	Required for subdivision
Local	Approval of a Development Agreement with the County of Imperial related to the 351.2-ac portion controlled by McCabe Ranch Realty LLC.	County of Imperial	Require pursuant to Imperial County Land Use Ordinance Title 9, Division 23.
Local	Encroachment Permit	Imperial Irrigation District (IID)	Required for encroachment upon existing and proposed IID facilities and or rights of way (if any)
Local	▪ Authority to Construct ▪ Permit for New Stationary Source(s) ▪ Rule 207 Review; ▪ Rule 310 ▪ Rule 403 Permit (Air Contaminants and Fugitive Dust) ▪ Rule 415 ▪ Rules 800, 801, 803, 805 (Fugitive Dust Rules)	Imperial County Air Pollution Control District (ICAPCD)	Consultation and permitting for air pollution, including fugitive dust, and Greenhouse Gas (GHG emissions that may result from the implementation of future development activities. Authority to Construct - required prior to constructing, erecting, installing, modifying, or replacing any article, machine, equipment or contrivance, the use of which may emit or control air contaminants.
Local	Permit to Operate, Permit for Alteration/ Modification, Emission Reduction Credits, Rule 310 and Rule 403 Permit (Fugitive Dust)	Imperial County Air Pollution Control District (ICAPCD)	Permit to Operate – required prior to operation of any article, machine, equipment, or other contrivance that emits air contaminants associated with future commercial and/or or industrial developments.
Local	Building Permit(s)	ICPDSD	New construction within the McCabe Ranch II Specific Plan Area

TABLE 2. POTENTIAL CONSULTATION AND PERMITTING REQUIREMENTS

Jurisdiction Level	Type of Permit/Approval	Agency	Purpose
Local	Grading Permit(s)	ICPDSD/DPW	Excavation or earthwork that involves over 2 feet in depth and/or fills over 1 foot in depth.
Local	Encroachment Permit(s) (Public ROW)	Imperial County Department of Public Works (DPW)	Required any time work is performed within the public ROW (e.g., curb drains, lane closures, and utility trenches by utility agencies).
Local	Traffic Control Plan(s)	DPW	Traffic management for potential lane closures during construction.
Local	Development Agreement	Board of Supervisors	Approval of Development Agreement
Local	Water Supply Assessment	▪ Heber Public Utilities District (PUD) ▪ Board of Supervisors	Heber PUD and Board of Supervisor's review and approval of Water Supply Assessment
Local	Annexation to Special District	Heber Public Utilities District	Required for annexation to Heber Public Utilities District
Local	Annexation to Special District	Local Area Formation Commission (LAFCO)	Required for annexation to Heber Public Utilities District

13. Native American Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?

In compliance with Senate Bill 18 (SB 18; Government Code Section 65352.3), the Imperial County Planning & Development Services Department (ICPDSD) sent letters to federally recognized California Native American Tribes and/or tribal representatives providing notification of the Project and an invitation to participate in consultation. By law, California Native American Tribes have 90 days from the date of receipt of the notice to request consultation (Government Code 65352.3(a)(2)).

In compliance with Assembly Bill 52 (Chapter 532, Statutes 2014), the ICPDSD sent letters to those tribes that have requested to be on the Imperial County Planning and Development Services Department's notification list for projects in their respective areas of traditional and cultural affiliation. AB-52 Consultation Letters provided notification of the Project and an invitation to participate in consultation. Under AB-52, California Native American Tribes have 30 days from the date of receipt of the notice to request consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

EEC VOTES	YES	NO	ABSENT
PUBLIC WORKS	☐	☐	☐
ENVIRONMENTAL HEALTH SVCS	☐	☐	☐
OFFICE EMERGENCY SERVICES	☐	☐	☐
APCD	☐	☐	☐
AG	☐	☐	☐
SHERIFF DEPARTMENT	☐	☐	☐
ICPDS	☐	☐	☐

Jim Minnick, Director of Planning/EEC Chairman

Date:

PROJECT SUMMARY

Project Background

The McCabe Ranch II Specific Plan (SP07-004), which established a framework for the development of a variety of land uses within the approximately 468-acre Specific Plan Area (SPA), was approved by the Imperial County Board of Supervisors (Board) in December 2010. Additionally the Board approved a related Subdivision Tentative Map (TR 00979), which has subsequently expired. As part of the Specific Plan approval, the Board also certified the Final Environmental Impact Report (2010 Final EIR), Mitigation and Monitoring Program (MMRP) and CEQA Findings. The previously certified 2010 Final EIR (2010 Previous FEIR) analyzed the direct, indirect and cumulative changes to the physical environment that would result from development of a maximum of 2,300 single- and multiple-family dwelling units; 19.2-acres of parks; an 8.4-acre business park; 3.2 acres of commercial uses; two (2) elementary school sites for the McCabe Unified and Heber Unified School Districts (28.5 acres combined) and associated public improvements within the McCabe Ranch II SPA (1).

Project Description

McCabe Ranch II Tract Map 994 Project site is an approximately 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area generally located north of the Community of Heber and south of the City of El Centro, in the County of Imperial, California (see Figure 1, Regional Location and Figure 2, Project Location). The McCabe Ranch II Tract Map 994 Project site is bounded by McCabe Road on the north, Dogwood Road on the east, State Route 86 (SR-86) on the west, and the western extension of Correll Road on the south. The McCabe Ranch II Tract Map 994 Project site is located in Section 20, Range 14 East, Township 16 South within the U.S. Geological Survey (USGS) Heber, California 7.5-minute topographic.

PROJECT DESCRIPTION: McCabe Ranch Realty, LLC (Applicant) is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements (Figure 3, Proposed McCabe Ranch II Tract Map 994). The McCabe Ranch II Tract Map 994 (Project or proposed Project) is comprised of four (4) parcels; County of Imperial Assessor Parcel Numbers (APNs) 054-130-072, 054-130-076, 054-130-077, and 054-130-078. The Imperial Irrigation District's Date Drain No. 3 and Dogwood Canal both traverse the Project area in a north-south direction.

Development of the proposed McCabe Ranch II Tract Map 994 is proposed to occur in phases (Phase 1A, 1B, 2A, 2B, 3A, 3B, 3C) over a 14 year period between 2025 and 2039 as shown on Figure 4, Proposed Phasing Plan. A detailed breakdown of development by phase for the proposed Mcabe Ranch II Tract Map 994 is presented on Table 3. Development within that portion of the McCabe Ranch II Specific Plan area outside of Tract Map 994, may develop prior to, concurrently with, or subsequent to the Tract Map 994 and is denoted as Phase 4. Table 4 provides a summary of proposed land uses within the entirety of the Specific Plan Area

[1] Source: McCabe Ranch II Specific Plan Final Environmental Impact Report, Table 3.0-1, Proposed Land Uses. County of Imperial, 2010.

The development phasing for of the McCabe Ranch II Tract Map 994, and for the Phase 4 area differs from that identified in the adopted McCabe Ranch II Specific Plan. For this reason, an amendment to the McCabe Ranch II Specific Plan is also proposed. Land uses included in the McCabe Ranch II Specific Plan are shown on Figure 5.

Sewer, water, park maintenance, and landscape and lighting maintenance services would be provided by the Heber Public Utility District (HPUD). However, in order for services to be provided, the Specific Plan Area must be annexed into the HPUD. The Project also includes a Development Agreement with the County of Imperial related to the 351.2-ac portion controlled by McCabe Ranch Realty LLC pursuant to Imperial County Land Use Ordinance Title 9, Division 23.

TABLE 3. DETAILED DEVELOPMENT BY PHASE, MCCABE RANCH II TRACT MAP 994

PROPOSED LAND USES		PHASE 1 (a)		PHASE 2 (a)		PHASE 3 (a)			TOTALS
		1A	1B	2A	2B	3A	3B	3C	
Development Year		2025 - 2026	2026 -2027	2029 - 2031	2032 - 2033	2034 - 2035	2036 - 2037	2038 - 2039	
RESIDENTIAL DEVELOPMENT									DUs
Single-Family	Density								
Traditional Single Family	5 DU/AC	-0-	-0-	160	134	151	-0-	88	533
Small Lot Single-Family	7 DU/AC	-0-	157	100	-0-	-0-	-0-	-0-	257
Flex Lot Single-Family	9 DU/AC	157	-0-	-0-	-0-	-0-	88	-0-	245
Mini Estate	3 DU/AC	-0-	-0-	-0-	-0-	-0-	-0-	19	19
Estate Lot	2 DU/AC	-0-	-0-	-0-	25	-0-	-0-	-0-	25
Single-Family Subtotal		157	157	260	159	151	88	107	1,079
Multi-Family	Density								
Multi-Family 1 (NW Corner)	20 DU/AC	-0-	-0-	-0-	196	-0-	-0-	-0-	196
Multi-Family 2 (NE Corner)	19 DU/AC	-0-	-0-	-0-	-0-	-0-	335	-0-	335
Multi-Family 3	22 DU/AC	-0-	-0-	-0-	-0-	-0-	-0-	-0-	0
Multi-Family Subtotal		-0-	-0-	196	-0-	151	335	-0-	-0-
TOTAL RESIDENTIAL		157	157	260	355	151	423	107	1,610
NON - RESIDENTIAL DEVELOPMENT									Acres
McCabe Elementary (K-5) School Site		-0-	-0-	12.3	-0-	-0-	-0-	-0-	12.3
Commercial		-0-	-0-	-0-	-0-	-0-	-0-	3.14	-0-
Business Park		-0-	-0-	-0-	-0-	-0-	-0-	-0-	- 0 -
Park/Detention/Greenbelt (inc. IID Easement)		-0-	-0-	-0-	-0-	-0-	-0-	-0-	38.78
Major Collector Roads		-0-	-0-	-0-	-0-	-0-	-0-	-0-	48.3

Notes: (a) Denotes property controlled by McCabe Ranch Realty, LLC. Included in TM 994.
DU = Dwelling Units. AC = Acres -0- = No development during this phase

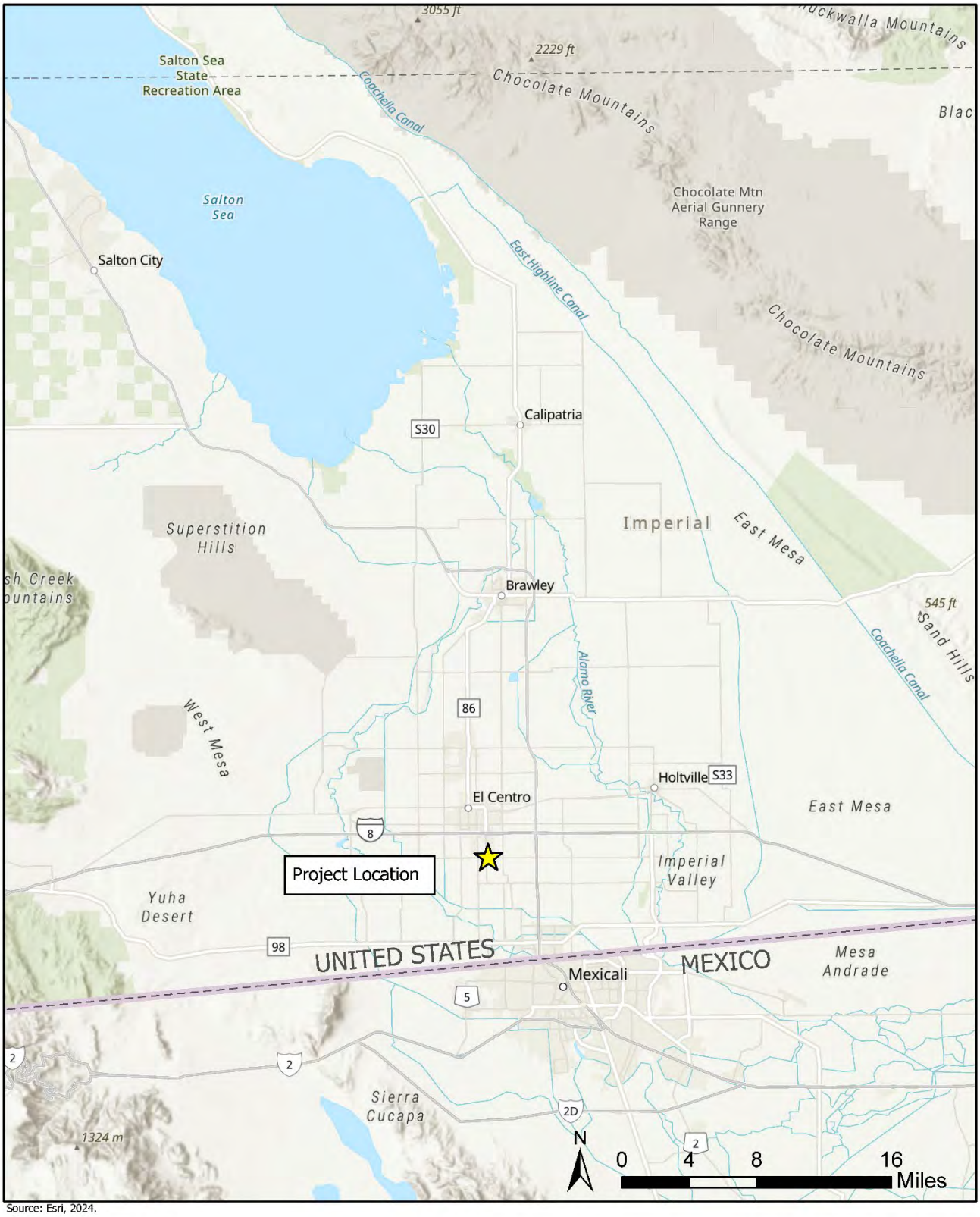
Source: McCabe Ranch Realty, April 2024.

TABLE 4. **SUMMARY OF LAND USES WITHIN MCCABE RANCH II SPECIFIC PLAN AREA[(1)]**

Land Use	Approx. Gross Acres	% of Total Specific Plan Area	Dwelling Units
Residential Uses			
Traditional Lot – Single Family (5,000 SF+)	121.46	25.9	569
Small Lot – Single Family (4,000 SF – 5,000 SF)	58.02	12.4	406
Flex Lot – Single Family (2,000 SF – 4,000 SF)	65.54	14.0	482
Mini-Estate Lot – Single Family (9,000 SF+)	6.72	1.5	19
Estate Lot – Single Family (20,000 SF+)	19.85	4.2	25
Single Family Subtotal	271.59	58.0	1,501
Multi-Family 1 (Northwest Corner)	9.82	2.0	196
Multi-Family 2 (Northeast Corner)	17.57	3.8	335
Multi-Family 3	12.2	2.6	268
Multi-Family Subtotal	39.59	8.4	799
Residential Uses Subtotal	*311.18*	*66.4*	*2,300*
Non-Residential Uses			
Business Park	9.41	2.0	-0-
Commercial	3.14	0.7	-0-
Elementary School Site (McCabe)	12.3	2.6	-0-
Elementary School Site (Heber)	16.29	3.5	-0-
Non-Residential Uses Subtotal	***41.14***	***8.8***	
Open Spaces/Recreation			
Parks / Detention / Greenbelts (incl IID easement)	62.3	13.3	
Open Space/Recreation Subtotal	**62.38**	**13.3**	
Major Collector Roads Subtotal	**53.62**	**11.5**	
GRAND TOTAL	**468.32**	**100**	**2,300**

Notes: (a) Includes properties controlled by McCabe Ranch Realty, LLC. (McCabe Ranch II TM 994) as well as property under separate ownership (not controlled by McCabe Ranch Realty LLC).

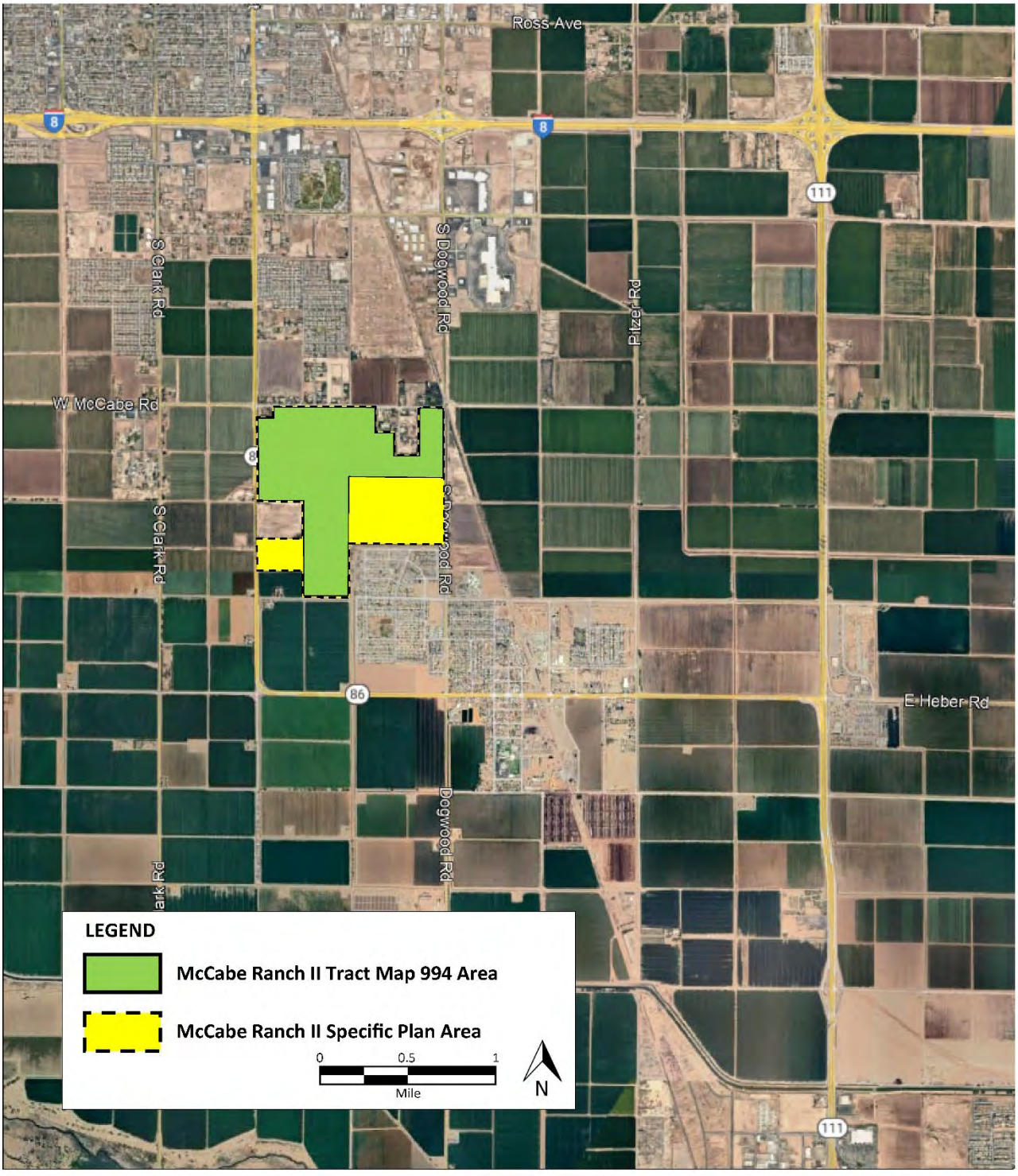
Source: McCabe Realty, LLC, April 2024.



Source: Esri, 2024.

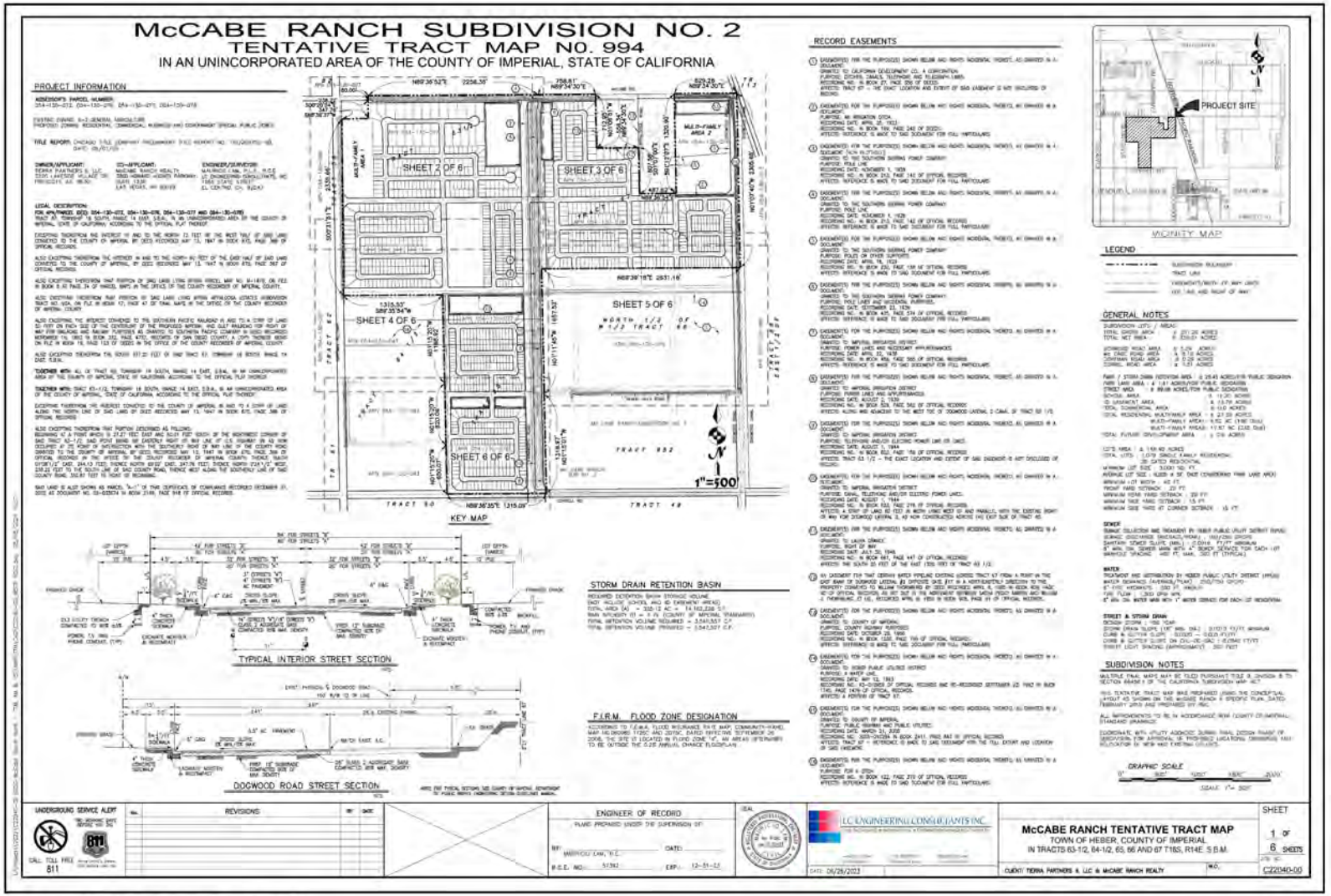
Regional Location

McCabe Ranch II Tract Map 994 (TR000994)
Figure 1



Source: McCabe Realty, LLC, 2024

Project Location Map
McCabe Ranch II Tract Map 994 (TR000994)
Figure 2



Source: McCabe Ranch Realty, LLC, 2024.

Proposed Tract Map
McCabe Ranch II Tract Map 994
(TR000994) Figure 3

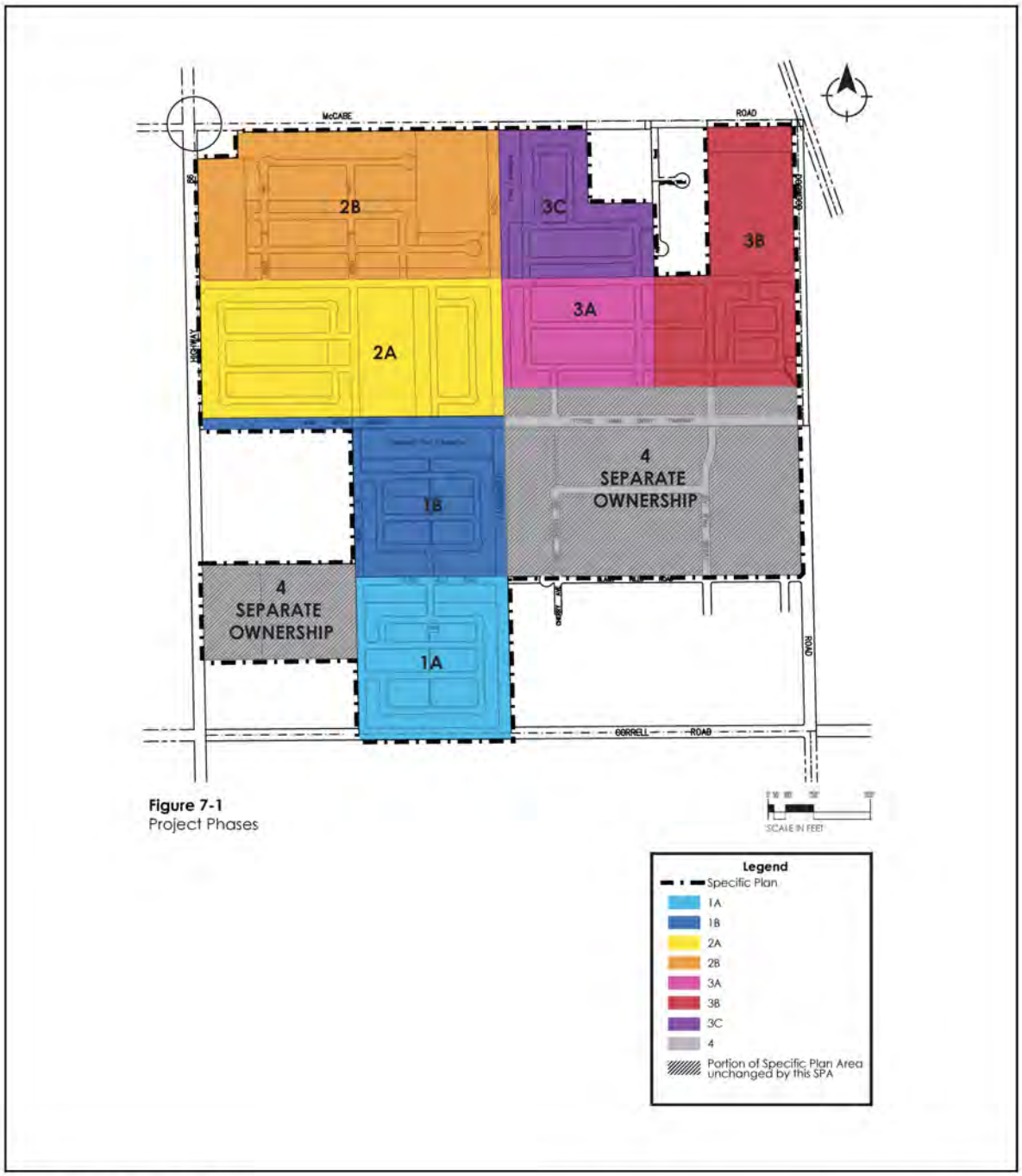


Figure 7-1
Project Phases

Source: McCabe Realty, LLC, 2024

Proposed Phasing Plan McCabe Ranch II Tract Map 994 (TR000994)
Figure 4



Figure 2-1
Specific Plan Land Use

Source: McCabe Realty, LLC, 2024

McCabe Ranch II Specific Plan Land Uses
McCabe Ranch II Tract Map 994 (TR000994)
Figure 5

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

    a) The significance criteria or threshold, if any, used to evaluate each question; and

    b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Except as provided in Public Resources Code Section 21099, would the Project:				
a) Have a substantial adverse effect on a scenic vista or scenic highway?	☐	☒	☐	☐
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☒	☐	☐
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☒	☐	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Potential impacts to scenic vistas, scenic resources, visual character and impacts from the creation of new sources of light or glare associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR found that there are no scenic vistas nor scenic highways within the project vicinity. The Previous 2010 Final EIR also found that implementation of Specific Plan Policy Ae-1, Specific Plan Policy Ae-2 and Specific Plan Policy Ae-3, which establish design standards for residential uses, limit the height of buildings, and require all new residential developments to be compatible with the character and scale of nearby neighborhoods would ensure that potential impacts to scenic vistas, scenic resources and visual character would be less than significant. Additionally, the Previous 2010 Final EIR found that implementation of Specific Plan Policy Ae-4 and mitigation measure MM 4.3.1 would reduce light and glare impacts to a level less than significant by minimizing the use of reflective materials and requiring all lighting and illumination to be shielded to minimize scatter.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the aesthetics environment or characteristics of the proposed project area.

Questions a - d — Less Than Significant With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. No changes are proposed in the Project nor is new information available which will require major revisions of the Previous 2010 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

With implementation of Specific Plan Polices Ae-1, Ae-2, Ae-3, Ae-4 and MM 4.3-1, potential aesthetic resources would be reduced to less than significant.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and MM 4.3-1 will be modified recommended, if required.

II. AGRICULTURAL AND FOREST RESOURCES

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☒	☐

Potential impacts to agricultural and forestry resources associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final found that implementation of the McCabe Ranch II Specific Plan would be consistent with the County's "Specific Plan" land use designation for the area and while future development would convert Prime Farmland and Farmland of Statewide Importance, because the Specific Plan is consistent with the County's land use vision for the project area no significant

agricultural conversion impacts would occur. Therefore, the conversion of existing agricultural uses was found to be less than significant and no mitigation measures were required.

Since the certification of the Final EIR, there have been no changes to the agricultural environment or characteristics of the proposed project as evaluated in the Previous 2010 Final EIR.

Questions a, b, and e - Less Than Significant Impact. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. According to the most recent California Department of Conservation Farmland Mapping (2022) the Specific Plan Area contains Prime Farmland and Farmland of Statewide Importance, which would be converted to non-agricultural uses. However, because the Previous 2010 Final EIR found that implementation of the McCabe Ranch II Specific Plan would be consistent with the County's "Specific Plan" land use designation for the area; future development consistent with the Specific Plan would not result in significant agricultural impacts

Questions c and d – No Impact. The Previous 2010 Final EIR found that McCabe Ranch II Specific Plan area does not support an agricultural preserve and contains no properties under a Williamson Act contract. Similarly, because the Project site is currently zoned" Mc Ra 2 SPA" (McCabe Ranch II Specific Plan), implementation of the Project would be consistent with zoning and not conflict with, nor cause the rezoning or conversion of forest land or timberlands. No impacts under these criteria are anticipated.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The Previous 2010 Final EIR's findings for potential impacts to agricultural resources will be summarized in the Supplemental EIR.

III. AIR QUALITY

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐

Potential air quality impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified mitigation measures MM 4.3.1, MM 4.3.2a, MM 4.3.2b, MM 4.3.2c, and MM 4.3.3 to reduce air quality impacts to less than significant.

Since certification of the Previous 2010 Final EIR, air quality management plans and other applicable plans have been updated, such as the ICAPCD's Air Quality Management Plan and the 2018 PM10 Plan approved by California Air Resources Board and by the Environmental Protection Agency. Similarly, CalEEMod is now the air quality model used to quantify emissions. These updated plans and models represent a substantial change in circumstances under which the Project would be implemented, requiring major EIR revisions.

Questions a, b, c, and d — Less Than Significant With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses would result in increases in short-term air pollutant emissions during construction and increases in long-term emissions from operational activities. Such emissions could result in potentially significant air quality impacts unless mitigation is incorporated

Conclusion

Based on the foregoing information, there is evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. An Air Quality and Greenhouse Gas Emission Report will be prepared for the Project and the Supplemental EIR will evaluate these potentially significant air quality impacts. The Air Quality and Greenhouse Gas Emission report will quantify air emissions using the most current version of the California Emission Estimator Model (CalEEMod 2022.1); discuss the Project's consistency with current air quality management plans; and, identify mitigation measures. Potential sources of odors during construction and operation activities will also be evaluated along with carbon monoxide hotspots and exposure to toxic air contaminants. The findings of the Air Quality and Greenhouse Gas Emission Report will be summarized in the Supplemental EIR and mitigation measures MM 4.3.1, MM 4.3.2a, MM 4.3.2b, MM 4.3.2c, and MM 4.3.3 will be modified, as necessary.

IV. BIOLOGICAL RESOURCES

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

Potential biological resource impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. Due to the developed nature of the study area, no special-status plant species were identified in the Previous 2010 Final. However, a total of nine (9) special botanical species were identified within the nine (9) Quadrangle CNDDB search conducted during preparation of this Initial Study. Additionally, the Previous 2010 Final EIR found five (5) special-status wildlife species had the potential to occur in the biological study area (BSA) including Colorado River toad (*Bufo alvarius*), mountain plover (*Charadrius montanus*), white-faced ibis (*Plegadis chihi*), vermilion flycatcher (Pyrocephalus rubinus), and western burrowing owl (*Athene cunicularia hypugaea*). Similarly, the Previous 2010 Final EIR recorded western burrowing owl and western yellow bat within 1 mile of the BSA.

The Previous 2010 Final EIR found that implementation of the McCabe Ranch II Specific Plan could result the following:

- The loss of populations or habitat for the Colorado River toad;
- The loss of populations or essential habitat for special-status avian species;

- The loss of populations or essential habitat for the western burrowing owl, a special-status species;
- The loss of jurisdictional waters of the U.S., including wetlands; and,
- The mortality and loss of habitat for special-status species.

The Previous 2010 Final EIR identified mitigation measures MM 4.4.1, MM 4.4.2, MM 4.4.3, and MM 4.4.4 to reduce direct and cumulative impacts to biological resources to less than significant.

Since certification of the Previous 2010 Final EIR, conditions under which the Project would be implemented have changed which require major EIR revisions.

Questions a through f — Less Than Signfiicant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses could result in impacts to sensitive biological resources similar to those identified in the Previous Final 2010 EIR.

Conclusion

Based on the foregoing information, there is evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. A Habitat Assessment Survey will be conducted to update and supplement the Previous 2010 Final EIR. Focused nesting season burrowing owl surveys will be conducted, along with Migratory Bird Treaty Act (MBTA) nesting surveys. A Jurisdictional Delineation will be completed to determine the presence and potential impacts to blue line wash and flood areas. Bat surveys will also be conducted. Potential permitting will be presented and mitigation requirements updated as necessary. The findings of the Habitat Assessment Report and other surveys will be summarized in the Supplemental EIR and mitigation measures MM 4.4.1, MM 4.4.2, MM 4.4.3, and MM 4.4.4 will be modified, as necessary.

V. CULTURAL RESOURCES

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Potential impacts to cultural resources associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. While no historical resources or unique archaeological resources were identified within the boundaries of the McCabe Ranch II Specific Plan area, the Previous 2010 Final EIR found project-related ground-disturbing activities could uncover previously unknown prehistoric resources, historic resources, or human remains because of the area's historical occupation by both Native Americans and Spanish peoples. The Previous 2010 Final EIR identified mitigation measures MM 4.5.1a and 4.5.1b to reduce impacts to less than significant.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the cultural resource environment or characteristics of the proposed project area.

Questions a, b, and c — Less Than Significant Unless Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. No changes are proposed in the Project nor is new information available which will require major revisions of the Previous 2010 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and mitigation measures MM 4.5.1a and MM 4.5.1b will be modified, as necessary.

VI. ENERGY

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☒	☐	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐

Potential environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources or from conflicts with a state or local plan for renewable energy or energy efficiency were not addressed in the Previous 2010 Final EIR.

Since certification of the Final EIR, the CEQA Guidelines Appendix G has been revised to incorporate the analysis of Energy impacts. This update represents a substantial change in circumstances under which the Project would be implemented, requiring major EIR revisions.

Questions a and b — Potentially Significant. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses would result in increases in energy usage during construction and operational activities. This impact could be potentially significant.

Conclusion

Based on the foregoing information, there is evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. An Energy Memo will be prepared for the Project and the Supplemental EIR will evaluate potential energy conservation impacts.

VII. GEOLOGY AND SOILS.

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☒	☐	☐
2) Strong seismic ground shaking?	☐	☒	☐	☐
3) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
4) Landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),	☐	☒	☐	☐

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
creating substantial direct or indirect risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐		☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Potential impacts to geologic and paleontological resources associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified mitigation measure MM 4.5.2 to reduce impacts to paleontological resources to less than significant and mitigation measures MM 4.6.1a, MM 4.6.1b, MM 4.6.7 and Specific Plan Policy Geo-1 to reduce geology and soil erosion impacts to less than significant.

Since certification of the Previous 2010 Final EIR no changes are proposed in the Project nor is new information available which will require major revisions of the Previous 2010 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Questions a, b, c, d and f — Less Than Significant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses could uncover previously unknown paleontological resources and affect would result in geological and soil resource impacts.

Question e – No Impact. The proposed McCabe Ranch II Tract Map 994 Project proposes to obtain wastewater treatment services from the Heber Public Utilities District. No septic tanks or alternative wastewater disposal systems or the disposal of wastewater are included in the Project. For this reasons, no impacts would occur under this criteria.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and modifications to MM 4.5.2 4.6.1a, MM 4.6.1b, MM 4.6.7 and Specific Plan Policy Geo-1 will be modified, as necessary.

VIII. GREENHOUSE GAS EMISSIONS

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐
b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☒	☐	☐

Potential climate change and greenhouse gas impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR found that the McCabe Ranch II Specific Plan would result in substantial net increases in GHG and CO2e emissions. The Previous Final 2010 Final EIR identified Specific Plan design features and mitigation measures MM 4.16.1 to reduce impacts to less than significant.

Since certification of the Previous 2010 Final EIR, California's Climate Change Scope Plan has been updated three times and the California Air Resources Board approved its final 2022 Scoping Plan update on December 15, 2022. The plan is the most ambitious in the country in terms of proposed greenhouse gas reduction efforts, chiefly aiming to reach carbon neutrality in the state by 2045 or earlier. California's Building Standards Code (Title 24, California Code of Regulations) have also been updated to assist in achieving California's climate and air quality goals. This updated regulatory environment represents a substantial change in circumstances under which the Project would be implemented, requiring major EIR revisions.

Questions a and b — Less Than Significant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses would result in increases in GHG and CO2e emissions.

Conclusion

Based on the foregoing information, there is evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. Using the recommendations of the Governor's Office of Planning and Research and methodology proposed by the South Coast Air Quality Management District (SCAQMD), an Air Quality and Greenhous Gas Emission Report will be prepared which will quantify project-related GHG emissions from area sources, transportation, electricity, and waste disposal. The GHG analysis will also discuss potential global climate change impacts, the effects of GHG emissions, and a history of GHG emissions regulation in California. Project consistency with statewide GHG emissions reduction strategies and measures taken by the City to reduce GHG in the adopted General Plan will also be reviewed. The findings of the Air Quality and Greenhouse Gas Emission Report will be summarized in the Supplemental EIR and mitigation measure MM 4.16.13 will be modified, as necessary.

IX. HAZARDS AND HAZARDOUS MATERIALS

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) 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?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☒	☐	☐
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Potential hazard and hazardous materials impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR found no properties

within the Specific Plan area listed on hazardous materials sites compiled pursuant to Government Code Section 65962.5. Additionally, the Specific Plan area is located approximately 30 miles from the Imperial County Airport and is not within the influence area as defined by the County's Airport Land Use Compatibility Plan. The Previous 2010 Final EIR mitigation measures MM 4.7.1, MM 4.7.3a, MM 4.7.3b, and MM 4.7.4 and to reduce to less than significant those impacts related to the transportation and use of hazardous materials; residual pesticides, herbicides, and/or heavy metals; the potential to encounter contaminated groundwater; and near-by private airstrip's use by crop-dusting planes.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the environment or characteristics of the proposed project area.

Questions a, b, c, and f— Less than Significant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the Project could result in hazard and hazard materials impacts that would be reduced to less than significant with mitigation incorporated.

Questions d, g and h - Less Than Significant. The Supplemental EIR will include a review current of hazardous materials site lists compiled pursuant to Government Code Section 65962.5 will be reviewed to determine whether any properties within the Project area are listed thereon. The Supplemental EIR will include a of review current emergency response and/or evacuation plans as the State's wildland fire data.

Question e – No Impact. The project site is not located within the vicinity of an airport and is outside the areas included in the Imperial County Airport Land Use Compatibility Plan. For this reason, implementation of the McCabe Ranch II Tract Map 994 Project would not expose people residing or working in the project area to airport related safety hazards. No impact has been identified under this criteria.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and mitigation measures MM 4.7.1, MM 4.7.3a, MM 4.7.3b, and MM 4.7.4 will be modified, as necessary.

X. HYDROLOGY AND WATER QUALITY

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge	☐	☐	☒	☐

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
such that the Project may impede sustainable groundwater management of the basin?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would:	☐	☒	☐	☐
1) Result in substantial erosion or siltation on- or off-site;	☐	☒	☐	☐
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☒	☐	☐
3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff; or	☐	☒	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

Potential hydrology and water quality impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR found that the project is located outside of a 100 year floodplain and therefore is not within a flood hazard zone. No impacts were identified under this criteria. Conversion of the project site from agricultural to residential, open space/parks, commercial uses, and educational uses was identified as having the potential to cause groundwater levels to fluctuate and could affect recharge, this impact was considered less than significant. Mitigation measures MM 4.8.1 and MM 4.8.2 were identified to reduce hydrology and water quality impacts related to drainage and stormwater runoff to less than significant.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the environment or characteristics of the proposed project area.

Questions a, c, e — Less Than Significant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. No changes are proposed in the Project nor is new information available which will require major revisions of the Previous 2010 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Question b – Less Than Significant. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Conversion of the project site from agricultural to residential, open space/parks, commercial uses, and educational uses could cause groundwater levels to fluctuate and could affect recharge; however, this impact is anticipated to be considered less than significant.

Question d – No Impact. The project site is not located within a flood hazard zone. Similarly, it is not located within an area subject to tsunamis or seiches. For these reasons, no impacts to water quality associated with the release of pollutants due to Project inundation are anticipated.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and mitigation measures MM 4.8.1 and MM 4.8.2 will be recommended, as necessary.

XI. LAND USE AND PLANNING

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Physically divide an established community?	☐	☒	☐	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

Potential land use and planning impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified Specific Plan Policies LU-1 through LU-8 to ensure consistency with applicable planning documents, policies, and regulations and compatibility with neighboring land uses.

Since the certification of the Previous 2010 Final EIR, several elements of the Imperial County General Plan have been updated, including the Noise Element, the Conservation and Open Space Element, the Housing Element, and the County is preparing an Environmental Justice Element. Additionally, the California Dept of Fish and Wildlife's Staff Report on Burrowing Owl Mitigation was revised in Mary 2012 and SCAG's Regional Transportation Plan/Sustainable Communities Strategy was approved in Appril 2024

Questions a and b — Less Than Significant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. The proposed uses and land use densities of the Mcabe Ranch II Tract Map 994 would be consistent with those evaluated for the McCabe Ranch II Specific Plan.

Conclusion

Based on the foregoing information, there is evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. While it is not anticipated that the above referenced planning and policy upgrades would result in potentially new or increase significant effects, an updated land use and planning discussion will be included in the Supplemental EIR.

XII. MINERAL RESOURCES

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Potential mineral resource impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified no significant economic mineral resources within the limits of the project site and therefore included no mitigation measures.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the environment or characteristics of the proposed project area that would substantially affect mineral resources.

Questions a and b — No Impact. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. The proposed uses and land use densities of the Mcabe Ranch II Tract Map 994 would be consistent with those evaluated for the McCabe Ranch II Specific Plan and no impacts to mineral resources would result.

Conclusion

Based on the foregoing information, there is no evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. The Previous 2010 Final EIR's findings for mineral resources will be summarized in the Supplemental EIR.

XIII. NOISE

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☒	☐	☐

Potential noise impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified mitigation measures MM 4.10.1a, through MM 4.10-1d to reduce impacts to Less Than Significant.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the noise environment or characteristics of the proposed project area. However, potential noise impacts including those from project-related vehicle trips, the assessment of which will be updated in the LMA to be prepared for the Project. The updated LMA represents a substantial change in circumstances under which the Project would be implemented, requiring major EIR revisions.

Questions a, b, and c — Less Than Signfiicant With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses would result in increases in short-term long-term noise impacts.

Conclusion

Based on the foregoing information, there is evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. A Noise Report will be prepared to address construction noise and traffic noise during project operations. The findings of the Noise Report will be summarized in the Supplemental EIR and mitigation measures MM 4.10.1a, through MM 4.10-1d will be modified, as necessary.

XIV. POPULATION AND HOUSING

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Potential population and housing impacts associated with development within the McCabe Ranch II Tract Map 994 Project area was evaluated in the Previous 2010 Final EIR. Because the project area was identified in the County of Imperial General Plan as a "Specific Plan Area," the Previous 2010 Final EIR identified no significant impacts related to substantial unplanned population growth. It also found that implementation of the McCabe Ranch II Specific Plan would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, the Previous 2010 Final EIR included no mitigation measures under this criteria.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the environment or characteristics of the proposed project area that would substantially affect population and housing.

Questions a and b — Less Than Significant Impact. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. The proposed uses and land use densities of the Mcabe Ranch II Tract Map 994 would be consistent with those evaluated for the McCabe Ranch II Specific Plan. Population and housing impacts would be similar to those identified in the Previous 2010 Final EIR and would be less than significant.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The Previous 2010 Final EIR's findings for population and housing will be summarized in the Supplemental EIR.

XV. PUBLIC SERVICES

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:				
1) Fire protection?	☐	☒	☐	☐
2) Police protection?	☐	☒	☐	☐
3) Schools?	☐	☒	☐	☐
4) Parks?	☐	☒	☐	☐
5) Other public facilities?	☐	☒	☐	☐

Potential public services impacts associated with development within the McCabe Ranch II Tract Map 994 Project area was evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified mitigation measures MM 4.12.1a, MM 4.12.1b, and MM 4.12.1c to reduce impacts to less than significant.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the environment or characteristics of the proposed project area that would substantially affect population and housing.

Questions a thru e — Less than Significant with Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the McCabe Ranch II Tract Map 994 Project would increase the demand for fire protection, police protection, schools, parks and other public facilities over existing levels, which could result in potentially significant impacts on service providers.

The proposed Tract Map includes an elementary school site for the McCabe Elementary School District, along with park and recreational uses to support the anticipated increased demand. Similarly, the McCabe Ranch II Specific Plan also includes park and recreation uses, along with an elementary school site for the Heber Elementary School District.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and updated to reflect current population and student generation rates. Mitigation measures MM 4.12.1a, MM 4.12.1b, and MM 4.12.1c will be modified, as necessary.

XVI. RECREATION

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☒	☐	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which have an adverse physical effect on the environment?	☐	☒	☐	☐

Potential recreational impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR found that implementation of the McCabe Ranch II Specific Plan could increase the use of existing recreational facilities and would require additional parkland, facilities, and personnel. Although the McCabe Ranch II Specific Plan included the provision of park and open space areas including community, neighborhood and mini-parks, the Previous 2010 Final EIR identified Mitigation Measure MM 4.13.1, which required the provision of a minimum of 53.4 acres of parkland for the entire Specific Plan area.

Since the certification of the Previous 2010 Final EIR, there have been no changes to the environment or characteristics of the proposed project area that would substantially affect recreation facilities.

Questions a and b — Less Than Significant Impact With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. The proposed uses and land use densities of the Mcabe Ranch II Tract Map 994 would be consistent with those evaluated for the McCabe Ranch II Specific Plan and could increase the use of existing recreational facilities and require additional parkland, facilities, and personnel.

While the proposed McCabe Ranch II Tract Map 994 Project includes the provision of park and open space areas including community, neighborhood and mini-parks as well as a linear/greenbelt area along the east side of Farnsworth Road, potentially significant impacts to recreational resources are anticipated to be reduced to less than significant with implementation of Mitigation Measure MM 4.13.1.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The Previous 2010 Final EIR's findings for recreation will be summarized in the Supplemental EIR and mitigation measure MM 4.13.1 will be modified, as necessary.

XVII. TRANSPORTATION / TRAFFIC

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
b) Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☒	☐	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
d) Result in inadequate emergency access?	☐	☒	☐	☐

Potential impacts to traffic and transportation associated with development within the McCabe Ranch II Tract Map 994 Project area was evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR found that development of McCabe Ranch II Specific Plan uses would add new vehicle, bicycle and pedestrian trips to key street segments and intersections in the project vicinity. The Previous 2010 Final EIR identified mitigation measures MM 4.14.1 through 4.14.10 to reduce project impacts.

Since certification of the Final EIR, the way in which local jurisdictions analyze transportation impacts in CEQA environmental reviews has changed due to the adoption of Senate Bill 743. As of July 1, 2020, traffic impacts are assessed by quantifying how much and how far people drive using a measure called Vehicle Miles Traveled (VMT) instead of measuring level of service (LOS) impacts. This legislative change represents a substantial change in circumstances under which the Project would be implemented, requiring major EIR revisions.

Questions a, c and d — Less Than Significant Impact With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses would result in increases in vehicle and truck trips from construction and increases in vehicle, bicycle and pedestrian traffic from operational activities. Potentially significant impacts related to the Project's consistency with a program, plan, ordinance or policy addressing the circulation system; impacts related to increased hazards based on geometric design features; and, impacts on emergency access are anticipated to be reduced with implementation of mitigation measures MM 4.14.1 through MM 4.14.10.

Question b — Potentially Significant. Project-related impacts to increased vehicle miles traveled could be potentially significant.

Conclusion

Based on the foregoing information, there is evidence that substantial changes have occurred with respect to the circumstances under which the Project would be undertaken which will require major revisions of the previous EIR. A Local Mobility Analysis (LMA) and Vehicle Miles Traveled (VMT) Analysis will be prepared for the Project and the Supplemental EIR will summarize their findings. The LMA will identify existing conditions, estimate project trips and distribute/assign them to key street segments and intersections to identify necessary traffic improvements, by phase. The VMT Analysis will calculate project-related increases in VMT and compare it to the average VMT in the region. Necessary traffic improvements and feasible Transportation Demand Management (TDM) measures will also be identified. The findings of the LMA and VMT will be summarized in the Supplemental EIR and mitigation measures MM 4.14.1 through MM 4.14.10 will be modified, as necessary.

XVIII. TRIBAL CULTURAL RESOURCES

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Potential impacts to Tribal cultural resources associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. While no historical resources or unique archaeological resources were identified within the boundaries of the McCabe Ranch II Specific Plan area, project-related ground-disturbing activities could uncover previously unknown prehistoric resources, historic resources, or human remains because of the area's historical occupation by both Native Americans and Spanish peoples. The Previous 2010 Final EIR identified mitigation measures MM 4.5.1a and 4.5.1b to reduce impacts to less than significant.

Since the certification of the Previous 2010 Final EIR, there have been no know changes to the tribal cultural resource environment or characteristics of the proposed project area.

Questions a, b, and c — Less Than Significant With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. No changes are proposed in the Project nor is new information available which will require major revisions of the Previous 2010 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Conclusion

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and mitigation measures MM 4.5.1a and 4.5.1b will be modified, as necessary. Results of the County's consultations with Native American Tribes pursuant to AB-52 and SB-18 will also be documented ion the Supplemental EIR.

XIX. UTILITIES AND SERVICE SYSTEMS

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
Would the Project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☒	☐	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☒	☐	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☒	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☒	☐	☐

Potential impacts to utilities and services systems associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. The Previous 2010 Final EIR identified mitigation measures MM 4.15.1 through 4.15.3 to reduce impacts to less than significant.

Since certification of the Previous 2010 Final EIR no changes are proposed in the Project nor is new information available which will require major revisions of the Previous 2010 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects

Questions a through e — Less Than Significant With Mitigation Incorporated. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. Implementation of the proposed uses would increase demand for utilities and services. The Project would increase the demand for utilities and services systems, which could result in significant impacts. The Project site is located within the Heber Public Utilities District Sphere of Influence and the Project proposes to obtain such services primarily from the Heber Public Utilities District, which will require annexation to the District.

Conclusion

Based on the foregoing information, there is no evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to substantial changes in the project or substantial changes to the circumstances under which the project would occur. The findings of the Previous 2010 Final EIR will be summarized in the Supplemental EIR and mitigation measures MM 4.15.1 through 4.15.3 will be modified, as necessary.

XX. WILDFIRE

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or	☐	☐	☒	☐

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
landslides, as a result of runoff, post-fire slope instability, or drainage changes?				

Potential wildfire impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were not evaluated in the Previous 2010 Final EIR.

Questions a, b, c, and d — Less Than Significant. The proposed Project includes a Tract Map for development of a portion of the McCabe Ranch II Specific Plan area with residential, recreation, parks and school uses. The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazards by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point.

According to CalFire's 2023 Fire Hazard Severity Zones in the State Responsibility Area's map [2], the McCabe Ranch II Tract Map 994 Project site and surrounding area are not located on lands in or near state responsibility areas nor on lands classified as very high fire hazard severity zones (CalFire, 2024).

The Project area is predominately agricultural with several scattered single family residential structures located to the northwest, northeast, and west. The residential subdivision known as "McCabe Ranch I Specific Plan" abuts the Project site on the south and east, and there is a small cluster of homes located along McCabe Road. There are no other factors of the project or the surrounding area that would exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations. Wildfire risks are anticipated to be less than significant.

Conclusion

Based on the foregoing information, there is evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to potentially new Significant Effects. Potential wildfire impacts will be evaluated in the Supplemental EIR and mitigation measures identified, as necessary.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce	☐	☒	☐	☐

2 Effective April 1, 2024.

Environmental Issue	Potentially Significant Impact (PSI)	Less Than Significant With Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	*No Impact* (NI)
The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.				
the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	☐	☒	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Cumulative impacts associated with development within the McCabe Ranch II Tract Map 994 Project area were evaluated in the Previous 2010 Final EIR. With the exception of impacts to traffic/transportation, the Previous 2010 Final EIR found cumulative impacts to be less than cumulatively considerable with implementation of Specific Plan policies and identified mitigation measures.

Since certification of the Previous 2010 Final EIR, new information regarding the cumulative setting is now available which will require major revisions of the Previous 2010 Final EIR' cumulative analysis.

Question a — Less Than Significant with Mitigation Incorporated. The Supplemental EIR will discuss project-specific direct and indirect impacts on plants, fish and wildlife species. The Supplemental EIR will also evaluate project-specific direct and indirect impacts on cultural and tribal cultural resources. Finally, the Supplemental EIR will evaluate the Project's contribution to cumulative impacts and propose feasible mitigation, as necessary, to reduce the impacts to less-than-significant levels.

Question b — Less Than Significant with Mitigation Incorporated. The Project could contribute to cumulative impacts on air quality, biological resources (special status species), cultural and tribal resources, paleontological resources, hydrology and water quality, traffic noise, public services, traffic/transportation, utilities and service systems. Such contributions have the potential to be cumulatively considerable.

The Supplemental EIR will evaluate the project's contribution to "cumulative impacts" on all environmental resources for which a "direct" impact is identified.

Question c — Less Than Significant with Mitigation Incorporated. The Project could potentially result in environmental effects that have adverse impacts on human beings, either directly or indirectly. These impacts will be fully addressed in the Supplemental EIR.

Conclusion

Based on the foregoing information, there is evidence that the proposed project would require major revisions to the Previous 2010 Final EIR due to new information regarding the cumulative setting. Cumulative impacts will be evaluated in the Supplemental EIR and mitigation measures identified, as necessary.

. *Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.*

Revised 2009- CEQA
Revised 2011- ICPDS
Revised 2016 – ICPDS
Revised 2017 – ICPDS
Revised 2019 – CEQA

SECTION IV. PERSONS & ORGANIZATIONS CONSULTED/ REFERENCES

A. PERSONS & ORGANIZATIONS CONSULTED

County Of Imperial

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Dave Black, Planner IV
- John Gay Director, Imperial County Department of Public Works

B LIST OF PREPARERS

This Initial Study was prepared for the County of Imperial by Willis Environmental Planning, 238 Sychar Road, San Diego, CA 92114. The following professionals participated in its preparation:

Imperial County Planning & Development Services

Jim Minnick ..... Director

Michael Abraham ..... Assistant Director

Diana Robinson ..... Planning Manager

Dave Black ..... Planner IV

Willis Environmental Planning (Consultant to County)

Christina J. Willis ..... Principal and Project Manager

John Addenbrooke ..... Document Production/GIS Specialist

McIntyre Environmental

David McIntyre ..... Principal Environmental Scientist

SECTION V. REFERENCES

California Department of Forestry and Fire Protection (CalFire). 2024. Fire Hazard Severity Zones in SRA. Available Online at: https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008. Accessed April 19, 2024.

County of Imperial, 2010a. Draft Environmental Impact Report for the McCabe Ranch II Specific Plan (SCH No. 2008111037), February 2010

County of Imperial, 2010b. Final Environmental Impact Report for the McCabe Ranch II Specific Plan (SCH No. 2008111037), June 2010.

McCabe Ranch Realty, LLC, 2024. Revised McCabe Ranch II Specific Plan, April 2024.

This page intentionally left blank.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: McCabe Ranch II Tract Map 994

Lead Agency: Imperial County Planning and Development Services Department | Contact Person: David Black

Mailing Address: 801 Main Street | Phone: 442.265.1736

City: El Centro | Zip: 92243 | County: Imperial

Project Location: County: Imperial | City/Nearest Community: Heber

Cross Streets: McCabe Road/State Route 86 | Zip Code: 92249

Longitude/Latitude (degrees, minutes and seconds): 33 ° 44 ' 48.5 " N / 115 ° 32 ' 32.7 " W Total Acres: 351.2

Assessor's Parcel No.: 054-130-072, 054-130-076, 054-130-077, and 054-130-078 Section: 20 Twp.: 16 S Range: 14 E Base: SBBM

Within 2 Miles: State Hwy #: SR-86 Waterways: Imperial Irrigation District's Date Drain #3 and Dogwood Lateral Canal

Airports: None Railways: Union Pacific Railroad Schools: Heber Dogwood Elementary

Document Type:

CEQA: ☒ NOP ☐ Draft EIR | NEPA: ☐ NOI | Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) ☐ Draft EIS ☐ Other:
☐ Mit Neg Dec Other: ☐ FONSI

Local Action Type:

☐ General Plan Update ☒ Specific Plan ☐ Rezone ☒ Annexation
☒ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☒ Land Division (Subdivision, etc.) ☐ Other:

Development Type:

☒ Residential: Units 1610 Acres
☐ Office: Sq.ft. Acres Employees
☐ Commercial: Sq.ft. Acres Employees
☐ Industrial: Sq.ft. Acres Employees
☒ Educational: 12.3 acre school site
☒ Recreational: park and open space areas including community, neighborhood and mini-parks
☐ Water Facilities: Type MGD

☒ Transportation: Type local collector roads
☐ Mining: Mineral
☐ Power: Type MW
☐ Waste Treatment: Type MGD
☐ Hazardous Waste: Type
☒ Other: drainage and storm water treatment improvements

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☒ Recreation/Parks ☐ Vegetation
☒ Agricultural Land ☒ Flood Plain/Flooding ☒ Schools/Universities ☒ Water Quality
☒ Air Quality ☒ Forest Land/Fire Hazard ☐ Septic Systems ☒ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☒ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☒ Soil Erosion/Compaction/Grading ☒ Growth Inducement
☐ Coastal Zone ☒ Noise ☒ Solid Waste ☒ Land Use
☒ Drainage/Absorption ☒ Population/Housing Balance ☒ Toxic/Hazardous ☒ Cumulative Effects
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☐ Other:

Present Land Use/Zoning/General Plan Designation:

Various phases of active agricultural use/Mc Ra 2 SPA (McCabe Ranch II Specific Plan)/SP (Specific Plan Area)

Project Description: *(please use a separate page if necessary)*

McCabe Ranch Realty, LLC (Applicant) is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 12.3-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements. Implementation of Tract Map 994 will require an amendment to the McCabe Ranch II Specific Plan approved by the Imperial County Board of Supervisors in December 2010.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "**X**".
If you have already sent your document to the agency please denote that with an "**S**".

____	Air Resources Board	x	Office of Historic Preservation
____	Boating & Waterways, Department of	____	Office of Public School Construction
____	California Emergency Management Agency	____	Parks & Recreation, Department of
____	California Highway Patrol	____	Pesticide Regulation, Department of
x	Caltrans District # 11	____	Public Utilities Commission
____	Caltrans Division of Aeronautics	x	Regional WQCB # 7
____	Caltrans Planning	____	Resources Agency
____	Central Valley Flood Protection Board	____	Resources Recycling and Recovery, Department of
____	Coachella Valley Mtns. Conservancy	____	S.F. Bay Conservation & Development Comm.
____	Coastal Commission	____	San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
x	Colorado River Board	____	San Joaquin River Conservancy
____	Conservation, Department of	____	Santa Monica Mtns. Conservancy
____	Corrections, Department of	____	State Lands Commission
____	Delta Protection Commission	____	SWRCB: Clean Water Grants
____	Education, Department of	x	SWRCB: Water Quality
____	Energy Commission	____	SWRCB: Water Rights
x	Fish & Game Region # 6	____	Tahoe Regional Planning Agency
____	Food & Agriculture, Department of	x	Toxic Substances Control, Department of
____	Forestry and Fire Protection, Department of	____	Water Resources, Department of
____	General Services, Department of		
____	Health Services, Department of	x	Other: Imperial Irrigation District
____	Housing & Community Development	x	Other: US Army Corps of Engineers
x	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date May 20 , 2024 Ending Date June 24, 2024

Lead Agency (Complete if applicable):

Consulting Firm: Willis Environmental Planning
Address: 238 Sychar Road
City/State/Zip: San Diego/CA/92114
Contact: Christina J. Willis
Phone: 619.925.2836

Applicant: McCabe Ranch Realty, LLC
Address: 3800 Howard Hughes Parkway, Ste 1230
City/State/Zip: LAS VEGAS, NV 89169
Phone: (858) 414-9928

Signature of Lead Agency Representative: _____ **Date:** 5-13-2024

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Print From

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: McCabe Ranch II Tract Map 994

Lead Agency: Imperial County Planning and Development Services Department

Contact Name: David Black

Email: DavidBlack@co.imperial.ca.us Phone Number: 442.265.1736

Project Location: Town of Heber *City* Imperial *County*

Project Description (Proposed actions, location, and/or consequences).

McCabe Ranch Realty, LLC (Applicant) is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 12.3-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements. Implementation of Tract Map 994 will require an amendment to the McCabe Ranch II Specific Plan approved by the Imperial County Board of Supervisors in December 2010.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Implementation of the project could result in potential significant impacts to Aesthetics, Air Quality, Biological Resources, Cultural and Paleontological Resources, Energy Conservation, Geology and Soils, Greenhouse Gas Emissions, Hazard and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Transportation/Traffic, Tribal Cultural Resources, Utilities and Service Systems and Wildfire.

The Supplemental EIR will identify Specific Plan policies and mitigation measures to reduce impacts to the extent feasible.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

Impacts to public schools

Provide a list of the responsible or trustee agencies for the project.

- U.S. Army Corps of Engineers (USACE)
- U.S. Fish and Wildlife Service (USFWS)
- California Department of Toxic Substances Control (DTSC)
- California Dept. of Fish & Wildlife (CDFW)
- Caltrans, District11
- Regional Water Quality Control Board, Colorado River Basin, Region 7
- Imperial Irrigation District (IID)
- Imperial County Air Pollution Control District (ICAPCD)
- Imperial County Department of Public Works (DPW)
- Board of Supervisors
- Heber Public Utilities District
- Imperial County Local Area Formation Commission (LAFCO)

McCabe Ranch II Tract Map 994

Summary

SCH Number
2024050879

Lead Agency
Imperial County

Document Title
McCabe Ranch II Tract Map 994

Document Type
NOP - Notice of Preparation of a Draft EIR

Received
5/20/2024

Present Land Use
Various phases of active agricultural use/Mc Ra 2 SPA (McCabe Ranch II Specific Plan)/SP (Specific Plan Area)

Document Description
McCabe Ranch Realty, LLC (Applicant) is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements (Figure 3, Proposed McCabe Ranch II Tract Map 994). The McCabe Ranch II Tract Map 994 (Project or proposed Project) is comprised of four (4) parcels; County of Imperial Assessor Parcel Numbers (APNs) 054-130-072, 054-130-076, 054-130-077, and 054-130-078. The Imperial Irrigation District's Date Drain No. 3 and Dogwood Canal both traverse the Project area in a north-south direction.

Contact Information

Name
David Black

Agency Name
Imperial County Planning & Development

Job Title
Planner IV

Contact Types
Lead/Public Agency

Address
801 Main Street
EL CENTRO, CA 92243

Phone
(442) 265-1736

Email
davidblack@co.imperial.ca.us

Location

Cities
Heber

Counties
Imperial

Regions
Countywide

Cross Streets
McCabe Road/State Route 86

Zip
92249

Total Acres
351.2

Parcel #
054-130-072 054-130-076 054-130-077 054-130-078

State Highways
SR-86

Railways
Union Pacific Railroad

Airports
NONE

Schools
Heber Dogwood Elementary

Waterways
Imperial Irrigation's District's Date Drain #3 and Dogwood Lateral Canal

Township
16S

Range
14E

Section
20

Base
SBBM

Notice of Completion

State Review Period Start
5/20/2024

State Review Period End
6/24/2024

State Reviewing Agencies
California Air Resources Board (ARB), California Department of Education, California Department of Forestry and Fire Protection (CAL FIRE), California Department of Parks and Recreation, California Department of Water Resources (DWR), California Governor's Office of Emergency Services (OES), California Highway Patrol (CHP), California Natural Resources Agency, California Public Utilities Commission (CPUC), California Regional Water Quality Control Board, Colorado River Basin Region 7 (RWQCB), California State Lands Commission (SLC), Colorado River Board, Department of General Services (DGS), Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water, State Water Resources Control Board, Division of Drinking Water, District 26, State Water Resources Control Board, Division of Water Quality, State Water Resources Control Board, Division of Water Rights, California Native American Heritage Commission (NAHC), California Department of Conservation (DOC), California Department of Toxic Substances Control (DTSC), California Department of Fish and Wildlife, Inland Deserts Region 6 (CDFW), California Department of Transportation, District 11 (DOT)

State Reviewing Agency Comments
California Native American Heritage Commission (NAHC), California Department of Conservation (DOC), California Department of Toxic Substances Control (DTSC), California Department of Fish and Wildlife, Inland Deserts Region 6 (CDFW), California Department of Transportation, District 11 (DOT)

Development Types
Residential (Units 1610, Acres 351.2), Educational (12.3 acre school site), Recreational (park and open space areas; community, neighborhood, mini parks), Other (drainage and storm water treatment improvements), Transportation:Local Road (local collector roads)

Local Actions
General Plan Amendment, Specific Plan, Land Division (Subdivision, etc.), Annexation

Project Issues
Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cumulative Effects, Drainage/Absorption, Flood Plain/Flooding, Geology/Soils, Growth Inducement, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Schools/Universities, Sewer Capacity, Solid Waste, Wetland/Riparian

Public Review Period Start
5/20/2024

Public Review Period End
6/24/2024

Attachments

Draft Environmental Document [Draft IS, NOI_NOA_Public notices, OPR Summary Form, Appx,]

_Memo PDF 1381 K

_NOP McCabe Ranch II TM 994 (May 2024)V2 PDF 2779 K

McCabe Ranch II TM 994 IS (May 2024)V2 PDF 1442 K

McCabe Ranch II TM 994 Summary_Form_for_Document_Submitta PDF 124 K

Notice of Completion [NOC] Transmittal form

NOC PDF 1062 K

State Comment Letters [Comments from State Reviewing Agency(ies)]

2024050879_CDFW Comment PDF 503 K

2024050879_DOC Comment PDF 215 K

2024050879_DOT Comment PDF 478 K

2024050879_DTSC Comment PDF 343 K

2024050879_NAHC Comment PDF 216 K

Disclaimer: The Governor's Office of Land Use and Climate Innovation (LCI) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. For more information, please visit LCI's Accessibility Site.

A-2 Public Scoping Meeting

Scoping Meeting Materials
Scoping Meeting Comments

This page intentionally left blank.

PUBLIC SCOPING MEETING FOR
MCCABE RANCH II

TRACT MAP 994 (TR00094) • SPECIFIC PLAN AMENDMENT #24-001

Supplemental Environmental Impact Report

County of Imperial

June 13, 2024 6:00 PM

1

1

SCOPING MEETING OVERVIEW

- Introductions
- Purpose of Public Scoping Meeting
- Roles and Responsibilities
- Project Overview
- CEQA Purpose, Process, Schedule
- Topics to be Addressed in Draft Supplemental EIR
- Public Comments
- Adjourn

2

2

INTRODUCTIONS

- County of Imperial – CEQA Lead Agency
- CEQA Consultants
- Project Applicant
  - McCabe Ranch Realty, LLC
  - Consultant Team

3

PURPOSE OF THE SCOPING MEETING

- Inform public of proposed Project and the County's intent to prepare a Supplemental Environmental Impact Report (SEIR)
- Present an overview of the CEQA process
- Review topics to be addressed in the Draft Supplemental EIR
- Solicit comments and receive input on:
  - Scope and content of the environmental analysis (direct, indirect, cumulative, unavoidable)
  - Potential measures to reduce adverse environmental impacts
  - Potential Alternatives to avoid or reduce environmental impacts

4

ROLES AND RESPONSIBILITIES

- Imperial County is the "Lead Agency" responsible for Project's CEQA documentation
- County is responsible for:
  - Adequacy/accuracy/objectivity of Project's CEQA document
  - Considering Project's CEQA document prior to making a decision on the Project
- County has retained Willis Environmental Planning to prepare the Supplemental Environmental Impact Report (SEIR)

5

5

PROJECT OVERVIEW – MCCABE RANCH II SPECIFIC PLAN

- **Project Background**
  - McCabe Ranch II Specific Plan (SP07-004) established a framework for development within the 468-acre McCabe Ranch Specific Plan Area
  - Approved by the Imperial County Board of Supervisors (Board) December 2010
  - Board approved a related Subdivision Tentative Map (TR 00979), which has subsequently expired
  - Board certified the Final EIR (2010 Final EIR), and adopted Mitigation and Monitoring Program and CEQA Findings

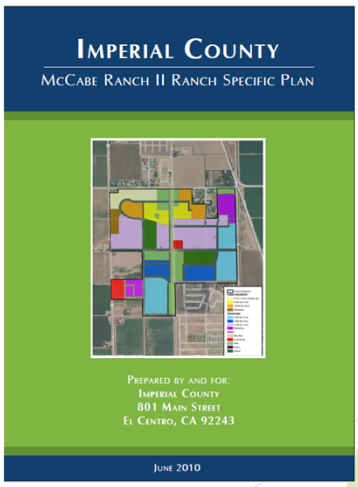


6

6

PROJECT OVERVIEW - MCCABE RANCH II SPECIFIC PLAN EIR

- Previously certified 2010 Final EIR (SCH No. 2008111037) analyzed changes to the physical environment from development
  - 2,300 dwelling units;
  - 19.2-acres of parks;
  - a business park;
  - commercial uses;
  - two (2) elementary school sites (McCabe Unified & Heber Unified School Districts; and,
  - associated public improvements (roads, detention basins, greenbelts)
- Previously certified 2010 Final EIR assumed development would occur in 4 phases



7

7

PROJECT OVERVIEW – MCCABE RANCH II TM 994

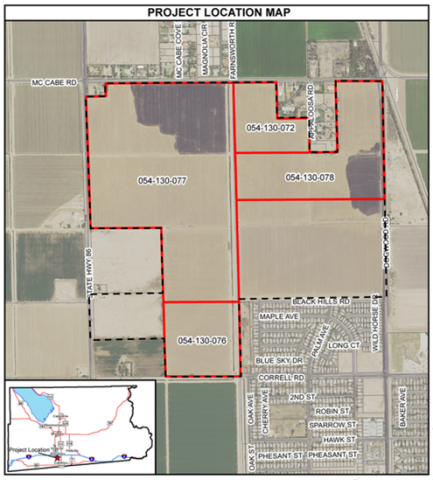
- McCabe Ranch LLC is seeking a TM 994 (McCabe Ranch II Tract Map 994) to accommodate the phased development of a portion of the McCabe Ranch II Specific Plan Area
- McCabe Ranch II Tract Map 994 includes:
  - 1,610 residential units (single- and multiple-family units)
  - 12.3-acre elementary school site for the McCabe Union School District
  - parks, roadways, drainage and storm water treatment improvements
  - Other public utilities

8

8

PROJECT LOCATION & DETAILS

- TM 994 covers a 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area, located north of Heber and south of the City of El Centro
- Bound by McCabe Road on north, Dogwood Road on east, State Route 86 on west, and western extension of Correll Road on south
- TM area is comprised of 4 assessor parcels (APNs) 054-130-072, 054-130-076, 054-130-077, and 054-130-078
- Designated as SP (Specific Plan Area) in the General Plan and zoned as Mc Ra 2 SPA (McCabe Ranch II Specific Plan)
- IID's Date Drain No. 3 and Dogwood Canal traverse the Project area in a north-south direction



9

PROPOSED PHASING

- Phases 1, 2 and 3 (TM 994)
  - Phases 1, 2 and 3: parcels under the control of McCabe Ranch Realty LLC;
  - Phases 1 – 3 are further subdivided into a total of 7 sub-phases (Phase 1A, 1B, 2A, 2B, 3A, 3B, 3C)
  - Development is proposed to occur over a 14-year period between 2025 and 2039
- Phase 4
  - Parcels under separate ownership
  - Represents the remainder of the Specific Plan area (not included in TM 994)
  - Developed either prior to, concurrent with, or subsequent to Phases 1, 2 or 3



10

TM DETAILS (CONT.)

- **Tentative Map 994 includes:**
  - 1,079 single-family lots ranging from 3,200 sf to 32,000 sf
  - 531 multiple-family units within two parcels totaling 27.4-acres
  - 12.3-acre school site for the McCabe School District
  - Community & neighborhood parks
  - Connections to Dogwood Road, McCabe Road, SR-86 and Connell Road.
  - On-site development of Farnsworth Road (from McCabe Road to Connell Road on the west side of and adjacent to the IID canal)
  - Stormwater/detention basins and powerline facilities
- **Tentative Map 994's 1,610 DUs (1,079 SF + 531 MF) retains the 690 DUs allocated to Phase 4 properties and maintains the Specific Plan's overall residential cap of 2,300 DUs**

11

SPECIFIC PLAN AMENDMENT & OTHER ACTIONS

- **Development phasing for the McCabe Ranch II Tract Map 994 (Phases 1, 2 and 3) and for the Phase 4 area differs from that identified in the adopted McCabe Ranch II Specific Plan.**
- **McCabe Ranch II Specific Plan is being amended to reflect this change**
- **Heber Public Utility District Annexation**
  - Sewer, water, park maintenance, and landscape and lighting maintenance services would be provided by the Heber Public Utility District - Specific Plan Area must be annexed into the District
- **Project also includes a Development Agreement with County related to the 351.2-ac portion controlled by McCabe Ranch Realty LLC**

12

REQUIRED PROJECT APPROVALS/REVIEWS

County of Imperial

- Tentative Tract Map 994
- Specific Plan Amendment (#24-0001)
- IID Encroachment Permit(s)
- Water Supply Assessment
- ICAPCD – Authority(ies) to Construct and Permit(s) to Operate
- DPW
  - Building Permit(s)
  - Grading Permit(s)
  - Encroachment Permit(s)
  - Traffic Control Plan(s)
  - Transportation Permit (Overweight Vehicles)
- Development Agreement

13

13

REQUIRED PROJECT APPROVALS (CONT.)

Other Approvals

- Federal
  - US ACOE – Section 404 of the Clean Water Act Permit *
  - Endangered Special Act Section 7 Consultation *
- State
  - Construction Stormwater General Permit Coverages
  - 401 Water Quality Certification *
  - Review of Hazardous Materials Business Plan and Hazardous Materials Transportation Plans (DTSC)
  - 1602 Lake and Streambed Alteration Agreement (CDFW) *
- Caltrans
  - Encroachment permit(s) for any encroachment or improvements to SR-86, SR-111 or I-8 (if needed).
  - Traffic Control Plans
  - Oversized/Overweight Permit(s)
- Local
  - Water Supply Assessment (Heber PUD; LAFCO)
  - Annexation to Special District (Heber PUD; LAFCO)

PUD = Heber Public Utilities District LAFCO = Imperial County Local Area Formation Commission

14

14

ENVIRONMENTAL DETERMINATION

- An environmental initial study has been prepared to determine if the Project may have a significant effect on the environment
- Evaluated impacts to 20 Environmental Resources
  - Presented Findings of Previous EIR and adopted mitigation measures
  - Identified Substantial Changes in Project or Substantial Changes in Circumstances under which the Project would be undertaken
  - Identified New Information, including changes in regulations
- Determined that the proposed project may have a significant effect on the environment

15

15

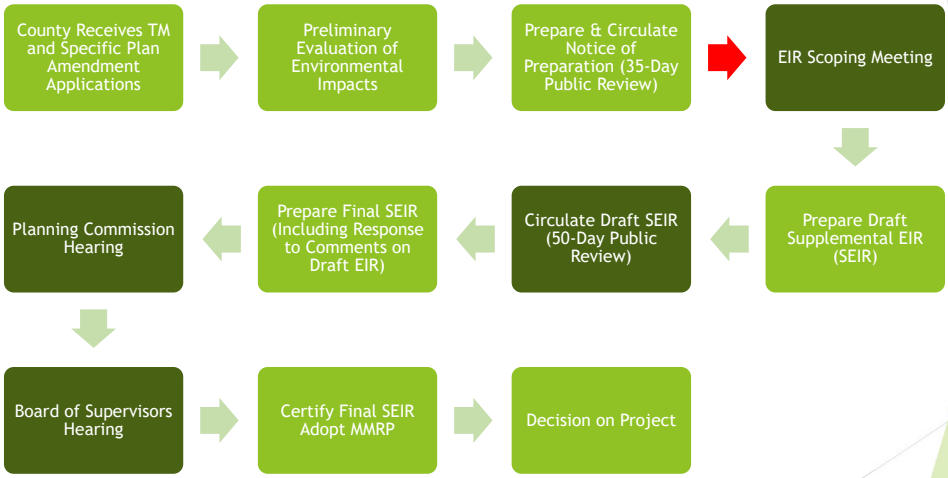
ENVIRONMENTAL DETERMINATION (CONT.)

- Substantial changes are proposed in the project and there are substantial changes in the circumstances under which the project will be undertaken that require revisions to the previously certified Final EIR for the McCabe Ranch II Specific Plan (SCH No. 2008111037).
- A Supplemental EIR was deemed as the appropriate document to provide necessary environmental evaluation.
- The Supplemental EIR will tier off the previously certified Final EIR for the McCabe Ranch II Specific Plan.
- A Notice of Preparation for the Supplemental EIR was published on May 20, 2024 for a 35-day public review period.

16

16

CEQA SUPPLEMENTAL EIR PROCESS



17

17

TOPICS TO BE ANALYZED IN THE DRAFT SUPPLEMENTAL EIR

- Aesthetics *
- Agricultural and Forest Resources *
- Air Quality
- Biological Resources
- Cultural Resources *
- Energy Conservation *
- Geology & Soils *
- Greenhouse Gas Emissions *
- Hazards & Hazardous Materials *
- Hydrology & Water Quality *
- Land Use and Planning *
- Mineral Resources *
- Noise
- Population and Housing *
- Public Services
- Recreation *
- Transportation/Traffic
- Tribal Cultural Resources (AB-52 and SB-18 Consultations)
- Utilities & Service Systems
- Wildfire
- Cumulative Impacts
- Project Alternatives

* Impacts anticipate to be similar to those identified in 2010 Previous EIR *

18

18

TENTATIVE EIR SCHEDULE

Tentative Schedule	
35-Day NOP Scoping Period	May 20, 2024 – June 24, 2024
Public Scoping Meeting	June 13, 2024
Draft EIR Preparation	Summer/Fall 2024
50-Day Draft EIR Public Review	Fall/Winter 2024/2025
Final EIR Preparation	Spring 2025
Public Hearings	Spring/Summer 2025

19

PUBLIC COMMENTS

- Please fill out a speaker slip and hand it in
- When your name is called, please walk up to the microphone, state your name and what agency/organization you represent (if any)
- Each speaker will be given 3 minutes to speak
- In addition, you can fill out a Comment Form and hand it in before you leave or mail it to the address provided on the form

20

PUBLIC COMMENTS

- Your comments may be submitted in writing to:

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

- Available project information may be reviewed at this location
- Due to the limits mandated by State law, your response must be sent at the earliest possible date but no later than June 24, 2024

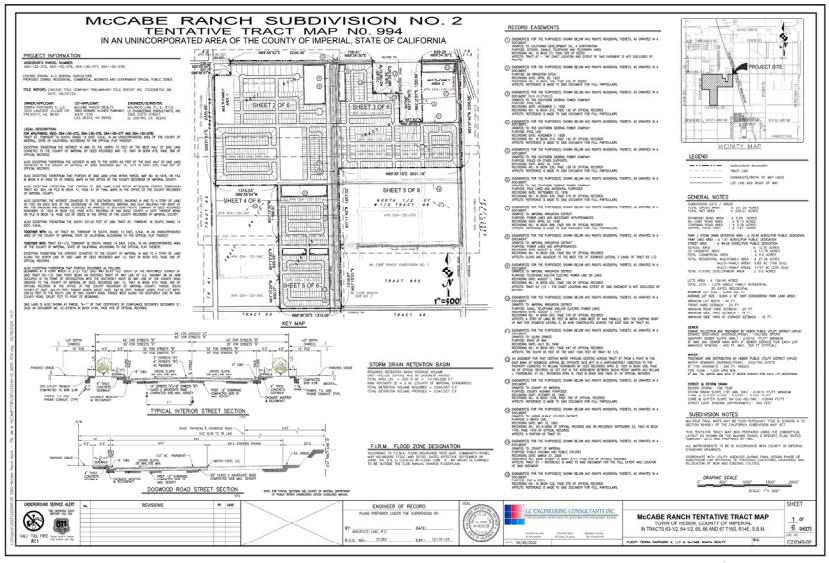
ADORNMENT

Thank you for your participation!

ADDITIONAL DETAILS

23

PROPOSED TENTATIVE TRACT MAP 994


McCABE RANCH SUBDIVISION NO. 2
TENTATIVE TRACT MAP NO. 994
IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA

24

PROPOSED TM 994 – DEVELOPMENT BY PHASE

PROPOSED LAND USES		PHASE 1 (a)		PHASE 2 (a)		PHASE 3 (a)			TOTALS
		1A	1B	2A	2B	3A	3B	3C	
Development Year		2025 - 2026	2026 -2027	2029 - 2031	2032 - 2033	2034 - 2035	2036 - 2037	2038 - 2039	
RESIDENTIAL DEVELOPMENT									DUs
Single-Family	Density								
Traditional Single Family	5 DU/AC	-0-	-0-	160	134	151	-0-	88	533
Small Lot Single-Family	7 DU/AC	-0-	157	100	-0-	-0-	-0-	-0-	257
Flex Lot Single-Family	9 DU/AC	157	-0-	-0-	-0-	-0-	88	-0-	245
Mini Estate	3 DU/AC	-0-	-0-	-0-	-0-	-0-	-0-	19	19
Estate Lot	2 DU/AC	-0-	-0-	-0-	25	-0-	-0-	-0-	25
Single-Family Subtotal		157	157	260	159	151	88	107	1,079
Multi-Family	Density								
Multi-Family 1 (NW Corner)	20 DU/AC	-0-	-0-	-0-	196	-0-	-0-	-0-	196
Multi-Family 2 (NE Corner)	19 DU/AC	-0-	-0-	-0-	-0-	-0-	335	-0-	335
Multi-Family 3	22 DU/AC	-0-	-0-	-0-	-0-	-0-	-0-	-0-	0
Multi-Family Subtotal		-0-	-0-	196	-0-	151	335	-0-	-0-
TOTAL RESIDENTIAL		157	157	260	355	151	423	107	1,610
NON - RESIDENTIAL DEVELOPMENT									Acres
McCabe Elementary (K-5) School Site		-0-	-0-	12.3	-0-	-0-	-0-	-0-	12.3
Commercial		-0-	-0-	-0-	-0-	-0-	-0-	3.14	-0-
Business Park		-0-	-0-	-0-	-0-	-0-	-0-	-0-	- 0 -
Park/Detention/Greenbelt (inc. IID Easement)		-0-	-0-	-0-	-0-	-0-	-0-	-0-	38.78
Major Collector Roads		-0-	-0-	-0-	-0-	-0-	-0-	-0-	48.3

Notes: (a) Denotes property controlled by McCabe Ranch Realty, LLC. Included in TM 994.
DU = Dwelling Units. AC = Acres -0- = No development during this phase

25

MCCABE RANCH II - SPECIFIC PLAN AMENDMENT - DETAILS

- McCabe Ranch II Specific Plan Amendment deals solely with those parcels under control of McCabe Ranch Realty(APNs 054-130-072 -076, -077 & -078)
- Changes are generally limited to modifications to development phasing, the internal circulation system, and text revisions to incorporate these modifications
- No changes (land use, access, etc.) are proposed for Phase 4 parcels (APNs 054-130-042 & -079) under separate ownership
- No changes are proposed to the overall land use mix, development density, or maximum number of dwelling units

26

SUPPLEMENTAL EIR – CEQA SECTION 15162

A Supplemental or Subsequent EIR (SEIR) may be required if another discretionary approval is being considered and:

(a) there are substantial changes to the project;

(b) there are substantial changes in the project's circumstances; or

(c) new information that could not have been known at the time the EIR was certified becomes available and such changes or new information require major revisions to the previous EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. (Pub. Res. Code § 21166; Guidelines § 15162(a).) .

27

27

WHAT IS A SUPPLEMENTAL EIR

- **Under the California Environmental Quality Act, or CEQA, a lead agency may choose to prepare a supplement to an EIR when:**
  - Substantial changes are proposed that result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects,
  - Substantial changes in the circumstances under which the project will be undertaken that require revisions to the previously certified Final EIR for the McCabe Ranch II Specific Plan (SCH No. 2008111037).

28

28

IMPERIAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
SCOPING COMMENTS

PROPOSED MCCABE RANCH II TM 994 (TR00094)/SPECIFIC PLAN AMENDMENT #24-0001

DATE:

NAME*:

AFFILIATION (IF ANY)*:

STREET ADDRESS*:

CITY, STATE, ZIP CODE*:

PHONE NUMBER*:

EMAIL*:

COMMENT:

**PLEASE PRINT. COMMENTS BECOME PUBLIC INFORMATION AND MAY BE RELEASED TO INTERESTED PARTIES IF REQUESTED.*

Please either deposit this sheet at the sign-in table before you leave today, or fold, stamp, and mail. Insert additional sheets, if needed.
Comments must be received by June 24, 2024.

ADD
POSTAGE

JIM MINNICK, DIRECTOR
IMPERIAL COUNTY PLANNING AND DEVELOPMENT SERVICES
801 MAIN STREET
EL CENTRO, CA 92243

SPEAKER REGISTRATION CARD

(PLEASE PRINT)

DATE:

NAME*:

AFFILIATION (IF ANY)*:

STREET ADDRESS*:

CITY, STATE, ZIP CODE*:

PHONE NUMBER*:

EMAIL*:

SPEAKER REGISTRATION CARD

(PLEASE PRINT)

DATE:

NAME*:

AFFILIATION (IF ANY)*:

STREET ADDRESS*:

CITY, STATE, ZIP CODE*:

PHONE NUMBER*:

EMAIL*:

SPEAKER REGISTRATION CARD

(PLEASE PRINT)

DATE: 6.13.24

NAME*: gisal mendoza

AFFILIATION (IF ANY)*:

STREET ADDRESS*: 1166 n. oak ave, heber ca 92249

CITY, STATE, ZIP CODE*:

PHONE NUMBER*: 646 937 4116

EMAIL*: gisalmendoza@gmail.com

A-3 Public Comments Received

This page intentionally left blank.

FW: Notice of Preparation- McCabe Ranch II TR 994

David Black <DavidBlack@co.imperial.ca.us>

Tue 5/28/2024 7:44 AM

To:Christina Willis <christina@willisenvironmentalplanning.com>;David McIntyre <david@mcintyre-environmental.com>

1 attachments (1 MB)

McCabe Ranch II TM 994 IS (May 2024)V2.pdf;

From: Andrew Loper <AndrewLoper@co.imperial.ca.us>
Sent: Friday, May 24, 2024 7:07 AM
To: David Black <DavidBlack@co.imperial.ca.us>
Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Jenyssa Gutierrez <jenyssagutierrez@co.imperial.ca.us>; Kamika Mitchell <kamikamitchell@co.imperial.ca.us>; Olivia Lopez <olivialopez@co.imperial.ca.us>; David Lantzer <davidlantzer@co.imperial.ca.us>
Subject: RE: Notice of Preparation- McCabe Ranch II TR 994

Good Morning Dave
Hope all is going well, Imperial County Fire Department would like to request the 2010 Final EIR, more specifically the Potential Public Services impact associated with the development within the McCabe Ranch II Tract Map 99 project area. ICFD would like to inquire the mitigations measures MM4.12.1a, MM 4.12.1b, and MM4.12.1c . If you have any questions for us please feel free to contact us anytime and thank you for your assistance in this matter.

Andrew Loper
Imperial County Fire Department
Lieutenant/Fire Prevention Specialist
2514 La Brucherie Road, Imperial CA 92251
Office: 442-265-3021
Cell: 760-604-1828

From: Laryssa Alvarado <laryssaalvarado@co.imperial.ca.us>
Sent: Monday, May 20, 2024 10:02 AM
To: Antonio Venegas <AntonioVenegas@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Belen Leon-Lopez <BelenLeon@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Jenell Guerrero <JenellGuerrero@co.imperial.ca.us>; Eric Havens <EricHavens@co.imperial.ca.us>; Luis Plancarte <LuisPlancarte@co.imperial.ca.us>; Miguel Figueroa <miguelfigueroa@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Sergio Luna <SergioLuna@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; RKelley@icso.org; dvargas@iid.com; jmontano@iid.com; mapacheco@iid.com; Esperanza Colio Warren <ecolio@calexico.ca.gov>; AngelHernandez@cityofelcentro.org; jeorge@theholtgroup.net; aortiz@calipat.com; wandrus@cuhsd.net; jcruz@hesdk8.org; laura.dubbe@muesd.net; krodriguez@musdk8.net; gponce@mail.sdsu.edu; mdessert@heber.ca.gov; eruedas@chp.ca.gov; roger.sanchez-rangel@dot.ca.gov; nadim.shukry-zeywar@waterboards.ca.gov; robert.krug@dtsc.ca.gov; energydivisioncentralfiles@cpuc.ca.gov; pac@cpuc.ca.gov; magdalena.rodriguez@wildlife.ca.gov; dave.kereazis@dtsc.ca.gov; jkhrata@scag.ca.gov; michelle.r.lynch@usace.army.mil; noemi.g.romes.civ@us.navy.mil; steve.u.chung@navy.mil; rand.k.center.civ@us.navy.mil; eduardo.t.demeza@usace.army.mil; ruben.guerena@sce.com;

byronfrontier@yahoo.com
Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; David Black <DavidBlack@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Jenyssa Gutierrez <jenyssagutierrez@co.imperial.ca.us>; Kamika Mitchell <kamikamitchell@co.imperial.ca.us>; Laryssa Alvarado <laryssaalvarado@co.imperial.ca.us>; Olivia Lopez <olivialopez@co.imperial.ca.us>
Subject: Notice of Preparation- McCabe Ranch II TR 994

Good morning,

Please see attached **Notice of Preparation (NOP) for the McCabe Ranch II TR 994.** Also, attached is the McCabe Ranch Realty Initial Study Packet :
-
-
Please be advised that there will be a **Scoping Meeting** to take place June 13th, 2024 at 6 PM located at 940 W Main Street Suite 209 El Centro, CA 92243

Should you have any questions, feel free to contact David Black, Planner IV at (442) 265-1736 or via email at davidblack@co.imperial.ca.us

Thank you,

Laryssa Alvarado
Administrative Secretary
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
laryssaalvarado@co.imperial.ca.us

NATIVE AMERICAN HERITAGE COMMISSION

RECEIVED
MAY 28 2024
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

May 22, 2024

David Black
Imperial County Planning and Development Services Department
801 Main Street
El Centro CA 92243

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Laurena Bolden
Serrano

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of Luiseño Indians

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

Re: 2024050879, McCabe Ranch II Tract Map 994 Project, Imperial County

Dear Mr. Black:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Murphy.Donahue@NAHC.ca.gov.

Sincerely,

Murphy Donahue

Murphy Donahue
Cultural Resources Analyst

cc: State Clearinghouse

This page intentionally left blank.

JUNE 10, 2024

VIA EMAIL: DAVIDBLACK@CO.IMPERIAL.CA.US
DAVID BLACK, PLANNER IV
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
801 MAIN STREET
EL CENTRO, CA 92243

Dear Mr. Black:

NOTICE OF PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT TO THE MCCABE RANCH II SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT FOR THE MCCABE RANCH II TRACT MAP 944 PROJECT, SCH# 2024050879

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation of a Supplemental Environmental Impact Report to the McCabe Ranch II Specific Plan Environmental Impact Report for the McCabe Ranch II Tract Map 944 Project (Project).

The Division monitors and maps farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. Public Resources Code, section 614, subdivision (b) authorizes the Department to provide soil conservation advisory services to local governments, including review of CEQA documents.

Protection of the state's agricultural land resources is part of the Department's mission and central to many of its programs. The CEQA process gives the Department an opportunity to acknowledge the value of the resource, identify areas of Department interest, and offer information on how to assess potential impacts or mitigation opportunities.

The Department respects local decision-making by informing the CEQA process, and is not taking a position or providing legal or policy interpretation.

We offer the following comments for consideration with respect to the project's potential impacts on agricultural land and resources within the Department's purview.

PROJECT ATTRIBUTES

The Project applicant is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of

1,610 residential units (single- and multiple-family units), a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements. The project site contains Prime Farmland, and Farmland of Statewide Importance as designated by DOC's Farmland Mapping and Monitoring Program.

PROJECT CONSIDERATIONS

The conversion of agricultural land represents a permanent reduction and impact to California's agricultural land resources. The Department generally advises discussion of the following in any environmental review for the loss or conversion of agricultural land:

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Implementation of any City or County Agricultural Mitigation Plans, Programs, or Policies.
- Proposed mitigation measures for impacted agricultural lands within the proposed project area.

MITIGATING AGRICULTURAL LAND LOSS OR CONVERSION

Consistent with CEQA Guidelines, the Department advises that the environmental review address mitigation for the loss or conversion of agricultural land. An agricultural conservation easement is one potential method for mitigating loss or conversion of agricultural land. (*See* Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]; *see also King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814.)

Mitigation through agricultural conservation easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land may be viewed as an impact of at least regional significance. Hence, the search for replacement lands may not need to be limited strictly to lands within the project's surrounding area. A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland

mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

California Council of Land Trusts

Of course, the use of conservation easements is only one form of mitigation, and the Department urges consideration of any other feasible measures necessary to mitigate project impacts.

Thank you for giving us the opportunity to comment on the Notice of Preparation of a Supplemental Environmental Impact Report to the McCabe Ranch II Specific Plan Environmental Impact Report for the McCabe Ranch II Tract Map 944 Project. Please provide the Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor

This page intentionally left blank.

Department of Toxic Substances Control

Yana Garcia
Secretary for
Environmental Protection

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

June 18, 2024

David Black
Planner IV
Imperial County Planning & Development
801 Main Street
El Centro, CA 92243
davidblack@co.imperial.ca.us

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MCCABE RANCH II TRACT MAP 994 PROJECT DATED MAY 20, 2024
STATE CLEARINGHOUSE NUMBER 2024050879

Dear David Black,

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the McCabe Ranch II Tract Map 994 project (project). McCabe Ranch Realty, LLC is seeking to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximate 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements. The proposed project is comprised of four (4) parcels; County of Imperial

Assessor Parcel Numbers (APNs) 054-130-072, 054-130-076, 054-130-077, and 054-130-078.

After reviewing the project's NOP, DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and land uses are rezoned for residential use, a number of contaminants of concern can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are Dichlorodiphenyltrichloroethane (DDT), toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet HHRA NOTE NUMBER 3, DTSC-SLs approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.
2. Additional chemicals of concern may be found in mixing/loading/storage area, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons (PAHs) and/or Total Petroleum Hydrocarbons (TPHs) may be required.
3. Due to the zone reclassification change of Agriculture to residential, a site and/or soil assessment should be completed to determine if any Recognized Environmental Conditions (REC's) are present. This may require a Phase I Environmental Site Assessment and oversight from DTSC or a certified local agency. DTSC should be consulted for boring and analyses recommendations, greater than 50 acres as advised in the DTSC Interim Guidance for Sampling Agricultural Properties.

4. All imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency (USEPA) Regional Screen Levels (RSLs) for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there

should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels outlined in DTSC's Preliminary Endangerment Assessment (PEA) Guidance Manual for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting DTSC's Human and Ecological Risk Office (HERO) webpage.

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the McCabe Ranch II Tract Map 994 project Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via email for additional guidance.

Sincerely,



Tamara Purvis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

From: Beau Ashley <beau.ashley@stansab.com>
Sent: Tuesday, June 18, 2024 9:36 AM
To: David Black <DavidBlack@co.imperial.ca.us>
Cc: 'Demian Rodiles' <drodiles@gmail.com>
Subject: Proposed McCabe Ranch II project - (Preservation of Raw Water Access and McCabe Rd. access)

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

Hi Mr. Black,

I hope this email finds you well. I'm writing this is regards to the proposed McCabe Ranch II project.

My request is 2-fold.

1st – My Mother-in-law, Sandra Rodiles, resides at 1358 Appaloosa Rd and currently receives raw water service, via the IID, from the Dogwood canal and the ditch running perpendicular to the Dogwood canal. This ditch runs right behind the properties at 1356 and 1354 Appaloosa rd. I would like to state that much care and consideration should be taken to preserve this access to raw water service from the Dogwood Canal so my mother-in-law has access to water.

2nd – I reside at 1354 Appaloosa Rd. I noticed there could be a possibility to have road/street access on or near the Southwestern point of my property. I would like to submit information, for the record, to get some more clarity on what this would look like.

Again, in both instances we would like to go on record, whether written or verbal, with our concerns regarding this proposed development

Can you please lead me in the correct direction?

P.S. – I know there was a recent public hearing on 6/13/2024, unfortunately this happened to be the day my father-in-law passed away and there was no way any of us were going to be able to attend.

I appreciate the help in advance,

Thank You

Beau

Beau Ashley
Stan's Auto Body
Collision Repair Experts Since 1959
1880 W. Euclid Ave
El Centro, CA 92243
PH: 760.353.1991
FX: 760.370.0010
Rated #1 by carwise.com
Check us out on the web: www.stansab.com

This page intentionally left blank.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

June 21, 2024
Sent via email

David Black
Planner IV
Imperial County Planning & Development
801 Main Street
El Centro, CA 92249

Subject: **Notice of Preparation of a Draft Environmental Impact Report**
McCabe Ranch II Tract Map 994 Project
State Clearinghouse No. 2024050879

Dear David Black:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from Imperial County for the McCabe Ranch II Tract Map 994 Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The proposed Project is located McCabe Ranch II Tract Map 994 Project site is an approximately 351.2-acre portion of the 468-acre McCabe Ranch II Specific Plan Area generally located north of the Community of Heber and south of the City of El Centro, in the County of Imperial, California. The McCabe Ranch II Tract Map 994 Project site is bounded by McCabe Road on the north, Dogwood Road on the east, State Route 86 (SR-86) on the west, and the western extension of Correll Road on the south. The McCabe Ranch II Tract Map 994 Project site is located in Section 20, Range 14 East, Township 16 South within the U.S. Geological Survey (USGS) Heber, California 7.5-minute topographic map. The Project encompasses Accessor's Parcel Numbers 054-130-072, 054-130-076, 054-130-077, and 054-130-078.

The Project proposes to process a Subdivision Tentative Map, referred to as the McCabe Ranch II Tract Map 994, for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units (single- and multiple-family units), a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, and drainage and storm water treatment improvements.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Imperial County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the

DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

The CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009[2]). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDB@wildlife.ca.gov or https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

   CDFW's CNDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in

[2] Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. http://vegetation.cnps.org/

consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. In California, preferred habitat for burrowing owl is generally typified by short, sparse vegetation with few shrubs (Haug et al. 1993[3]), and burrowing owls may occur in ruderal grassy fields, vacant lots, and pastures if the vegetation structure is suitable and there are useable burrows and foraging habitat in proximity (Gervais et al. 2003[4]). In addition, burrowing owls frequently move into disturbed areas prior to and during construction since they are adapted to highly modified habitats (Chipman et al. 2008[5]; Coulombe 1971[6]). In Imperial Valley, burrowing owls are highly dependent on irrigation canals for nesting habitat (Wilkerson and Siegel 2011[7]). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill."

CDFW recommends that Imperial County follow the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012); available for download from CDFW's website: https://www.wildlife.ca.gov/conservation/survey-protocols. The Staff Report on Burrowing Owl Mitigation, specifies three steps for project impact evaluations:

a. A habitat assessment;

---

[3] Haug, E. A., B. A. Millsap, and M. S. Martell. 1993. Burrowing owl (Speotyto cunicularia), in A. Poole and F. Gill, editors, The Birds of North America, The Academy of Natural Sciences, Philadelphia, Pennsylvania, and The American Ornithologists' Union, Washington, D.C., USA.
[4] Gervais, J. A., D. K. Rosenberg, R. G. Anthony. 2003. Space use and pesticide exposure risk of male burrowing owls in an agricultural landscape. Journal of Wildlife Management 67: 155-164.
[5] Chipman, E. D., N. E. McIntyre, R. E. Strauss, M. C. Wallace, J. D. Ray, and C. W. Boal. 2008. Effects of human land use on western burrowing owl foraging and activity budgets. Journal of Raptor Research 42(2): 87- 98.
[6] Coulombe, H. N. 1971. Behavior and population ecology of the Burrowing Owl, Speotyto cunicularia, in the Imperial Valley of California. Condor 73:162–176.
[7] Wilkerson, RL and RB Siegel. 2011. Distribution and abundance of western burrowing owls (Athene cunicularia hypugaea) in southeastern California. The Southwestern Naturalist 56(3): 378-384.

b. Surveys; and
c. An impact assessment

As stated in the Staff Report on Burrowing Owl Mitigation, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

Within the 2012 Staff Report, the minimum habitat replacement recommendation was purposely excluded as it was shown to serve as a default, replacing any site-specific analysis and discounting the wide variation in natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in a particular area. It hypothesized that mitigation for permanent impacts to nesting, occupied, and satellite burrows and burrowing owl habitat should be on, adjacent or proximate to the impact site where possible and where habitat is sufficient to support burrowing owls present. If mitigation occurs offsite, it should include (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area, and (b) be sufficiently large acreage with the presence of fossorial mammals. Furthermore, the report noted that suitable mitigation lands should be based on a comparison of the habitat attributes of the impacted and conserved lands, including but not limited to: type and structure of habitat being impacted or conserved; density of burrowing owls in impacted and conserved habitat; and significance of impacted or conserved habitat to the species range-wide.

4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018[8])

[8] CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline)

5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.

4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. Imperial County should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species, such as white-tailed kite (*Elanus leucurus*), may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

    - Take is for necessary scientific research,
    - Efforts to recover a fully protected, endangered, or threatened species,
    - Live capture and relocation of a bird species for the protection of livestock, or
    - They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

    Specified types of infrastructure projects may be eligible for an incidental take permit for unavoidable impacts to fully protected species if certain conditions are met (see Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the project planning process.

    Project activities described in the DEIR should generally be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that Imperial County include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.

2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.

3. *California Species of Special Concern* (CSSC): CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC have the potential or have been documented to occur within or adjacent to the Project area, including, but not limited to: **Reptiles**: Colorado Desert fringe-toed lizard (*Uma notata*), **Birds**: burrowing owl (*Athene cunicularia*), fulvous whistling-duck (*Dendrocygna bicolor*), least bittern (*Ixobrychus exilis*), loggerhead shrike *(Lanius ludovicianus*), long-eared owl (*Asio otus*), mountain plover (*Charadrius montanus*), northern harrier (*Circus cyaneus*), prairie falcon (*Falco mexicanus*), redhead (*Aythya americana*), vermilion flycatcher (*Pyrocephalus rubinus*), yellow-breasted chat (*Icteria virens*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), yellow warbler (*Setophaga petechia*), **Mammals**: American badger (*Taxidea taxus*), big free-tailed bat (*Nyctinomops macrotis*), California leaf-nosed bat (*Macrotus californicus*), pallid bat (*Antrozous pallidus*), pocketed free-tailed bat (*Nyctinomops femorosaccus*), southern grasshopper mouse (*Onychomys torridus*), western yellow bat (*Lasiurus xanthinus*.

4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

   The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center* v. *County* of *Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete *(Sundstrom* v. *County* of *Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry* v. *City* of *Murrieta (1995)* 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc.* v. *County* of *Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

   CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in advance of project impacts in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide

restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act:* Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

   CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way:* To avoid direct mortality to any non-listed terrestrial wildlife, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to inspect the Project area prior to any Project activities. Any individuals found shall not be harassed and shall be allowed to leave the Project area unharmed. If needed, a qualified biologist may guide, handle, or capture an individual non-listed, non-special-status species to move it to a nearby safe location within nearby refugium, or it shall be allowed to leave the Project site of its own volition. Capture methods may include hand, dip net, lizard lasso, snake tongs and snake hook. If the wildlife species is discovered or is caught in any pits,

ditches, or other types of excavations, the qualified biologist shall release it into the most suitable habitat near the site of capture. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise by injured or killed, and individuals should be moved only as far a necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Only biologists with appropriate authorization by CDFW shall move CESA-listed or other special-status species. Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the project. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. CDFW must comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specify a mitigation monitoring and reporting program that will meet the requirements of CESA.

Based on review of CNDDB and Biogeographic Information and Observation System (BIOS), and/or knowledge of the project site/vicinity/general area, CDFW is aware that the following CESA-listed species have the potential to occur: tricolored blackbird (*Agelaius tricolor*), Gila woodpecker (*Melanerpes uropygialis*).

CDFW Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography, several irrigation drains and canals traverse or surround the site (Date Drain 3, Date Drain 3A, Dogwood Lateral 2, Date Canal, Dogwood Canal). Depending on how the

Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Potential direct and indirect impacts to the drains/canals and associated fish and wildlife resources, such as burrowing owl, resulting from Project construction are subject to notification under Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification package, please go to https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Landscaping

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in any Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: https://calscape.org/. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some

facilities display drought-tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: https://saveourwater.com/.

Construction Noise

Project-related construction has the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project. CDFW recommends that the DEIR include an analysis of impacts to wildlife from Project-related construction noise, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant.

Construction may result in substantial noise through road use, equipment, and other Project-related activities. This may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55 to 60 dB[9]. Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats[10,11,12,13]. Noise can also affect predator-prey relationships as many nocturnal animals such as bats and owls primarily use auditory cures (i.e., hearing) to hunt. Additionally, many prey species increase their vigilance behavior when exposed to noise because they need to rely more on visual detection of predators when auditory cues may be masked by noise[14,15]. Noise has also been shown to reduce the density of nesting birds[16] and cause increased stress that results in decreased immune responses[17]. Imperial County should include measures in the DEIR to ensure the following: restricting the use of equipment to hours least likely to disrupt wildlife (e.g., not at night or in early morning); restricting the use of generators except for temporary use in emergencies; provide power to sites by solar PV (photovoltaic) systems, cogeneration systems (natural gas generator), small micro-hydroelectric systems, or

---

[9] Barber, J. R., K. R. Crooks, and K. M. Fristrup. 2009. The costs of chronic noise exposure for terrestrial organisms. Trends in Ecology and Evolution 25:180-189.
[10] Sun, J. W. C., and P. M. Narins. 2005. Anthropogenic sounds differentially affect amphibian call rate. Biological Conservation 121:419–427.
[11] Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. Auk 123:639–649.
[12] Gillam, E. H., and G. F. McCracken. 2007. Variability in the echolocation of *Tadarida brasiliensis*: effects of geography and local acoustic environment. Animal Behaviour 74:277–286.
[13] Slabbekoorn, H., and E. A. P. Ripmeester. 2008. Birdsong and anthropogenic noise: Implications and applications for conservation. Molecular Ecology 17:72–83.
[14] Rabin, L. A., R. G. Coss, and D. H. Owings. 2006. The effects of wind turbines on antipredator behavior in California ground squirrels (*Spermophilus beecheyi*). Biological Conservation 131:410–420.
[15] Quinn, J. L., M. J. Whittingham, S. J. Butler, W. Cresswell, J. L. Quinn, M. J. Whittingham, S. J. Butler, W. Cresswell, and W. Noise. 2017. Noise, predation risk compensation and vigilance in the chaffinch Fringilla coelebs. Journal of Avian Biology 37:601–608.
[16] Francis, C. D., C. P. Ortega, and A. Cruz. 2009. Noise pollution changes avian communities and species interactions. Current Biology 19:1415–1419.
[17] Kight, C. R., and J. P. Swaddle. 2011. How and why environmental noise impacts animals: An integrative, mechanistic review. Ecology Letters 14:1052–1061.

small wind turbine systems; ensure the use of noise suppression devices such as mufflers or enclosure for generators; and sounds generated from any means must be below the 55-60 dB range within 50-feet from the source.

Artificial Nighttime Lighting

The Project will introduce new sources of artificial lighting. CDFW recommends that the DEIR include lighting design specifications for all artificial nighttime lighting that will be used by the Project, an analysis of the direct and indirect impacts of artificial nighttime lighting on biological resources, and appropriate avoidance, minimization, and mitigation measures that will reduce impacts to less than significant. The direct and indirect impacts of artificial nighttime lighting on biological resources including migratory birds that fly at night, bats, and other nocturnal and crepuscular wildlife should be analyzed, and appropriate avoidance and minimization measures should be included in the DEIR.

Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural enemies; and navigation[18]. Many species use photoperiod cues for communication (e.g., bird song[19]), determining when to begin foraging[20], behavioral thermoregulation[21], and migration[22]. Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it. Imperial County should include measures in the DEIR to ensure the following: eliminate all nonessential lighting throughout the Project area; avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active; lighting for Project activities is fully shielded, cast downward, reduced in intensity to the greatest extent, and does not result in spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/); the use of LED lighting with a correlated color temperature of 3,000 Kelvins or less; proper disposal of hazardous waste; and recycling of lighting that contains toxic compounds with a qualified recycler.

---

[18] Gatson, K. J., Bennie, J., Davies, T., Hopkins, J. 2013. The ecological impacts of nighttime light pollution: a mechanistic appraisal. Biological Reviews, 88.4: 912-927.
[19] Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. The Condor 108:130–139.
[20] Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. Current Biology 19:1123–1127.
[21] Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. Ecology 58:98–108.
[22] Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. Frontiers in Ecology and the Environment 2:191–198.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Information can be submitted online or via completion of the CNDDB field survey form at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the McCabe Ranch II Tract Map 994 Project (SCH No. 2024050879) and recommends that Imperial County address CDFW's comments and concerns in the forthcoming DEIR. Questions regarding this letter or further coordination should be directed to Julia Charpek, Environmental Scientist, at Julia.Charpek@Wildlife.ca.gov or 909.354.0937.

Sincerely,

DocuSigned by:
Kim Freeburn
84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

ec: Heather Brashear, Senior Environmental Scientist (Supervisor), CDFW
Heather.Brashear@wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

This page intentionally left blank.

June 24, 2024

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

SUBJECT: NOP of Draft Supplemental EIR McCabe Ranch II Tract Map 994

Dear Mr. Black:

On May 20, 2024, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, the Notice of Preparation of a Supplement Environmental Impact Report to the McCabe Ranch II Specific Plan Environmental Impact Report. The applicant proposes a tentative subdivision map for an approximately 351.2-acre portion of the McCabe Ranch II Specific Plan Area to accommodate the phased development of 1,610 residential units, a 13-acre elementary school site for the McCabe Union School District, parks, roadways, associated utilities, drainage and storm water treatment improvements. The development of the McCabe Ranch II Tract Map 994 is proposed to occur in phases over a 14 year period between 2025 and 2039. The development phasing for the McCabe Ranch II Tract Map 994 differs from that identified in the adopted McCabe Ranch II Specific Plan, hence an amendment to the McCabe Ranch II Specific Plan is also proposed. The McCabe Ranch II Tract Map 994 site, comprised of four (4) parcels (APNs 054-130-072, -076, -077, and -078), is generally located north of the community of Heber and south of the City of El Centro, California.

The Imperial Irrigation District has reviewed the information and has the following comments:

1. For temporary construction or permanent electrical service at the distribution level, the applicant should be advised to contact Ignacio Romo, IID Customer Project Development Planner Senior, at (760) 482-3426 or e-mail Mr. Romo at IGRomo@IID.com. to initiate the customer service application process. In addition to submitting a formal application (available at the district website http://www.iid.com/home/showdocument?id=12923), the applicant will be required submit an AutoCad file of the site plan, phasing plan, approved electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, in addition to the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to the project.

2. Distribution-rated electrical service is limited in the area. A circuit study may be required. Any improvements or mitigation identified in the circuit study to enable the provision of electrical service shall be the financial responsibility of the applicant.

3. Applicant shall provide a surveyed legal description and associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

4. IID water facilities that may be impacted include the Dogwood Canal, Dogwood Lateral 2, Date Drain No. 3, and Date Drain No. 3A. The applicant may not use IID's canal or drain banks to access the project site. Any abandonment of easements or facilities shall be approved by IID based on systems (Irrigation, Drainage, Power, etc.) needs.

5. The proposed tentative map, indicates that the Date Drain No. 3 and the Dogwood Lateral 2 are to be placed underground/pipelined from McCabe Road to Correll Road. IID's existing "PW" 92kV transmission line with a distribution (T-321 Circuit) 7.2/12.5kV underbuilt would remain in between the proposed undergrounding/pipelining. Horizontal, vertical distances and finish grades during and after the pipelining process are of concern as well as the need for access during the pipelining process and after its completion to operate and maintain both water and electrical facilities will be needed.

6. To insure there are no impacts to IID water facilities, applicant should submit project plans, including grading & drainage and fencing plans, to IID Water Department Engineering Services for review and comment prior to final project design and Tract Map approval. IID WDES can be contacted at (760) 339-9265 for further information on this matter.

7. Fences should be installed at the boundary of IID's right of way for safety and to allow access for IID operation and maintenance activities. The project's fencing plan should address IID's right-of-way.

8. The applicant will be required to provide rights of ways and easements for any proposed power line extensions and/or any other infrastructure needed to serve the project as well as the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties.

9. The project proponent will be required to provide and bear all costs associated with acquisition of rights of way, easements, and infrastructure relocations deemed necessary to accommodate street or road improvements imposed by the municipality.

10. Public utility easements over all private public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.

11. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at https://www.iid.com/about-iid/department-directory/real-estate. The IID Real Estate

Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

12. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities

13. Should the development want site access from La Brucherie Road, an IID crossing and encroachment permit will be required. When new crossings or modification to the existing crossings are needed, the applicant will be responsible for the cost of these improvements and IID will design and construct them.

14. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent**.

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

16. When the project goes through the CEQA compliance process, it is important to bear in mind that to address the project impacts to the electrical utility (i.e., the IID electrical grid), considered under the environmental factor "Utilities and Services" of the Environmental Checklist/Initial Study, and determine if the project would require or result in the relocation or construction of new or expanded electric power facilities, the construction or relocation of which could cause significant environmental effects; a circuit study/distribution impact study, facility study, and/or system impact study must be performed.

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

Respectfully,

Donald Vargas
Compliance Administrator II

Jamie Asbury – General Manager
Mike Pacheco – Manager, Water Dept.
Matthew H Smelser – Manager, Energy Dept.
Paul Rodriguez – Deputy Mgr. Energy Dept.
Geoffrey Holbrook – General Counsel
Michael P. Kemp – Superintendent General, Fleet Services and Reg. & Environ. Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 985-1587 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov

June 24, 2024

11-IMP-86
PM 4.5
McCabe Ranch II Tract Map 994
NOP/SCH#2024050879

Mr. David Black
Planner IV
Imperial County Planning & Development
801 Mian Street
El Centro, CA 92243

Dear Mr. Black:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP) for the McCabe Ranch II Tract Map 994 Project (SCH#2024050879) located near State Route 86 (SR-86). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the Imperial County (County) in areas where the County and Caltrans have joint jurisdiction to improve the transportation network and

connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

Traffic Impact Study

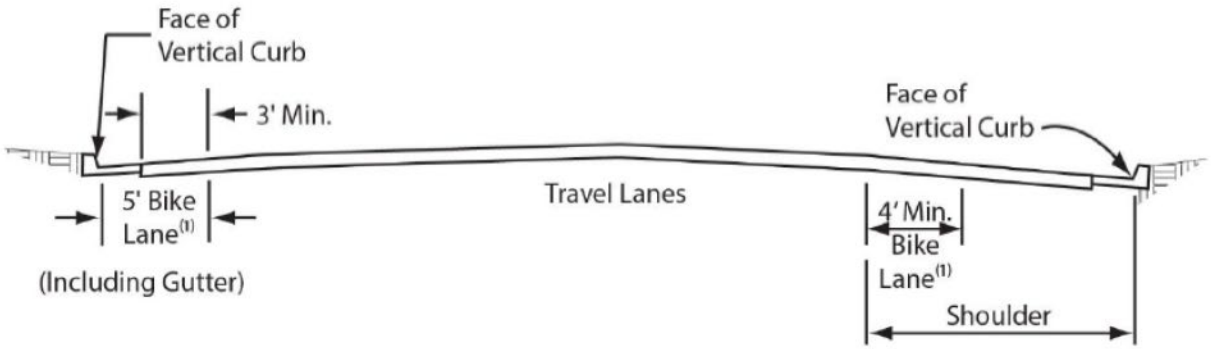
- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.[1]
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.
- Sidewalk and ADA curb ramp design shall comply with the requirements as stated in the Design Information Bulletin (DIB) 82-06.
- Please submit Sight Distance exhibits for review for all new driveways and new minor street connections inside Caltrans' Right-of-Way (R/W) during the design phase. See Highway Design Manual (HDM) Topic 201 and Topic 405 for additional information on the requirements of stopping, decision, and corner sight distance.
- All mitigation should be coordinated with Caltrans to identify and implement the appropriate mitigation. All mitigation improvements should be compatible with Caltrans concepts.
- Roadway mitigation from the development impacts should be fully mitigated by the project prior to completing Phase 1 and especially prior to the construction of the proposed McCabe Elementary School to minimize the traffic impacts for the area.
- Please provide plans showing all project access points and connections onto SR-86. All roadway connections and driveways shall comply with latest Caltrans Highway Design standards.
- It is the goal of Caltrans as owner and operator of the SHS to maintain and enforce access management policy for State facilities. An effective access management program can extend the life of roads and highways, increase public safety, reduce traffic congestion, and improve the appearance and quality of the environment. A Local Mobility Analysis must consider the effects on any upstream or downstream intersections and be based on reasonable speed and capacity for the State highway.
- The County's Long Range Transportation Plan future road network identifies SR-86 as 6-lane Prime Arterial classification. This project is located immediately adjacent to SR-86, preserving needed R/W along highway corridors is consistent

[1] California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

with regional transportation plans and enables Caltrans to more efficiently meet the transportation needs of the region. R/W acquisition can be accomplished by the Lead Agency through an Irrevocable Offer of Dedication (IOD) from the project owner/developer.

Design

- Please provide detailed mapping showing all project access points onto SR-86. The access point locations shall be consistent with the County's Circulation Element.
- If North Bound SR-86 (from Date Drain 3A to McCabe Road) is to be widened it needs to meet Caltrans ultimate design as a result of direct impacts and should be fully mitigated prior to the commencement of Phase I. Any proposed widening shall meet all applicable Caltrans standards, including 12-foot lane width, 8-foot shoulder width, and 14-foot median width.
- Shoulder width should be 8 feet, which may include the curb and gutter (to the flow line). However, a curb and gutter may not be included within lane widths. See figure below for example.



IN URBAN, SUBURBAN AND RURAL MAIN STREET NO PARKING

- The minimum width of sidewalk should be 6 feet when continuous to a curb or 5 feet when separated by a planting strip. Sidewalk width does not include curbs.
- It is recommended to improve North Bound SR-86 intersection with East Bound McCabe to Caltrans ultimate design and should be consistent with the County's Circulation Element.
- The preferred design is for signal spacing of 1/2 mile and right turn only access at 1/4 mile spacing. The access for Correll Road needs to be right-in-right-out only and a raised median on SR-86 will be required at Correll Road.

Hydrology and Drainage Studies

- Please provide hydraulics studies, drainage, and grading plans to Caltrans for review.
- Will the proposed development retain all proposed development generated stormwater on-site for the 100-year storm?
- Will the proposed development detain all proposed development generated stormwater on-site for the 100-year storm?
- Provide a pre and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide drainage plans and details. Include retention or detention basin details of inlets/outlets.
- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.
- On all plans, show Caltrans' Right-of-Way (R/W).
- Early coordination with Caltrans Hydraulics Branch is recommended.
- Caltrans generally does not allow development projects to impact hydraulics within the State's Right-of-Way. Any modification to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.

Complete Streets

Caltrans recognizes that walking, biking, transit, and passenger rail are integral to our vision of delivering a brighter future for all through a world-class transportation network. Additionally, Caltrans recognizes that streets are not only used for transportation but are also valuable community spaces. Accordingly, in locations with current and/or future pedestrian, bicycle, or transit needs, all transportation projects funded or overseen by Caltrans will provide comfortable, convenient, and connected complete streets facilities for people walking, biking, and taking transit or passenger rail.

The segment of SR-86 adjacent to the project area has been identified as a District 11 Caltrans Active Transportation Plan tier 1 need for bicycle and pedestrian infrastructure. Accordingly, please work with Caltrans District 11 including the Complete Streets Program to explore options for comfortable, convenient, and connected bicycle and pedestrian facilities along this segment of SR-86.

The proposed Caltrans' bicycle and pedestrian improvements will provide connectivity to the Active Transportation improvements proposed in the County of Imperial's 2019 Active Transportation Plan and the Imperial County Transportation Commission's 2022 Regional Active Transportation Plan and the 2024 Regional Long-Range Transportation Plan.

In relation to transit, there are currently no proposed transit routes along SR-86 between McCabe Road and Correll Road; however, the Imperial Valley Transit routes 1N and 1S currently operate along a portion of SR-86 and Dogwood Road along the eastern boundary of the project area. It is recommended that consideration is made to reach out to the Imperial County Transportation Commission regarding future transit needs along the western side of the McCabe Ranch Specific Plan project area.

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the County to evaluate potential Complete Streets projects.

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

Land Use and Smart Growth

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

The County should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

Noise

The applicant must be informed that in accordance with 23 Code of Federal Regulations 772, Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of SR-86.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measures for our R/W. We would appreciate meeting with you to discuss the elements of the Environmental Document that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft environmental document.

Broadband

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas emissions and other pollutants. The availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the state's transportation and climate action goals.

Right-of-Way

- As a condition of approval, it would be asked that the developer donate the required R/W according to Caltrans standards and prepare a Right-of-Way Map depicting the dedication (see attachments, I0860401 Right-of-Way Map, I0860402 Right-of-Way Map, and Dedication Process per Right-of-Way Manual Chapter 6.20.00).
- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

If you have any questions or concerns, please contact Charlie Lecourtois, LDR Coordinator, at (619) 985-4766 or by e-mail sent to Charlie.Lecourtois@dot.ca.gov.

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

Attachments:
1. I0860401 Right-of-Way Map
2. I0860402 Right of Way Map
3. Dedication process per R/W manual Chapter 6.20.00

Dedication requirements for RWE

6.20.01.00 General

A dedication is the setting aside of real property (in fee or easement) for public use without compensation, typically as a condition of the local agency approval of a development project (building permit, land use zoning variance or change, tentative subdivision or parcel map, etc.). Where development occurs or land use changes are proposed, the local agency, through its regulatory authority, may require dedications. Typically, the property owner or their agent initiates the request that triggers the dedication. Caltrans may also request a dedication when an encroachment permit is requested through the district Encroachment Permits Office. Both of these methods will be described further, below. Dedications are not usually part of the project development process. However, they can be incorporated into it when occurring coincidentally. For additional information on Dedications see Section 8.29.00.00 of this manual and Section 501.10A of the Encroachment Permits Manual.

6.20.01.01 Initiation Through Planning

The dedication process is initiated when an owner or their representative applies to a governmental entity for an action on the part of that agency that will enhance the value of the applicant's property. Where transportation facilities are impacted by the proposal and a logical connection can be established between the development or land use change and a transportation project, the Department should encourage local agencies to impose reasonable dedication requirements. This process will typically involve the Department's Transportation Planning Office or Branch through the Local Development - Intergovernmental Review (LD-IGR) process, with the Right of Way and Right of Way Engineering offices acting in a review and advisory capacity. Planning should include the Right of Way Engineering (RWE) office (or branch) in the review of all proposed developments. All Project Delivery functions should coordinate to determine whether any dedication should be required of the project. Such requirement would be communicated through Planning to the local agency. Depending on the method of dedication, the local agency may have the option of accepting the dedication or referring the owner (or owner's representative) to dedicate directly to Caltrans. Specifically, if the dedication will be on a final subdivision or parcel map, the local agency must accept it directly. If it will be by deed, either the local agency or Caltrans can accept it. Caltrans acceptance will follow a process substantially similar to that which is described in Section 6.20.01.02.

6.20.01.02 Dedication Requirements

When a dedication is requested through Encroachment Permits, or through a local agency, the applicant must submit the following: • A copy of title report with its supporting documents (maps, deeds, etc.) The title report must be no more than 1 year old when the dedication is accepted by Caltrans. • Hazardous Waste Assessment • A legal description of the grantor's property • A legal description of the parcel offered for dedication or to be dedicated. • Map or draft map of the area surrounding the proposed dedication (such as a parcel or subdivision map). • Improvement or Site plans • Detailed Exhibit or plat of the proposed dedication • Copies of any recorded maps and/or deeds

referred to in the legal description, map, and exhibit. • Access rights, if any, shall be shown and described on the map, exhibit, and deed (if applicable). • Other clearances which may be available or required.

6.20.02.00 Review for Land Surveying Standards
The legal description and proposed mapping are reviewed by the Right of Way Engineering (RWE) office or branch. The description must meet statutory requirements for legal descriptions and be surveyable. It does not have to use the California Coordinate System as a basis of bearings or measurement. Monumentation and field survey requirements will be determined by district RWE on a case-by-case basis. If not approved by RWE, the description is returned to the applicant with an explanation of any issues.

6.20.03.00 Approval and Acceptance
When RWE approves the legal description, it is inserted into the proper deed template by Caltrans and transmitted to the owner for Grantor's signature. (See Exhibit 06-EX-02 for dedication deed template examples.) After the owner (grantor) signs the deed with notarization and returns it to Caltrans, RWE verifies that the description was not altered, and Right of Way reviews the deed and signs it for state acceptance. Right of Way records the deed once all other requirements have been met. See Section 8.29.02.00 of this manual.

6.20.04.00 Recording and Hazardous Waste
The deed is not recorded until a hazardous waste assessment has been completed and signed by the owner. RWE and Right of Way will coordinate with District Environmental staff to ensure the property is acceptable and the documentation meets current guidelines and policies. This process should be initiated early to avoid delays in completing the dedication. The Hazardous Waste procedures prescribed in Section 8.16.00.00 of this manual are specific to project acquisitions; not all aspects apply to dedications. See Section 8.64.00.00 for recordation information.

6.20.05.00 Clear Title
Right of Way will determine whether existing encumbrances need to be cleared from the dedicated property in accordance with the pertinent provisions of Chapter 8 of this manual. A copy of the title report will be provided to Right of Way with the deed, or prior to obtaining Grantor's signature.

6.20.06.00 Other Issues
In order to assist the permittee with demonstrating to the local agency that conditions have been met, RWE may request the permittee to add a statement to the map or deed substantially similar to the following: "Condition #xx of _____ County's Conditions of Approval for Tentative Parcel Map #XXX/NAME (dated _____) is hereby met by this Dedication of State Route XXX right-of-way to the State of California." If the dedication is part of a new subdivision or parcel map, the dedication shall be recorded with the county recorder prior to the final approval of the subdivision or parcel map and shall be delineated on the final map.

This page intentionally left blank.

150 SOUTH NINTH STREET
EL CENTRO, CA 92243-2850

TELEPHONE: (442) 265-1800
FAX: (442) 265-1799

AIR POLLUTION CONTROL DISTRICT

RECEIVED
By Imperial County Planning & Development Services at 2:46 pm, Jun 24, 2024

June 21, 2024

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

SUBJECT: Notice of Preparation of Draft Supplemental Environmental Impact Report to the McCabe Ranch II Specific Plan EIR for the McCabe Ranch II Tract Map 994 Project

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) appreciates the opportunity to review and comment on the Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report (EIR) to the McCabe Ranch II Specific Plan (MRIISP) EIR for the McCabe Ranch II Tract 994 Project (Project). The McCabe Ranch II Specific Plan was approved in December 2010 by the Imperial County Board of Supervisors (Board). Along with the Specific Plan the Board approved the related Subdivision Tentative Map (TR 00979) which has subsequently expired and certified the Final EIR and the CEQA findings. The current project seeks to process a Subdivision Tentative Map referred to as McCabe Ranch II Tract Map 994 for an approximately 351.2-acre portion of the MRIISP to accommodate the phased development of 1,610 residential units, a 13-acre elementary school, and additional improvements. The project is located west of Dogwood Rd. and south of McCabe Rd. and consists of 4 parcels identified with Assessor's Parcel Numbers 054-130-072, 054-130-076, 054-130-077, and 054-130-078.

The Air Quality section of the Initial Study identifies that substantial changes have occurred to the circumstances under which the project would be implemented since the 2010 Final EIR and concludes that a "major EIR revisions" would be necessary. Given the changes and updates to Rules and Regulations, State Implementation Plans (SIP), Air Quality Management plans, the use of CalEEMod software, and the revisions of the California Environmental Quality Act (CEQA) Air Quality Handbook for Imperial County (Handbook), the Air District concurs that a major revision of the EIR, as it pertains to Air Quality, is necessary. As you know, the Air District's established programs help to keep the quality of air in Imperial County from declining. The programs, Rules and Regulations of the Air District in conjunction with CEQA, the most current Handbook, and the SIPs for Ozone, $PM_{2.5}$ and PM_{10} work together to ensure that air quality improves or does not degrade. Currently, the non-attainment status of marginal for the 2015 ozone standard, moderate

for $PM_{2.5}$ and the maintenance requirements for PM_{10} are the driving criteria in establishing the thresholds for NOx, ROG, PM_{10}, SOx and CO found in the Handbook. These thresholds and their significance are explained under Section 6 of the handbook and The Air District strongly recommends referencing the Handbook during the generation of the EIR as the Handbook has helpful information regarding the development of an adequate air quality analysis and emission thresholds. The Air District also recommends the applicant and/or their consultant(s) contact the Air District directly to coordinate with our office for the development of the EIR as the Air District will look closely at the potential impacts, both direct and indirect, as a result of the proposed project.

The following is a synopsis of the information pertinent to the development of a Comprehensive Air Quality analysis. A thorough analysis should include a description, impacts and health consequences of all air quality and associated emissions. The analysis must be conducted using the Air Districts approved modeling factors.[1] The analysis should include short- and long-term emissions as well as daily and yearly emission calculations. Project alternatives should be included along with a thorough emissions analysis per alternative. A description of the Air District attainment status, State and Federal, is required as is describing any regulatory restrictions to the project.

Existing and proposed projects must have a cumulative impact analysis. For each sub-analysis and risk assessment mitigation measures should be identified, quantified for effectiveness, and incorporated into the environmental document. All mitigation measures must follow District Rules and Regulations including the most current Handbook. Consultation with the most recent SIP, District Rules and Regulations and other Air District approved programs is strongly recommended to achieve effective applicability of standards. When it becomes apparent that on-site mitigation is insufficient to reduce the impacts to insignificance then off-site mitigation should be discussed and appropriately applied.

Finally, in accordance with Assembly Bill 32 known as the Global Warming Solutions Act of 2006 and the most recent amendments to the CEQA Guidelines effective December 2018, a discussion of the impacts from Green House Gas (GHG) emissions and its relation to Climate Change is required, however, given the court's Golden Door ruling (*Golden Door Properties, LLC v. County of San Diego*, 2020) coordination with the Air District is recommended to adequately address GHG analysis. Given the Air District has not currently developed its own GHG thresholds, using a threshold from an area similar in size, topography, climate, and population is preferred by the Air District. The Air District also recommends using the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Heath and Equity (GHG Handbook) which was developed by the California Air Pollution Control Officer's Association (CAPCOA) to assist in creating an adequate GHG analysis.

The Air District's rules and regulations can be found online for your review at https://apcd.imperialcounty.org/rules-and-regulations/., the Handbook can be accessed at

[1]The most current modeling tool recently adopted is CalEEMod and can be found at www.caleemod.com

https://apcd.imperialcounty.org/wp-content/uploads/2020/01/CEQAHandbk.pdf, and the GHG Handbook can be accessed at https://www.caleemod.com/handbook/index.html. Should you have any questions please feel free to contact the Air District for assistance at (442) 265-1800.

Respectfully,

Ismael Garcia
Environmental Coordinator I

Monica N. Soucier
APC Division Manager

This page intentionally left blank.