PROJECT REPORT

TO: PLANNING COMMISSION **AGENDA DATE: May 8, 2019**

FROM: PLANNING & DEVELOPMENT SERVICES **AGENDA TIME 9:00 A.M. / No.5**

APPEAL #19-0001 OF EEC'S DETERMINATION OF AN MND FOR

PROJECT TYPE: INITIAL STUDY #17-0026 REGARDING ZC #17-0006 (Revised) SUPERVISOR DIST # 5

LOCATION: Approximately 3,000-feet east of the intersection of State Highway 115 and Gonder Road APN: 041-090-004-000

Approximately 6.5 miles southeast of Brawley PARCEL SIZE: +/-160 AC

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

ZONE (existing) A-2-R (General Agricultural/Rural) ZONE (proposed) A-3 (Heavy Agriculture)

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 05/08/2019

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 02/14/2019

INITIAL STUDY: #17-0026

☐ NEGATIVE DECLARATION ☒ MITIGATED NEGATIVE DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☐	NONE	☒	ATTACHED
AG. COMMISSIONER	☒	NONE	☐	ATTACHED
APCD	☒	NONE	☐	ATTACHED
DEH/EHS	☒	NONE	☐	ATTACHED
FIRE/OES	☒	NONE	☐	ATTACHED
SHERRIFF'S OFFICE	☒	NONE	☐	ATTACHED
OTHER _____				

REQUESTED ACTION:

REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING FOR APPEAL #19-0001 OF THE ENVIRONMENTAL EVALUATION COMMITTEE (EEC)'S DETERMINATION OF A MITIGATED NEGATIVE DECLARATION FOR INITIAL STUDY #17-0026 REGARDING ZONE CHANGE #17-0006 (REVISED), AND HEAR ALL THE OPPONENTS AND PROPONENTS OF APPEAL #19-0001, THEN MAKE A DECISION ON ONE OF THE FOLLOWING OPTIONS:

1. **APPROVE APPEAL #19-0001, AND FIND THAT THE EEC'S FEBRUARY 14, 2019 DETERMINATION OF A MITIGATED NEGATIVE DECLARATION FOR INITIAL STUDY #17-0026 REGARDING ZONE CHANGE #17-0006 (REVISED) IS NOT APPROPRIATE, AND THAT AN ENVIRONMENTAL IMPACT REPORT (EIR) NEEDS TO BE PREPARED; OR**
2. **DENY APPEAL #19-0001, AND FIND THAT THE EEC'S FEBRUARY 14, 2019 DETERMINATION OF A MITIGATED NEGATIVE DECLARATION FOR INITIAL STUDY #17-0026 REGARDING ZONE CHANGE #17-0006 (REVISED) IS APPROPRIATE.**

PC ORIGINAL PKG

TO: Planning Commission May 8, 2019
FROM: Jim Minnick, ICPDS Director M/O _____

SUBJECT: **Consideration of Appeal #19-0001 of the EEC's Determination of a Mitigated Negative Declaration for Initial Study #17-0026 regarding Zone Change #17-0006 (Revised)**

Dear Planning Commissioners:

Requested Action:

The Imperial County Planning & Development Services Department respectfully requests that the Planning Commission conduct a public hearing regarding Robert Bruce Smith's appeal (Appeal #19-0001) of the Environmental Evaluation Committee (EEC)'s determination of a Mitigated Negative Declaration for Initial Study #17-0026 regarding Zone Change #17-0006 (Revised), as follows:

1. Consideration of approval of Appeal #19-0001, finding that the EEC's February 14, 2019 determination of a Mitigated Negative Declaration for IS #17-0026 regarding Zone Change #17-0006 (Revised) is not appropriate, and that an Environmental Impact Report (EIR) needs to be prepared, or
2. Consideration of denial of Appeal #19-0001 finding that the EEC's February 14, 2019 determination of a Mitigated Negative Declaration for IS #17-0026 regarding Zone Change #17-0006 (Revised) is appropriate.

Background:

Mr. Smith's second appeal letter received February 25, 2019 (see Attachment 1) indicates that the Moiola Bros. Cattle Feeders' feedlot was first built in 1968 and that the cattle pens only occupied 30 acres directly north of his family's property. It continues to say that in *"…1972, the cattle pens covered approximately 48 acres, and by 1976 it had grown 54 acres. By 1992 the cattle pens covered 58 acres, and*

PC ORIGINAL PKG

the feedlot had doubled its original (1968) size and capacity. As the size and capacity of the feedlot grew, so did the traffic, especially from large trucks, noise levels, odors and dust, resulting in the continued degradation of the peaceful rural setting…"

In 2006, Moiola Bros. Cattle Feeders submitted an application for a Parcel Map to subdivide a parcel into two lots, a Zone Change to rezone 37.27 acres from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture), and Conditional Use Permit for a composting facility. This 2006 application applied for what is now APN 041-020-028-000 and APN 041-020-029-000.

The appeal letter indicates that Moiola Bros. Cattle Feeder's began adding cattle pens without permits, and installing some within setback areas. It also states that cattle pens were added to the area "permitted ONLY for composting"; however, being that it was rezoned to A-3 (Heavy Agriculture), cattle pens could be installed there with an approved building permit. The rezone of 2006 was not tied to only composting, but to any and all A-3 uses.

Our office has prepared a draft Notice of Violation to Moiola Bros. Cattle Feeders indicating that cattle pens shall stay away from setbacks and that future cattle pens shall need building permit approval prior to installation. The County and the applicant are dealing with these issues on a separate matter to this Zone Change (ZC #17-0006), since the proposed project site is located on another parcel APN 041-090-004-000. That being said, we will proceed with addressing the issues brought up in the appeal letter received February 25, 2019.

The Zone Change applicant has provided a response letter on behalf of the property owners (Moiola Bros. Cattle Feeders), received April 10, 2019, and has been made part of this package. See Attachment 2.

Procedural History:

At the February 14, 2019 public hearing, the Environmental Evaluation Committee's Mandatory Findings of Significance indicated 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. The EEC also indicated that the project has less than significant impacts regarding the potential to degrade the quality of the environment; and that the project's individually and cumulatively considerable impacts were considered potentially significant unless mitigation was incorporated. The EEC also indicated that the project has potentially significant environmental effects, which will cause substantial effects on human unless mitigation is incorporated; therefore, a MITIGATED NEGATIVE DECLARATION was determined.

PC ORIGINAL PKG

Thereafter, Imperial County received an appeal letter (APP #19-0001) from Robert Bruce Smith, who stated that he strongly disagreed with the EEC's decision as to the Mandatory Findings of Significance and its decision that a Mitigated Negative Declaration was appropriate and necessary for this project.

The appeal received to the EEC Action, requested the following reasons for appeal to be considered:

A. *The Initial Study is Incomplete.*

The appellant indicates that the Initial Study is incomplete because Transportation Impact Analysis (TIA) did not include Appendix A and Appendix B. Both of these Appendices have been included as part of this package. See Attachment 3.

B. *The Notice, Agenda and Initial Study do not provide an accurate description of the project.*

The appellant states that the Initial Study "...fails to provide an accurate description of the Applicant's Project...", and continues to raise the question of why the applicant is proposing to rezone approximately 160 acres if they only intend to use approximately 45 acres to hold the 18,000 head of cattle. This statement brings two issues, which will be explained as follows: 1) the Imperial County General Plan and Land Use Ordinance do not support parcels with dual-zoning, meaning that no new Zone Change application can propose two zones, A-2-R and A-3 in this case; therefore, the applicant is proposing to rezone the whole parcel to A-3; and 2) this and all Initial Studies are prepared using the applicant's latest/revised project description. The applicant has stated multiple times that they only intend to add 18,000 head of cattle to this parcel; therefore, the environmental assessment was done for the maximum of 18,000 cattle. We further asked if they could state if they planned to keep the cattle within a certain area within the approximately 160 acre parcel, and they responded that in order to stay the furthest away from Mr. Smith's property, they were proposing to locate the cattle towards the east of the parcel and within approximately 45 acres of land. This does not mean that they will eventually have 54,000 head of cattle. Assuming this is also against CEQA. Any and all issues with other parcels are being dealt and shall be dealt with separately from this project.

C. *Linscott, Law & Greenspan's Transportation Impact Analysis (TIA) dated August 13, 2018.*

The engineers who prepared the TIA are professionals who stamped and signed the analysis. We received said analysis and based off our environmental review based on their conclusions. In order to further analyze the proposed traffic impacts, the applicants had the consultant install a traffic counter on Gonder Road for seven (7) days, starting March 13, 2019. The applicant has provided a response letter with the results. See Attachment 4.

PC ORIGINAL PKG

1. ***The EEC approved a Mitigated Negative Declaration based on an Initial Study, including the Transportation Impact Analysis, in contravention of the County of Imperial Department of Public Works Conditions of Approval***

   The appellant states that there is an inconsistency between the applicant's determinations of additional trips to this project site and between the TIA's and the County of Imperial Public Works Department (PWD)'s numbers. The applicant has contacted both the engineers who prepared the TIA and PWD to settle this inconsistency. PWD revised their comment letter dated January 11, 2019 after making the determination that comment 9a. was incorrect. The revised comment letter dated May 2, 2019 states that "...The transportation impact analysis indicates that Gonder Road will still operate at a Level of Service (LOS) of A after Existing + Project + Cumulative Impacts. No mitigation measures to address road LOS shall be required at this time. However, the applicant shall update the transportation impact analysis at five (5) years from the date of this correspondence and/or as directed by the Road Commissioner..." See Attachment 5 for the revised letter dated May 2, 2019.

2. ***The TIA does not contain accurate information regarding the current or expected increase of traffic and therefore does not reflect the true environmental impacts of the Project.***

   The applicant's response letter addresses the additional 25,000 head of cattle located in its "Del Charro" and "Reatta" feed yards. The TIA consultant prepared the analysis needed for this proposed site. In addition, the applicant has provided a more detailed site plan showing more information on the proposed driveways to the project site to be consistent with the TIA. In addition, the TIA was prepared taking these two (2) satellite feedlots into consideration and the results indicated that the Level of Service of A would not change. Also, per an email from the applicant, of these two satellite feedlots, Moiola only owns 4,000 head of cattle from the Reatta feedlot and 12,000 head of cattle from the Del Charro feedlot, totaling 16,000 head of cattle, not 25,000 as per the appellant's letter, meaning that they feed a total of 36,000 head of cattle and not 45,000 as per the appellant's letter. The total amount of cattle to feed (existing main feedlot + satellite feedlots + proposed expansion) would be 54,000 head of cattle and not 65,000 as per the appellant's letter. See Attachments 2 (Applicant's Response Letter), 6 (Revised Site Plan dated April 22, 2019) and 7 (Reatta and Del Charro feedlots) for additional information.

PC ORIGINAL PKG

Finally, the TIA did not consider any turns to the project site since it is not being used at the moment; therefore, the traffic study did not count any turns towards the site.

3. ***The TIA does not contain required information regarding the current or existing turning movements of the Project's traffic and therefore does not reflect the true environmental impacts of the Project.***
   See Attachment 3 for additional information.

4. ***The TIA does not provide for an entrance to the Project Site.***
   According to I.C. Public Works Department's comment letter dated May 2, 2019, "...The applicant shall be required to complete the installation of one (1) commercial-type driveway per Imperial County standards and, if warranted by the Imperial County Fire Department, one (1) secondary emergency access driveway for the proposed project site. The commercial-type driveway for the proposed site shall be located at a minimum of 1,000 feet east of the existing driveway currently located on the existing project site. The secondary emergency access driveway shall be constructed of asphalt concrete or as approved by this Department..."

   Since the applicant provided a revised site plan on April 22, 2019 and we received PWD's comment letter on May 2, 2019, the applicant will have to replace their site plan to reflect this change.

5. ***The TIA does not contain accurate information regarding the hours of operation of the Applicant's current or future feedlot.***
   The Moiola Bros. Cattle Feeders were consulted regarding the "true" hours of operation of the existing feedlot and they responded that the hours of operation is from 6:00am to 4:00pm, seven (7) days of week.

D. ***The placement of the applicant's proposed project will prevent many neighboring farmers from growing vegetable crops***
   The applicant has the right to submit a Zone Change application and the right to submit building permits for cattle pens if the zone allows for it. The neighboring parcels are already impacted by this one-mile minimum buffer requirement with the existing feedlots; therefore, the proposed feedlot expansion would not change the circumstances for these neighboring parcels.

E. ***The Air Quality Study uses unrealistic traffic and other data provided by the applicant and does not properly analyze the potential environmental effects of the applicant's project.***

PC ORIGINAL PKG

1. ***Air Quality.***
   The applicant is required to prepare a driveway to the project site that is in accordance to County standards. The applicant will not be allowed any approvals of projects without proper installation of driveway and other site improvements as deemed necessary by Public Works Department. Gonder Road is paved and the applicant will use this road to access the project site.
   The appellant is stating that this project would increase $PM_{2.5}$ and PM_{10} levels to unacceptable levels. The Air Pollution and Control District (APCD) has read the Air Study and has requested that additional mitigation measures be included to the project to reduce the levels of the previously mentioned pollutants. APCD's goal is to assure that with these mitigation measures, the project's impacts are reduced to be consistent with both State and local codes and ordinance regarding Air Quality.

2. ***Greenhouse Gas Emissions***
   The number of daily trucks and employees used for both studies were an additional eight (8) trucks and ten (10) employees.

F. The EEC's findings as to Environmental Impacts of the applicant's project are incorrect

Furthermore, Mr. Smith requests appeal of the EEC's Mandatory Findings of Significance in accordance with Section 15065 of the California Environmental Quality Act (CEQA) guidelines and the EEC's determination that a Mitigated Negative Declaration was appropriate for providing the necessary environmental documentation and clearance for the Moiola Brothers Cattle Feeders' project identified as "Assessment #17-0026, Zone Change #17-0006 and Initial Study #17-0026".

Mr. Smith is requesting an Environmental Impact Report (EIR) be prepared to adequately study and address the potentially significant environmental effects of the Applicant's Project.

On April 10, 2019, the County Planning & Development Services Dept. received a response letter from the applicant's agent Dubose Design Group.
The County has satisfied the legal requirements for notice and production of documents for this hearing. Notice of this hearing for Appeal #19-0001 was published in the Imperial Valley Press WITHIN 10 calendar days (a newspaper of general circulation) and, in addition, public notice of this hearing was mailed to the surrounding property owners within a "one half mile radius" of the project boundaries within 10 calendar days. Notices were provided to all those who provided written comments at the EEC hearing, specifically the above appellants. The required documents and agendas were posted on the Department's website.

PC ORIGINAL PKG

Procedure for Planning Commission Appeal Hearing:

This is an appeal hearing, which is a hearing to review the EEC's February 14, 2019 determination of a Mitigated Negative Declaration for Initial Study #17-0026 with regards to Zone Change #17-0006, (See Rules to Implement CEQA) as amended.

REQUESTED ACTION:

ICPDS Staff requests that the Planning Commission hold a Public Hearing for Appeal #19-0001 of the Environmental Evaluation Committee (EEC)'s February 14, 2019 determination of a Mitigated Negative Declaration for the Revised Initial Study #17-0026. Hear all the opponents and proponents of Appeal #19-0001, then make a decision on one of the following options:

1. Approve Appeal #19-0001, and find that the EEC's February 14, 2019 determination of a Mitigated Negative Declaration for the Revised Initial Study #17-0026 is not appropriate, and that an Environmental Impact Report (EIR) needs to be prepared; or

2. Deny Appeal #19-0001 and find that the EEC's February 14, 2019 determination of a Mitigated Negative Declaration for the Revised Initial Study #17-0026 is appropriate.

PC ORIGINAL PKG

Project Details

Applicant/Owner: **Moiola Bros. Cattle Feeders**
1594 Gonder Road, Brawley, CA 92227

Project Location:

The project site is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Route 115 and approximately .75 miles west of Holt Road, from Gonder to Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number 041-090-004-000.

Project Summary:

According to the revised application package received on November 21, 2018, the project consists of a Zone Change from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) in order to allow the expansion of an existing feedlot, operated by Moiola Bros. Cattle Feeders and located on APNs 041-020-019-000 and 041-020-029-000, approximately 100-feet away north of the project site, which is identified as APN 041-090-004-000. The applicant wishes to accommodate up to 18,000 additional head of cattle. The existing feedlot has approximately 20,000 head of cattle and if the Zone Change is approved, it would allow the applicant to submit a building permit application package for the additional cattle pens, and the total number of cattle (new and existing) would be up to 38,000. See attached Application Package for additional information.

The applicant's site plan shows an outlined area within the 300-foot setback where they are proposing the location of the cattle pens. This is towards the east of the parcel and approximately 890-feet away from the existing house on the northwest corner of the parcel, where the nearest residence is found. The site plan shows they are proposing one pond, two future retention ponds and a hay buffer area.

Environmental Setting:

The project site is currently being farmed and is surrounded by cultivated agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and they are both owned by the applicant, Moiola Bros. There are six (6) residences nearby, the closest one being adjacent to the northwest corner of this project site. Neighboring parcels are zoned: A-2 (General Agricultural) and A-3 (Heavy Agricultural). The environmental setting is mostly open flat space due to agricultural fields.

PC ORIGINAL PKG

Analysis:

The project site is zoned A-2-R (General Agricultural/Rural Zone) per Zoning Map #35 (Title 9, Section 92535.00). The approval of the proposed Zone Change to A-3 (Heavy Agriculture) would allow for the proposed use with the submittal and approval of a building permit since it is listed as a permitted use per Title 9, Division 5, Chapter 9, Section 90509.01. The proposed application is consistent with the Imperial County General Plan's designation, and the Imperial County's Land Use Ordinance. In addition, the adoption of the CEQA Initial Study for this project would be consistent with applicable County and State ordinances and regulations.

General Plan Consistency:

The project site is designated as "Agriculture", according to the County's General Plan Land Use Map. The proposed project is not expected to conflict with the County's General Plan, and can be found consistent with the Agricultural Element's Implementation Programs, Policies, Goals and Objectives, especially Goal 10, which encourages the continuation and expansion of cattle/dairy production on agricultural land.

EEC Determination:

On February 14, 2019, the EEC held a publicly noticed regularly scheduled hearing and reviewed the Initial Study #17-0026. In Initial Study "SECTION 3"of the Mandatory Findings of Significance, the EEC members made a determination than this project's potential to degrade the quality of the environment is less that significant; the air quality and transportation/traffic impacts may be potentially significant to have cumulatively considerable impacts and adverse effects on human beings directly or indirectly, but mitigations are incorporated to reduce the impacts to less than significant.

Finally, the Environmental Evaluation Committee found that although the proposed project Initial Study #17-0026 Zone Change #17-0006 could have a significant effect on the environment, there will not be a significant effect because the applicant has agreed to incorporate mitigation measures.

PC ORIGINAL PKG

PREPARED BY:

Diana Robinson, Planner III

REVIEWED BY:

Michael Abraham, AICP, ICPDS Assistant Director

APPROVED BY:

Jim Minnick, Director, ICPDS

Attachments:

Attachment 1:	Appeal Letter from Robert Bruce Smith received February 25, 2019
Attachment 2:	Response Letter from the applicant on behalf of Moiola Brothers Cattle Feeders received March 27, 2018.
Attachment 3:	Transportation Impact Analysis with Appendix A and Appendix B
Attachment 4:	Transportation Impact Analysis Response Letter from Engineer dated April 1, 2019
Attachment 5:	I.C. Public Works Department's Comment Letter dated May 2, 2019
Attachment 6:	Revised Site Plan from the applicant on behalf of Moiola Bros. Cattle Feeders received April 22, 2019
Attachment 7:	Reatta and Del Charro feedlots
Attachment 8:	EEC Hearing Package for Initial Study #17-0026 regarding Zone Change #17-0006 (Revised)

S:\APN\041\090\004\ZC17-0006\NOC NOI\APP 19-001 STAFF REPORT (After redlines).docx

PC ORIGINAL PKG

Attachment 1.

Appeal Letter from Robert Bruce Smith received February 25, 2019

PC ORIGINAL PKG

RECEIVED
FEB 25 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

February 20, 2019

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

Re: Appeal of Environmental Evaluation Committee's Decision to Prepare Mitigated Negative Declaration for Zone Change #17-0006 (Revised) and IS #17-0026; Applicant: Moiola Brothers Cattle Feeders; APN: 041-090-004-000
Hearing Date and Time: 2/14/2019 at 1:30 p.m.

Dear Mr. Minnick,

On February 14, 2019 at 1:30 p.m., the Environmental Evaluation Committee ("EEC") held a hearing on the Applicant Moiola Brothers Cattle Feeders' ("Applicant") proposed project identified as "Zone Change #17-0006 (Revised), "IS #17-0026 Moiola Bros. Cattle Feeders", to be located at approximately 3,000 feet from the intersection of State Highway 115 and Gonder Road, Assessor's Parcel Number 041-090-004-000, for a zone change of the above-referenced parcel from its current designation as A-2-R (General Agricultural/Rural Zone) to A-3 (Heavy Agricultural) (the "Project") so that the Applicant will have room to expand its current existing feedlot and allegedly add up to 18,000 head of cattle once the zone change is processed. After the EEC made its Mandatory Findings of Significance in accordance with Section 15065 of the California Environmental Quality Act (CEQA) guidelines, the ECC determined that a Mitigated Negative Declaration was appropriate for providing the necessary environmental documentation and clearance for the Applicant's Project. I strongly disagree with the EEC's Mandatory Findings of Significance and its decision that a Mitigated Negative Declaration was appropriate and necessary for this Project, and hereby appeal the EEC's decision.

I. BRIEF HISTORY

My name is Bruce Smith. My address is 681 Marilyn Avenue, Brawley, California, 92227. My telephone number is (760) 344-6655. My father, James R. Smith, my siblings (Katherine Worrell, David Smith, and Leslie Smith), and I own the farm ground (Oxalis 23) and residence (1593 East Gonder Road) directly west of the Applicant's Project site (APN: 041-090-004-000). My family has owned this property since 1924, almost 95 years. The residence was built in approximately 1937, *30 years before* the Applicant's current feedlot was built. My father and his siblings were raised in the residence, and my grandmother lived there until she passed away in 1982. My parents then remodeled the residence and they lived there until my mother passed away in 2011 and my father's medical needs necessitated a move into town. Currently, the residence is occupied by one of my employees, and I farm Oxalis 23.

In 1968, when the feedlot was first built, the cattle pens only occupied 30 acres directly north of my family's property. Since that time, the feedlot and its environmental impacts have continued to grow exponentially. In 1972, the cattle pens covered approximately 48 acres, and by 1976 it had grown to 54 acres. By 1992 the cattle pens covered 58 acres, and the feedlot had doubled its original (1968) size and capacity. As the size and capacity of the feedlot grew, so did

PC ORIGINAL PKG

the traffic, especially from large trucks, noise levels, odors, and dust, resulting in the continued degradation of the peaceful rural setting.

The feedlot remained at 58 acres until 2006, when the feedlot size was expanded to 66 acres (the limit of its A-3 zoning), and the feedlot owners began composting ***without*** the proper permit or zoning. In order to obtain compliance ***after the fact***, the feedlot owners applied for a zone change (from A-2-R to A-3) and a conditional use permit (for a composting operation) for real property they owned in Tract 147 (APN 141-020-018-000), and the Board of Supervisors granted both the zone change and the conditional use permit over my family's objections. Both the zone change and the conditional use permit were granted in connection with a minor subdivision, and parcel 1 (approximately 98.54 acres) was to retain its A-2 zoning. In 2008, the Applicant added cattle pens to the north of the existing feedlot (an area zone A-2-R) and to the west of the existing feedlot (the area permitted for ONLY composting) in complete contravention of the size, scope, and restrictions of the 2006 project. Moreover, in both of these areas, the Applicant has disregarded the County of Imperial setback requirements, and has unlawfully (and most likely without the proper permitting) built cattle pens in these setback areas. This has all resulted in the Applicant's feedlot **tripling** in size to **90 acres** from its original 36 acres size in 1968. Again, as the size and capacity of the feedlot has grown, so have the traffic, noise level, odor, and dust, and the air quality and general environmental condition of the area continues to significantly deteriorate.

II. APPEAL

A. The Initial Study is INCOMPLETE

One of the basic purposes of CEQA is to inform the governmental decision makers and the public about the potential significant environmental effects of proposed projects, and to identify the ways in which that environmental damage can be either avoided or reduced. This is accomplished by the preparation of an Initial Study ("IS"), a Negative Declaration ("ND"), or an Environmental Impact Report ("EIR").

On May 9, 2018, the Planning Commission heard the appeal of the original EEC determination of a Negative Declaration and decided that a Transportation Impact Analysis ("TIA") and an Air Quality Study ("AQS") were required to properly assess the environmental impacts of the Applicant's Project. The matter was remanded back to the EEC to again review the Project following the completion and submission of the TIA and ACS.

Page 8 of the Initial Study & Environmental Analysis for Moiola Bros. Cattle Feeders, IS #17-0026, ZC #17-0006 (Revised) (hereinafter, the "Initial Study" or "IS") indicates that it is based on the Applicant's "revised project description, ***requested studies and supporting documents***" [emphasis added]. Page 8 of the Initial Study also clearly indicates the "requested studies" refer to the Transportation Impact Analysis ("TIA") and the Air Quality Study ("AQS"). Although both the TIA and the AQS were included in the Initial Study, the TIA was incomplete because it did **NOT** include ***either*** ***Appendix A*** ***or*** ***Appendix B*** of the TIA, both of which are referenced consistently throughout the study. If the Initial Study is based not only on the Applicant's revised project description, but *also on the TIA and AQS and supporting documents*, how can the EEC make a determination with only ***part*** of the required materials? The failure to provide the public with the *required* materials, specifically the Appendices to the Transportation

PC ORIGINAL PKG

Impact Study, hindered not only the ability of the public to engage in a meaningful discussion of the potential environmental harm the Applicant's Project may cause, but also prevented the EEC from thoroughly assessing the environmental impacts of the Applicant's Project.

B. The Notice, Agenda, and Initial Study Do NOT Provide an Accurate Description of the Project

The Initial Study must include a brief, accurate description of the project and its location to allow for meaningful evaluation of the potential environmental effects of a project. It is my belief the Initial Study ***completely fails to provide an accurate description of the Applicant's Project.*** According to the Initial Study, the Applicant intends to rezone approximately 160 acres identified by Assessor's Parcel Number 041-090-004-000 from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) with the alleged intention of adding 18,000 head of cattle. However, according to the Initial Study, the Applicant has proposed a cattle pen area of approximately 45 acres to hold the 18,000 head of cattle. If the Applicant truly only intends to add 18,000 head of cattle, which, according to information *provided by the Applicant,* can be held in cattle pens only occupying 45 acres, *then why does the Applicant need to rezone the entire 160 acres?* Why does the Applicant want to rezone an additional **115 acres for ONLY 18,000 additional head of cattle**? If the Applicant's zone change is granted, ***they will be able to add an additional 54,000 OR MORE head of cattle WITHOUT another public hearing or review*** (160 acres/ 45 acres = 3.56 → 3 x 18,000 head of cattle = 54,000 head of cattle).

C. Linscott, Law & Greenspan's Transportation Impact Analysis dated August 13, 2018

The Applicant's Transportation Impact Analysis dated August 13, 2018 and prepared by Linscott, Law & Greenspan, Engineers ("TIA") relies on information provided by the Applicant, contains inaccuracies, and fails to provide material information which was necessary for the EEC to make a proper determination as to the true environmental impact of the Applicant's Project.

1. The EEC approved a Mitigated Negative Declaration based on an Initial Study, including the Transportation Impact Analysis, in contravention of the County of Imperial Department of Public Works Conditions of Approval

The Applicant's Transportation Impact Analysis, *based on discussions with the Applicant*, determined that 4 additional trucks and 5 additional passenger vehicles per day would ingress and egress the Project Site (although to be conservative, the TIA assumed an additional 8 trucks and 10 passenger vehicles). Based on those calculations *and information provided by the Applicant*, the TIA found that the total Project would generate a maximum of 20 average daily traffic by passenger vehicles and 48 average daily traffic by trucks, for a total of 68 trucks and vehicles entering and exiting the Project Site daily (See TIA, Section 7.0, Table 7-1, and Figures 7-3, 7-4, 7-5, and 7-6).

However, the section 9.a. of the County of Imperial Department of Public Works letter dated January 11, 2019 set forth the following was a Condition of Approval for the Applicant's Project: "[t]he combined traffic generation for both the existing operations and proposed project shall not exceed 20 trips per day for passenger vehicles (10 employees) and 16

PC ORIGINAL PKG

trips per day for heavy vehicles (8 trucks)". The TIA included in the Initial Study determined that the Project would generate **68 average daily traffic by trucks and passenger vehicles, *32 MORE trips than the Condition of Approval set forth by the County of Imperial Department of Public Works.*** Moreover, 67 of that average daily traffic by trucks and passenger vehicles occurs in the AM / PM peak hours, which is ***31 MORE vehicles than County of Imperial Department of Public Works Condition of Approval allow.*** Additionally, *if 67 of the Applicant's 68 total average daily traffic by trucks and passenger vehicles occurs in just two hours of the day* (the AM / PM peak hours), then that means that ***only 1 additional truck or passenger vehicle will access the Project Site during the remaining business hours. This seems highly improbable, if not impossible.***

Moreover, the average daily traffic of passenger vehicles and trucks set forth in the TIA was based on ***information provided by the Applicant.*** As I have repeatedly stated in my previous letters and have voiced at various hearings and appeals, for almost 95 years my family has owned the real property and residence located directly west of the Applicant's revised Project Site. Since the Applicant's main feedlot was built in approximately 1968, I have had decades of daily observation of the traffic conditions of the intersection of Gonder Road and the entrance to the main feedlot, and I am intimately aware of the traffic conditions based on my own personal knowledge and experience. As my neighbors and I have stated numerous times, ***at least 100 trucks and 30 vehicles will enter and exit the existing feedlot on any given day***. Further, in order to further show the actual number of trucks and vehicles entering and exiting the Applicant's current feedlot, on May 7, 2018, beginning at 5:36 a.m. and continuing to 6:36 p.m., I videoed approximately 106 trucks and 32 vehicles entering and exiting the Applicant's feedlot. Copies of the stills from the video showing the 138 vehicles entering and exiting the Applicant's feedlot have previously been provided to both the EEC and the Planning Commission and the video has previously been played at the EEC hearing held on February 14, 2019. The 138 combined trucks and vehicles I captured entering and exiting the Applicant's Project Site is a ***GREAT DEAL MORE*** than the 68 trucks and vehicles anticipated and estimated in the Applicant's transportation impact analysis, and would certainly be in complete contravention of the Condition of Approval required by the County of Imperial Department of Public Works.

2. The TIA does not contain accurate information regarding the current or expected increase of traffic and therefore does not reflect the true environmental impacts of the Project

Because the TIA used inaccurate information provided by the Applicant, rather than actual data, the TIA does NOT reflect the true environmental impacts of the Project. The Applicant claims in its Revised Zone Change Application that it wants to add 18,000 head of cattle. The Initial Study (*based on information previously provided by the Applicant*) indicates that the existing feedlot operations have approximately 20,000 head of cattle. The Initial Study further indicates that if the Applicant's zone change were to be approved, the total number of cattle (now and existing) would be 38,000. However, ***not*** mentioned in either the Initial Study or the Applicant's Revised Zone Change Application is that the Applicant feeds and manages ***an additional 25,000 head of cattle located in its Del Charro and Reatta[1] feed yards. This means the Applicant's existing feedlot operations ACTUALLY have approximately 45,000 head of***

[1] The Reatta feedlot is NOT even mentioned in the Initial Study or the Applicant's Revised Zone Change Application. Moreover, the Reatta feedlot has been left off the map showing the location of feedlots currently owned/operated by the Applicant (see Appendix A to the Revised Zone Change Application).

PC ORIGINAL PKG

cattle, all of which are being fed and maintained from the feed mill, maintenance, and office facilities located at the existing feedlot. This results in at least 55% of the Applicant's current operation being located at satellite sites, and 100% of the proposed Project will be located at a satellite site. The proposed Project as presented will bring the *total of the Applicant's cattle fed from the main feedlot located north of Gonder Road to* ***approximately 65,000, and potentially up to 100,000 head of cattle*** (if the entire 160-acre parcel is rezoned as per the Applicant's Revised Zone Change Application). As stated in the Dubose Design Group Revised Zone Change Application, "***no new buildings will be constructed other than the cattle pens***, raw water reservoir and retention pond. *The additional employees will have access to required utilities provided within office buildings located across the road at the existing feedlot.*" [Emphasis added]. This means that the office, scale, feed mill, restrooms, break rooms, parking lot, and compost yard will be located in one location, and the cattle will be penned and fed in another location. All owners, supervisors, employees, and trucks hauling feed, feed products, and cattle will have to first arrive at the main feedlot, then travel to the satellite feedlots, including the Applicant's proposed Project, sometimes multiple times a day.

When attempting to determine the Project traffic generation, the TIA assumed an additional 8 trucks and 10 new workers. However, the TIA ***did NOT include all trucks used by the Applicant for its cattle operations. The TIA did NOT include trucks used for cattle transport to and from the Project Site, manure removal from the Project Site to the composting yard, or transportation of the compost from the compost yard when it is sold and/or removed from the compost yard.*** The TIA also only calculated one entrance and exit per each of the ten passenger vehicles. However, this does not take into account that each employee will have to travel from the Project Site, across Gonder Road to the existing feedlot to use the facilities, take meal and rest breaks, and clock in and out, which will likely result in many entrances and exits of the Project Site daily per employee. Thus, the ***TIA also did NOT take into account that the employees who will arrive at the existing feedlot then commute/travel to the Project site, perhaps multiple times in one day.***

Moreover, the TIA found that the Total Project would generate a maximum of 20 average daily trips by passenger vehicles and would generate 48 average daily trips by trucks. ***However, neither the Project truck traffic assignment (Figure 7-3), the Project employee traffic assignment (Figure 7-4), the Total Project traffic assignment (Figure 7-5), or the Existing and Total Project traffic assignment (Figure 7-6) actually show any truck or employee traffic heading to the Project Site.*** On Figures 7-1, 7-2, 7-3, 7-4, 7-5, and 7-6, the Applicant's Project appears to be located north of Gonder Road where the Applicant's current feedlot is located (when it should be located south of Gonder Road as described in the Initial Study and the Applicant's Revised Zone Change Application), and ONLY shows traffic turning to and from Gonder Road to the Applicant's current feedlot. ***There is NO traffic turning from Gonder Road to the Project Site, nor is there is any traffic coming from the existing feedlot to the Project Site. Moreover, there is NO traffic at all entering or leaving the dirt road (the Applicant's Project Site) (as shown on Figure 7-6).*** For the reasons set forth above, this is ***IMPOSSIBLE.***

PC ORIGINAL PKG

3. The TIA does not contain required information regarding the current or existing turning movements of the Project's traffic and therefore does not reflect the true environmental impacts of the Project

According to the County of Imperial, Department of Public Works, Traffic Study and Report Policy dated March 12, 2007, and Revised June 29, 2007, Section C. (Traffic Reports), Subsection 2. (Report Contents), subsection j. states "[m]annual intersection turning movement counts must be current, within one year, covering all appropriate peak hours. These counts must show right turn-on-red movements for signalized intersections as well as truck and bus movements."

In this case, Average Daily Traffic (ADT) volumes for 2018 were conducted along Gonder Road and at the Project driveway and AM and PM peak hour intersection turning movement volume counts for 2018 were conducted at the intersection of the Project driveway and Gonder Road, and found that both Gonder Road and the intersection operate at acceptable levels of service (see TIA, section 3.0, Table 3-1 and Figure 3-2). However, the TIA **is silent as to the times the AM and PM peak hour intersection turning movement volume counts were conducted**, and ***Appendix A, containing the manual intersection count sheets,*** and ***Appendix B, containing the peak hour intersection worksheets***, (which would have shown the times of the counts) ***were NOT included in the TIA or the Project Report.*** Moreover, much of the TIA was ***based on information provided by the Applicant***. Further moreover, ***Figure 3-2 of the TIA does NOT provide a break-down of the types of vehicles performing the turns,*** and ***there is NO existing truck or bus movement information provided for the intersections analyzed in the TIA*** as set forth in the County of Imperial Department of Public Works Traffic Study and Report Policy.

4. The TIA does not provide for an entrance to the Project Site

The TIA also does not provide for an entrance to the Project site. Section 9.0 of the TIA states that Project traffic will utilize the existing project driveway. However, there is ***NO existing Project driveway***. As shown on the multiple maps throughout the TIA, there is a field road located just west of the Applicant's proposed Project. This is a poorly maintained dirt road, and will not adequately handle a huge increase in passenger and truck traffic the Applicant's proposed Project will undoubtedly bring.

5. The TIA does not contain accurate information regarding the hours of operation of the Applicant's current or future feedlot

The TIA, ***based on information provided by the Applicant***, indicates that the "hours of operation are fro 6 AM-4 PM 7 days a week..." (see TIA, section 2.2). However, the feed mill on the site of the Applicant's current operation begins making feed at 3:00 a.m. In the Applicant's permit application for its compost facility, the Applicant claims the hours of operation are from 5:00 a.m. to 8:00 p.m. Because the Transportation Impact Analysis ("TIA") used inaccurate information and data provided by the Applicant, rather than actual data, the study does not reflect the true impacts of the Applicant's Project. In order to truly provide an ***accurate traffic count***, the hours of operation of the Applicant's current operation and its proposed Project should be 3:00 a.m. to 8:00 p.m.

PC ORIGINAL PKG

D. The Placement of the Applicant's Proposed Project will Prevent Many Neighboring Farmers From Growing Vegetable Crops

Many agricultural processors and distributors require a zone of separation (buffer zone) of a half-mile, a mile, or more, between crops and an animal feeding operation or a composting operation. The letter submitted by Craig and Jerry Moiola to the Planning Department on February 15, 2018 indicates that some large companies require a one-mile ***minimum*** buffer zone between the feedlot and vegetable crops. ***The expansion of the Applicant's feedlot will continue to restrict the types of crops that can be grown on the surrounding farm ground.***

E. The Air Quality Study Uses Unrealistic Traffic and Other Data Provided by the Applicant and Does Not Property Analyze the Potential Environmental Effects of the Applicant's Project

1. Air Quality

Because the Air Quality Study ("ACS") uses unrealistic traffic figures and other data provided by the Applicant, the study is not applicable to this Project nor a true measure of the environmental impacts. For instance, the AQS suggests that the Project will only have stock trucks delivering calves and picking up fat cattle, and a feed supply truck picking up hay within a 1.5-mile zone of the feedlot. ***There are no data entries for other feed supply trucks, such as trucks that will deliver other feed ingredients, no entries for the actual feed truck that delivers the feed from the mill to the feed troughs on the Project, no entries for trucks to remove and haul manure and/or compost, and no entries for trucks to remove carcasses from the Project.*** Moreover, the mitigation measure of the AQS requires that employees and cattle trucks drive only on paved roads. ***There are NO paved roads on the Project site. The field road the Applicant claims will be the entrance to the Project also is NOT paved.***

Further, the Imperial County is currently in "moderate" non-attainment for $PM_{2.5}$ and PM_{10}. If the Imperial County is already in non-attainment, why would we add additional up to 54,000 head of cattle which will only serve to increase the unacceptable levels of $PM_{2.5}$ and PM_{10}?

2. Greenhouse Gas Emissions

Again, the Air Quality Study and Transportation Impact Analysis were both based on information ***provided by the Applicant***. The Air Quality Study states that the expected daily trips from employees and trucks will not exceed the allowable threshold by the Imperial County Air Pollution Control District. ***However, the number of daily trucks and employees accessing the site were provided by the Applicant and are completely unrealistic.***

F. The EEC's Findings as to Environmental Impacts of the Applicant's Project are Incorrect

I object to and appeal the ECC's acceptance and/or findings of No Impact or Less Than Significant Impact in response to the questions posed in the Environmental Checklist Form as further detailed below. I believe substantial evidence exists to show the Applicant's Project may have a significant adverse environmental impact.

PC ORIGINAL PKG

Moreover, for the sake of brevity, I object to any response which indicates that compliance with the codes and ordinances would cause for no impacts or less than significant impacts. As further detailed below, the Applicant has consistently proven its failure to comply with current rules, ordinances, and restrictions on its feedlot and composting operation. Responses should be based on current data and evidence, not on assumptions that the Applicant will comply with all applicable codes and regulations. I also reiterate all previously raised concerns and objections I have made in person and in writing.

III. EFFORTS TO ARRIVE AT AN ACCEPTABLE SOLUTION

My previous efforts to arrive at an acceptable solution to the above referenced issues, discrepancies, inaccuracies, and environmental issues and areas of concern have entailed a written letter submitted to the EEC, attendance at the EEC hearing on February 15, 2018, an appeal of the EEC February 15, 2018, a written letter submitted to the Planning Commission, attendance at the EEC Appeal, a second written letter submitted to the EEC, and attendance at the EEC hearing on February 14, 2019, and regular communication through my attorney with Diana Robinson, Planner III, Imperial County Planning and Development Services. I have not yet addressed these concerns to the Applicant, but would welcome the opportunity to do so.

IV. ACTION REQUESTED

A. Argument

The CEQA Guidelines indicate that a "project" means "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora, 155 Cal. App. 4th1214, 1222, 66 Cal. Rptr. 3d 645 (2007). Thus, CEQA forbids piecemeal review of significant environmental impacts of a project. "Agencies cannot allow "environmental consideration [to] become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences" (Banning Ranch Conservancy v. City of Newport Beach, 211 Cal. App. 4th 1209, 1222, 150 Cal. Rptr. 3d 591 (2012) citing Bozung v. Local Agency Formation Com., 13 Cal. 3d 263, 283-284, 118 Cal. Rptr. 249 (1975). ***CEQA requires an analysis of the environmental effects of the entire project, including reasonably foreseeable future projects and expansion of an initial project*** (Laurel Heights Improvement Assn. v. Regents of University of California, 47 Cal. 3d 376, 396, 253 Cal. Rptr. 426 (1988)).

In this case, the Applicant indicates it wants to add 18,000 head of cattle, but wants to re-zone 160 acres, an area large enough to hold up to 54,000 head of cattle. It is entirely reasonably foreseeable that the Applicant will expand its current feedlot, including the addition of at 54,000 or more cattle. Therefore, ***the environmental effects of the total amount of cattle the Applicant could add to its Project site should be considered, and an Environmental Impact Report recommended for further analysis of such environmental effects.***

Further, a Negative Declaration may ONLY be adopted if there NO substantial evidence that the project may have substantial adverse environmental effects. (Cal. Pub. Res. Code §§22180, 21064.5; Cal. Code Regs., tit. 14 §15070, subd. (b)(1)). Generally substantial evidence is evidence that is reasonable, credible, and has solid value (Stanislaus Audubon Society, Inc. v.

PC ORIGINAL PKG

County of Stanislaus, 33 Cal.App.4th 144, 152, 39 Cal.Rptr.2d 54 (5th Dist. 1995)). "Substantial evidence" is specifically defined in the California Environmental Quality Act (CEQA) Guidelines as "enough relevant information and reasonable inference from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached". (Cal. Code Regs., tit. 14 §15384). The CEQA Guidelines and the California Public Resources Code indicate that substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinions supported by facts (Cal. Code Regs., tit. 14 §15384, subd. (b); Cal. Pub. Res. Code §§ 21080, subd. (e), 21082.2, subd. (c)). Moreover, ***"relevant personal observations of area residents on nontechnical subjects" may also qualify as substantial evidence*** (*See* Keep Our Mountains Quiet v. County of Santa Clara, 236 Cal.App.4th 714, 730, 187 Cal.Rptr.3d 96 (6th Dist. 2015)). In Keep Our Mountains Quiet, residents' statements regarding noise and *traffic impacts* from wedding/live music events in rural area constituted substantial evidence supporting fair argument of potential significant impacts requiring an EIR rather than a mitigated negative declaration. As someone with decades of personal knowledge and observance of the Applicant's feedlot and its operations, I hope you will give credible weight to the items discussed herein and determine they provide substantial evidence supporting a fair argument that the Applicant's Project may or will result in potential significant environmental impacts, thus requiring an Environmental Impact Report, rather than a Mitigated Negative Declaration.

B. Action Requested

I respectfully request appeal of the EEC's Mandatory Findings of Significance in accordance with Section 15065 of the California Environmental Quality Act (CEQA") guidelines and the ECC's determination that a Mitigated Negative Declaration was appropriate for providing the necessary environmental documentation and clearance for the Applicant Moiola Brothers Cattle Feeders' ("Applicant") proposed Project identified as "Zone Change #17-0006 (Revised), "IS #17-0026 Moiola Bros. Cattle Feeders", to be located at approximately 3,000 feet from the intersection of State Highway 115 and Gonder Road, Assessor's Parcel Number 041-090-004-000. I request an Environmental Impact Study be prepared to adequately study and address the potentially significant environmental effects of the Applicant's Project.

Sincerely,



Bruce Smith

681 Marilyn Avenue
Brawley, CA 92227
(760) 344-6655
Smi6655@yahoo.com

PC ORIGINAL PKG

Attachment 2.
Response Letter from the applicant on behalf of Moiola Brothers Cattle Feeders received March 27, 2019

PC ORIGINAL PKG

DUBOSE DESIGN GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

PLANNING • CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

4/10/2019

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

RE: RESPONSE TO BRUCE SMITH'S LETTER

Dear Mr. Minnick,

On February 14, 2019, the Environmental Evaluation Committee (EEC) held a hearing to discuss the Moiola Brothers Cattle Feeders' proposed Zone Change #17-0006 (Revised) and Initial Study #17-0026. At the hearing it was determined that a Mitigated Negative Declaration (MND) was sufficient for the necessary environmental documentation and clearance for the applicant's proposed project. Soon after the EEC hearing, Mr. Bruce Smith submitted an appeal letter dated February 20, 2019 and was received on February 25,2019, this letter is intended as a response to Mr. Smith's appeal letter.

A. The Initial Study is INCOMPLETE

Bruce Smith's appeal letter states, "Although both the Transportation Impact Analysis (TIA) and Air Quality Study (AQS) were included in the Initial Study, the TIA was incomplete because it did NOT include either Appendix A or Appendix B of the TIA, both of which are referenced consistently throughout the study."

Bruce Smith's comment regarding the lack of both Appendix A and B at the EEC hearing is correct. However, Appendix A & B consist of scientifically collected data that Linscott Law & Greenspan (LLG, Traffic Consultant) collected to justify their conclusions. LLG utilized both online resources and a Portable Road Tube to collect said data. Subsequently, Appendix A & B have been submitted to the County of Imperial Planning and Development Services.

PC ORIGINAL PKG

B. The Notice, Agenda, and Initial Study Do NOT Provide an Accurate Description of the Project

Bruce Smith's appeal letter states, "If the Applicant truly only intends to add 18,000 head of cattle, which, according to information provided by the Applicant, can be held in cattle pens only occupying 45 acres, then why does the Applicant need to rezone the entire 160 acres?

As a matter of Planning, the project description is the driving force behind the intended development of a property. As indicated, the revised project description dated 11/21/2018, intends to only house 18,000 head of cattle on APN: 041-090-004. Additionally, in order to comply with local land use regulations, the entire APN: 041-090-004 is required to be zone changed, it is unlawful to have a single parcel split into two separate zones unless otherwise conditioned. Furthermore, the additional space that is provided by the parcel will be used for appropriate setbacks, cattle pen spacing, hay buffer zone, space for both a water pond and two retention ponds.

C. Linscott, Law & Greenspan's Transportation Impact Analysis dated August 13, 2018

1. Bruce Smith's appeal letter states, "However, the section 9.a. of the County of Imperial Department of Public Works letter dated January 11, 2019 set forth the following was a Condition of Approval for the Applicant's Project: "[t]he combined traffic generation for both the existing operations and proposed project shall not exceed 20 trips per day for passenger vehicles (10 employees) and 16 trips per day for heavy vehicles (8 trucks)."

   After further correspondence with the County of Imperial Department of Public Works, it was determined that comment 9a. of the Public Works comment letter was as inaccurate statement. Comment 9a. had referenced traffic counts that were associated with only the proposed traffic and was used to describe both the existing and proposed development for a combined traffic generation. Additionally, please reference Traffic Engineer's response letter, number 3.

2. Bruce Smith's appeal letter states, "The TIA does not contain accurate information regarding the current or expected increase of traffic and therefore does not reflect the true environmental

PC ORIGINAL PKG

impacts of the Project." Furthermore, it states, "The Applicant feeds and manages an additional 25,000 head of cattle located in its Del Charro and Reatta feed yards. This means the Applicant's existing feedlot operations actually have approximately 45,000 head of cattle…"

The traffic counts that were conducted utilized a tube-counter which counted all traffic that flowed down Gonder Rd. The traffic that is associated with these additional two feedlots were included in the traffic counts. Additionally, please reference Traffic Engineer's response letter, number 4 and updated Traffic Report.

3. Bruce Smith's appeal letter states, "The TIA does not provide for an entrance to the Project Site."

As seen on the updated Site Plan, an entrance to the Project Site has been created. Entrance to the project site will need to be improved which includes the construction of a commercial grade entrance.

D. The Placement of the Applicant's Proposed Project will prevent many neighboring farmers from growing vegetable crops

As seen on the attached radius map titled "Moiola Bros. Feed Yard & Surrounding Operational Feed Yards", there are numerous feed yards in close proximately to one another. Allowing the expansion of this feedlot would only affect farmers that are ALREADY affected by the nearby feedlots.

E. The Air Quality Study Uses Unrealistic Traffic and Other Data Provided by the Applicant and Does Not Properly Analyze the Potential Environmental Effects of the Applicant's Project

This is an incorrect statement, the updated Air Quality Report and associated email memo provided full disclosure, including truck trips that transport cattle from ranches to feedlot and from feedlot to slaughterhouses. The Air Quality Study demonstrated full disclosure and due diligence, probably overestimated feed truck emissions and is compatible with the truck volume estimated in the traffic study. Additionally, the Air Quality engineer stated

PC ORIGINAL PKG

DUBOSE DESIGN GROUP
email@dubosedesigngroup.com
dubosedesigngroup.com
PLANNING • CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

that no matter what assumptions were used, the emissions will be far less than significant under CEQA.

The Project site area is adjacent to an approved existing feedlot and composting facility, both owned by the Applicant. Comments that were not answered by this appeal letter are associated with these existing operations and not with the proposed expansion, ZC#17-0006 and IS #17-0026.

Thank you,

Tom DuBose,
President, DuBose Design Group

PC ORIGINAL PKG

Attachment 3.

Transportation Impact Analysis with Appendix A and Appendix B

PC ORIGINAL PKG

LINSCOTT LAW & GREENSPAN engineers

TRANSPORTATION IMPACT ANALYSIS

MOIOLA BROTHERS CATTLE FEEDERS

County of Imperial, California
May 09, 2019

LLG Ref. 3-18-2922

Prepared by:
Jose Nunez
Transportation Planner II

Under the Supervision of:
John A. Boarman
Principal

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego, CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

PC ORIGINAL PKG

TABLE OF CONTENTS

SECTION			PAGE
Appendices			**ii**
List of Figures			**iii**
List of Tables			**iv**
1.0	**Introduction**		**1**
2.0	**Project Description**		**2**
	2.1	Project Location	2
	2.2	Project Description	2
3.0	**Existing Conditions**		**5**
	3.1	Existing Street Network	5
	3.2	Existing Traffic Volumes	5
4.0	**Analysis Approach and Methodology**		**9**
	4.1	Unsignalized Intersections	9
	4.2	Street Segments	11
5.0	**Significance Criteria**		**13**
6.0	**Analysis of Existing Conditions**		**14**
	6.1	Peak Hour Intersection Levels of Service	14
	6.2	Daily Street Segment Levels of Service	15
7.0	**Trip Generation/Distribution/Assignment**		**16**
	7.1	Trip Generation	16
	7.2	Trip Distribution	17
	7.3	Trip Assignment	17
8.0	**Cumulative Projects and Analysis Results**		**24**
	8.1	Existing + Project Analysis	24
		8.1.1 Intersection Operations	24
		8.1.2 Segment Analysis	24
	8.2	Existing + Project + Cumulative Analysis	24
		8.2.1 Intersection Analysis	24
		8.2.2 Segment Analysis	24
9.0	**Project Access**		**28**

PC ORIGINAL PKG

10.0 Conclusions & Recommendations 29

APPENDICES

APPENDIX

A. Intersection Count Sheets & Caltrans Traffic Volumes

B. Peak Hour Intersection Analysis Worksheets

PC ORIGINAL PKG

LIST OF FIGURES

SECTION—FIGURE #		PAGE
Figure 2–1	Vicinity Map	3
Figure 2–2	Project Area Map	4
Figure 3–1	Existing Conditions Diagram	7
Figure 3–2	Existing Traffic Volumes	8
Figure 7–1	Project Traffic Distribution – Truck Trips	18
Figure 7–2	Project Traffic Distribution – Employee Trips	19
Figure 7–3	Project Traffic Volumes – Truck Trips	20
Figure 7–4	Project Traffic Volumes – Employee Trips	21
Figure 7–5	Total Project Traffic Volumes	22
Figure 7–6	Existing + Total Project Traffic Volumes	23
Figure 8–1	Existing + Project + Cumulative Growth Traffic Volumes	27

PC ORIGINAL PKG

LIST OF TABLES

SECTION—TABLE #	PAGE
Table 3–1 Existing Traffic Volumes	6
Table 4–1 Intersection Level of Service Descriptions	10
Table 4–2 Intersection LOS & Delay Ranges	11
Table 4–3 Imperial County Standard Street Classification Average Daily Vehicle Trips	12
Table 5–1 Traffic Impact Significant Thresholds	13
Table 6–1 Existing Intersection Operations	14
Table 6–2 Existing Street Segment Operations	15
Table 7–1 Trip Generation	16
Table 8–1 Near-Term Intersection Operations	25
Table 8–2 Near-Term Street Segment Operations	26

PC ORIGINAL PKG

TRANSPORTATION IMPACT ANALYSIS

MOIOLA BROTHERS CATTLE FEEDERS

County of Imperial, California
May 9, 2019

1.0 INTRODUCTION

The following traffic impact analysis has been prepared to determine the potential traffic impacts to the local circulation system related to the proposed expansion of the current cattle feeding operation to add 18,000 cattle. The site is located on Gonder Road, east of SR-115 in Imperial County.

The number of employees is expected to increase by five (5) and four (4) more trucks per day are proposed as a result of the project. *For the purpose of this report and to be conservative, it was assumed that 10 new employees and 8 additional trucks would access the site.*

The project is located within the County of Imperial, California. This report includes the following sections:

- Project Description
- Existing Conditions Description
- Analysis Approach and Methodology
- Significance Criteria
- Analysis of Existing Conditions
- Trip Generation / Distribution / Assignment
- Cumulative Projects and Analysis Results
- Project Access discussion
- Conclusions and Recommendations

PC ORIGINAL PKG

2.0 PROJECT DESCRIPTION

2.1 Project Location

The Project site is located in the unincorporated area of Imperial County. The site is located on Gonder Road, east of SR-115 in Imperial County.

Figure 2–1 depicts the project vicinity. ***Figure 2–2*** shows a more detailed project area map.

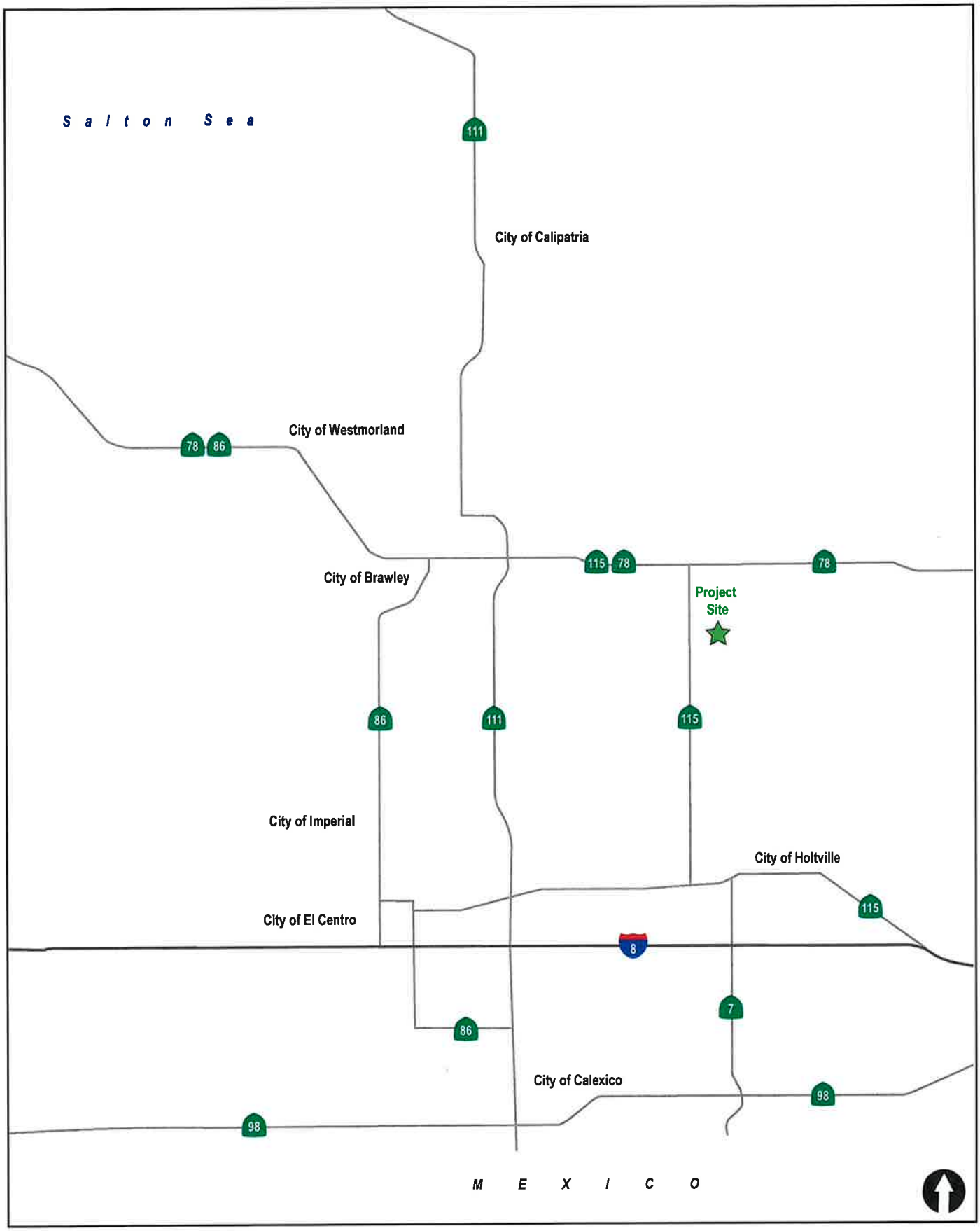
2.2 Project Description

The project is an expansion of the current cattle feeding operation to add 18,000 cattle. The site is located on Gonder Road, east of SR 115 in Imperial County. The hours of operation are from 6 AM – 4 PM for 7 days a week, so the vast majority of the operations do not impact peak traffic periods.

The number of employees is expected to increase by five (5) and four (4) more trucks per day are expected as a result of the project.

Site access is provided via a driveway on Gonder Road.

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/08/18

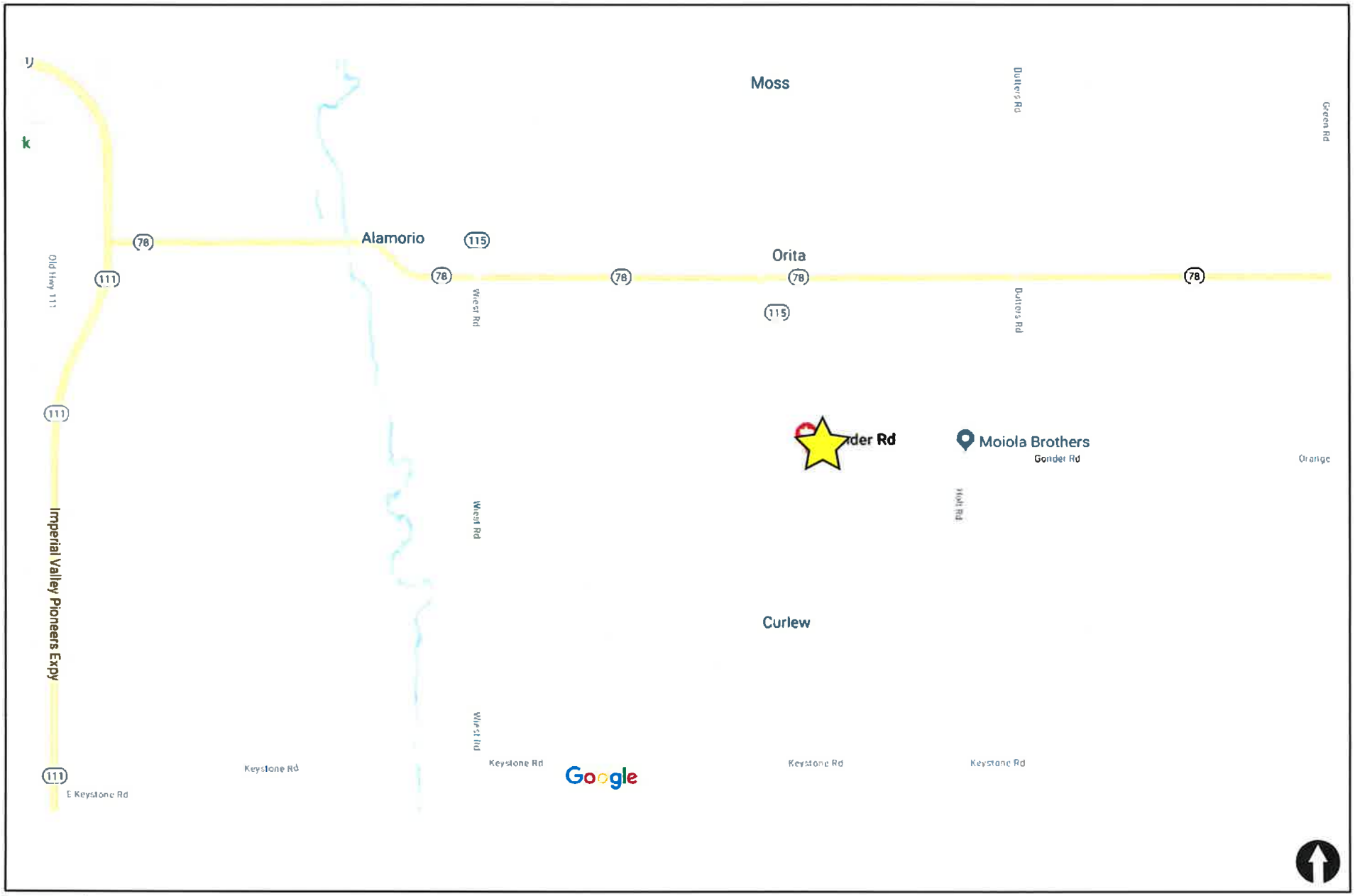
Figure 2-1

Vicinity Map

MOIOLO BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/08/18

Figure 2-2

Project Area Map

MOIOLA BROTHERS CATTLE FEEDERS

3.0 EXISTING CONDITIONS

3.1 Existing Street Network

Following is a brief description of the street segments within the project area. ***Figure 3–1*** illustrates the existing conditions, including the lane geometry, for the key intersections in the study area.

State Route 115 (SR-115) is classified as a State Highway in the Imperial County Circulation Element. SR-115 is a north-south facility located to the west of the project site. In the vicinity of the project, SR-115 is a two-lane undivided roadway. No bike lanes or bus stops are provided and curbside parking is prohibited.

Gonder Road is a classified as a minor collector in the Imperial County Circulation Element. Gonder Road is an East-West facility located adjacent to the project site. In the vicinity of the project, Gonder Road is a two lane undivided roadway. No bike lanes or bus stops are provided.

3.2 Existing Traffic Volumes

Average daily traffic (ADT) volumes were conducted along Gonder Road and at the project driveway. A road tube was placed on Gonder Road between SR-115 and the Project driveway on Thursday July 19th by a professional traffic counting firm (DBA Count Data). The 24 hour count was 324 ADT. Volumes along SR-115 were obtained from the Caltrans Traffic Census Program for Year 2016, the latest available as of the date of this report. To be conservative, a 10% growth was applied to update the SR-115 counts to Year 2018 conditions. AM and PM peak hour intersection turning movement volume counts was conducted at the SR-115/Gonder Road and Project driveway/Gonder Road intersections in July, 2018. ***Table 3–1*** summarizes the segment ADT volumes on all the study area segments.

Figure 3–2 depicts the existing traffic volumes on both an ADT and peak hour basis. ***Appendix A*** contains the manual intersection count sheets and latest Caltrans traffic volumes.

PC ORIGINAL PKG

TABLE 3–1
EXISTING TRAFFIC VOLUMES

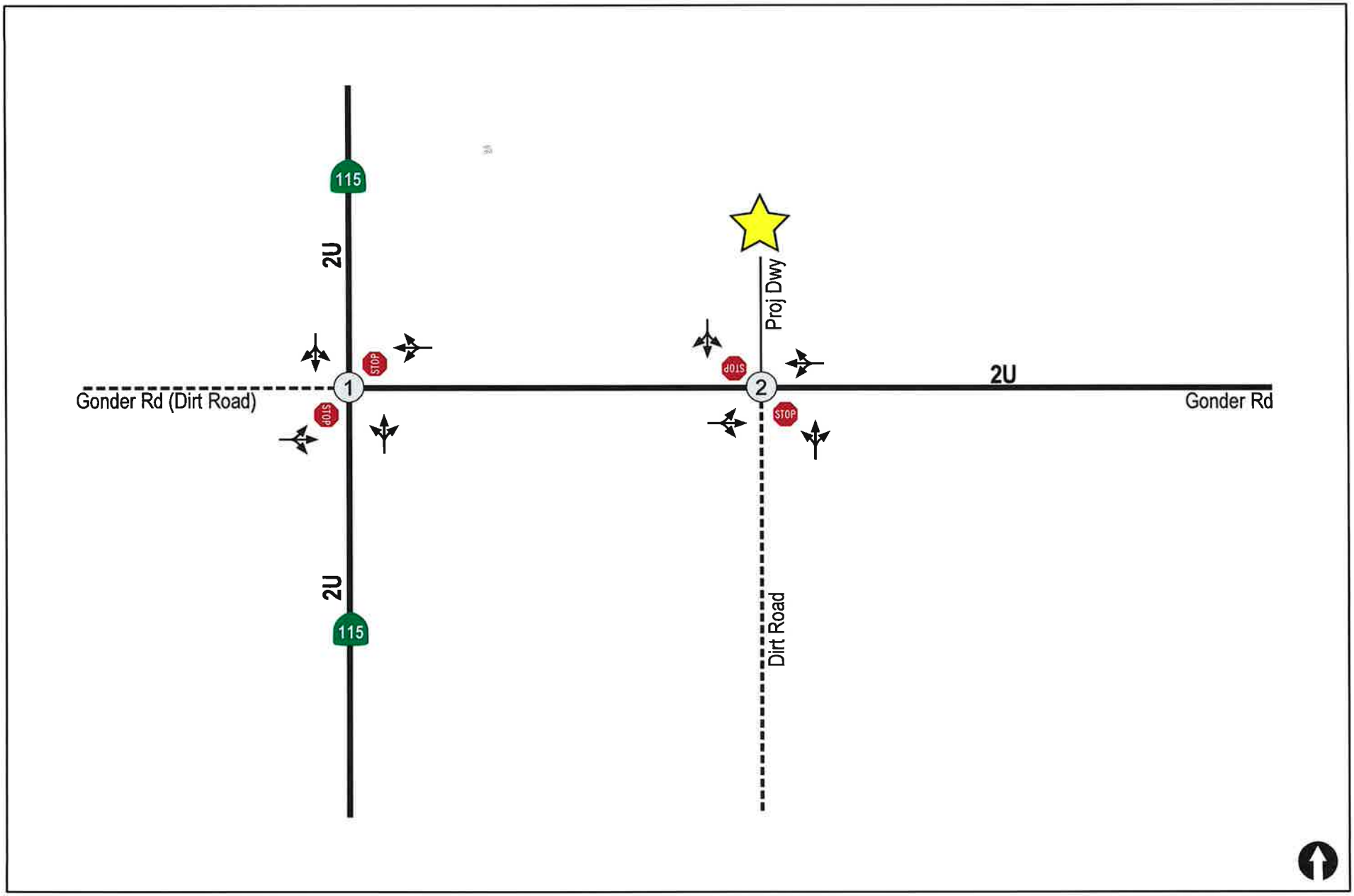
Street Segment	Source	2018 ADT [a]
SR-115		
North of Gonder Road	Caltrans	2,370[c]
South of Gonder Road	Caltrans	3,960[c]
Gonder Road		
SR-115 to Project Driveway	LLG	330
East of Project Driveway	LLG	330

Footnotes:

a. Average Daily Traffic Volume counted in 2016. A 10% growth factor was applied.

PC ORIGINAL PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

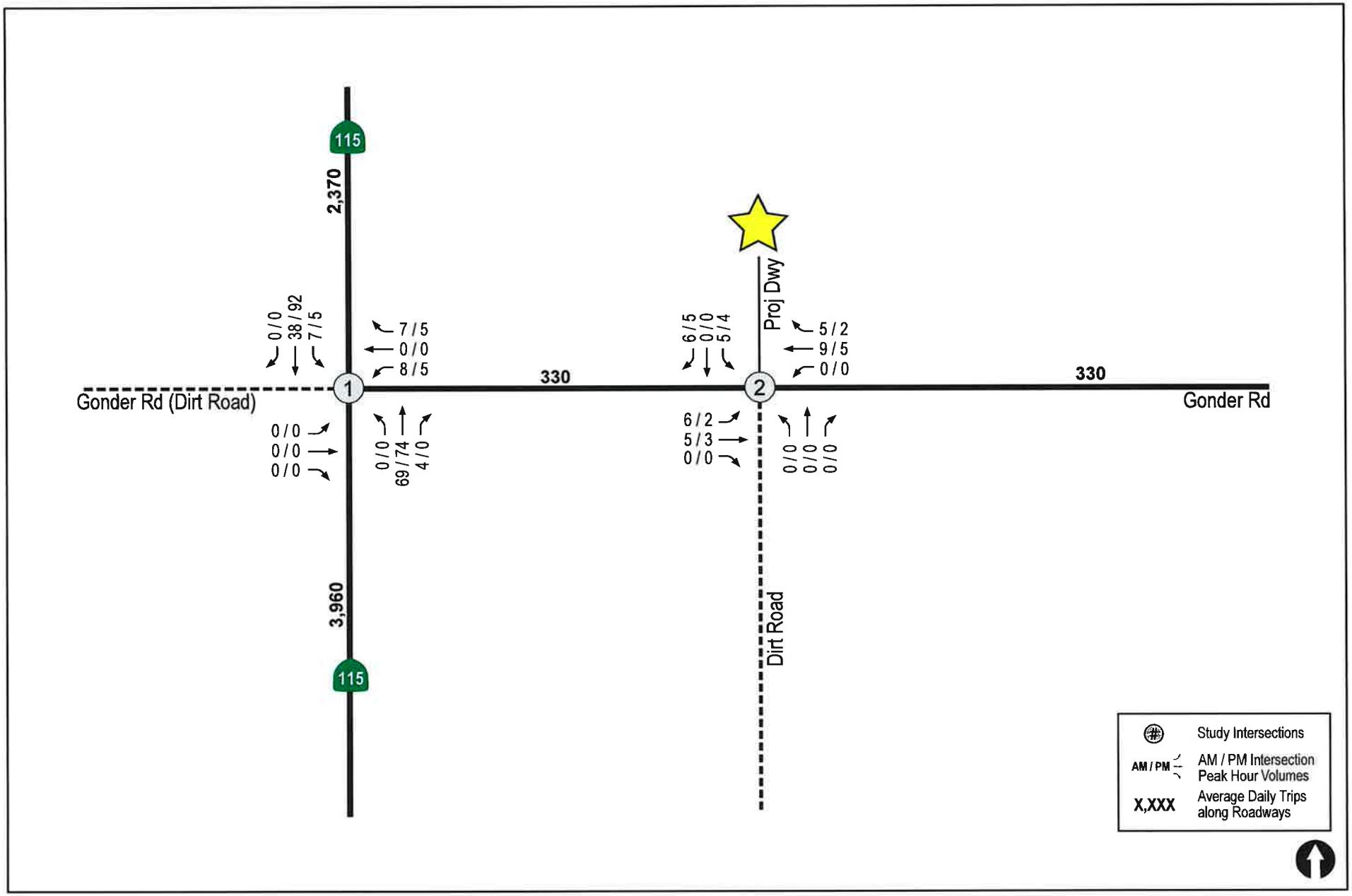
N:\2922\Figures
Date: 08/10/18

Figure 3-1

Existing Conditions Diagram

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

Figure 3-2

Existing Traffic Volumes

MOIOLA BROTHERS CATTLE FEEDERS

4.0 ANALYSIS APPROACH AND METHODOLOGY

Based on the anticipated distribution/assignment of project traffic, the intersections included in the study area are listed below.

Intersections

1. SR-115 / Gonder Road
2. Gonder Road / Project Driveway

Segments

SR-115: North of Gonder Road;
SR-115: South of Gonder Road; and
Gonder Road: Between SR-115 and Project Driveway
Gonder Road: East of Project Driveway

The number of employees is expected to increase by five (5) and four (4) more trucks per day are proposed as a result of the project. *For the purpose of this report and to be conservative, it was assumed that 10 new employees and 8 additional trucks would access the site.*

The following three scenarios were analyzed.

- *Existing*
- *Existing + Project*
- *Existing + Project + Cumulative*

The operations of the project area intersections and segments are characterized using the concept of "Level of Service" (LOS). LOS is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A through F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized and unsignalized intersections, as well as for roadway segments.

Table 4–1 summaries the description for each level of service.

Table 4-2 summarizes the delay in seconds per vehicle associated with each level of service.

4.1 Unsignalized Intersections

All study area intersections are unsignalized, and level of service is determined by the computed or measured control delay and is defined for each minor movement. Level of service is not defined for the intersection as a whole.

PC ORIGINAL PKG

Level of Service F exists when there are insufficient gaps of suitable size to allow a side street demand to safely cross through a major street traffic stream. This level of service is generally evident from extremely long control delays experienced by side-street traffic and by queuing on the minor-street approaches. The method, however, is based on a constant critical gap size; that is, the critical gap remains constant no matter how long the side-street motorist waits.

LOS F may also appear in the form of side-street vehicles selecting smaller-than-usual gaps. In such cases, safety may be a problem, and some disruption to the major traffic stream may result. It is important to note that LOS F may not always result in long queues but may result in adjustments to normal gap acceptance behavior, which are more difficult to observe in the field than queuing.

Appendix B contains the peak hour intersection worksheets.

TABLE 4–1
INTERSECTION LEVEL OF SERVICE DESCRIPTIONS

Level of Service	Description
A	Occurs when progression is extremely favorable and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
B	Generally occurs with good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.
C	Generally results when there is fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear in this level. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.
D	Generally results in noticeable congestion. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	Considered to be the limit of acceptable delay. These high delay values generally indicate poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.
F	Considered to be unacceptable to most drivers. This condition often occurs with over saturation i.e. when arrival flow rates exceed the capacity of the intersection. It may also occur at high volume-to-capacity ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

PC ORIGINAL PKG

TABLE 4–2
INTERSECTION LOS & DELAY RANGES

LOS	Delay (seconds/vehicle)	
	Signalized Intersections	**Unsignalized Intersections**
A	≤ 10.0	≤ 10.0
B	10.1 to 20.0	10.1 to 15.0
C	20.1 to 35.0	15.1 to 25.0
D	35.1 to 55.0	25.1 to 35.0
E	55.1 to 80.0	35.1 to 50.0
F	≥ 80.1	≥ 50.1

Source: 2010 Highway Capacity Manual

4.2 Street Segments

Street segments were analyzed based upon the comparison of ADT to the County of Imperial *Roadway Classifications, Levels of Service (LOS) and Average Daily Traffic (ADT)* table (see ***Table 4–3*** below). *Table 4–3* provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics. Segment analysis is a comparison of ADT volumes and an approximate daily capacity on the subject roadway.

PC ORIGINAL PKG

TABLE 4-3
IMPERIAL COUNTY STANDARD STREET CLASSIFICATION AVERAGE DAILY VEHICLE TRIPS

Road		Level of Service W/ADT*				
Class	**X-Section**	**A**	**B**	**C**	**D**	**E**
Expressway	128 / 210	30,000	42,000	60,000	70,000	80,000
Prime Arterial	106 / 136	22,200	37,000	44,600	50,000	57,000
Minor Arterial	82 / 102	14,800	24,700	29,600	33,400	37,000
Major Collector (Collector)	64 / 84	13,700	22,800	27,400	30,800	34,200
Minor Collector (Local Collector)	40 / 70	1,900	4,100	7,100	10,900	16,200
Residential Street	40 / 60	*	*	< 1,500	*	*
Residential Cul-de-Sac / Loop Street	40/60	*	*	< 1,500	*	*
Industrial Collector	76 / 96	5,000	10,000	14,000	17,000	20,000
Industrial Local Street	44 / 64	2,500	5,000	7,000	8,500	10,000

* Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Levels of service normally apply to roads carrying through traffic between major trip generators and attractors.

PC ORIGINAL PKG

5.0 SIGNIFICANCE CRITERIA

The County of Imperial does not have published significance criteria. However, the County General Plan does state that the LOS goal for intersections and roadway segments is to operate at LOS C or better. Therefore, if an intersection or segment degrades from LOS C or better to LOS D or worse with the addition of project traffic, the impact is considered significant. If the location operates at LOS D or worse with and without project traffic, the impact is considered significant if the project causes the intersection delta to increase by more than two (2) seconds, or the volume to capacity (V/C) ratio to increase by more than 0.02.

A project is considered to have a significant impact if the new project traffic decreases the operations of surrounding roadways by a defined threshold. The defined thresholds for roadway segments and intersections are defined in ***Table 5–1*** below. If the project exceeds the thresholds in ***Table 5–1***, then the project may be considered to have a significant project impact. A feasible mitigation measure will need to be identified to return the impact within the thresholds (pre-project + allowable increase) or the impact will be considered significant and unmitigated.

TABLE 5–1
TRAFFIC IMPACT SIGNIFICANT THRESHOLDS

Level of Service with Project [a]	Allowable Increase Due to Project Impacts [b]					
	Freeways		Roadway Segments		Intersections	Ramp Metering
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (sec.)	Delay (min.)
D, E & F *(or ramp meter delays above 15 minutes)*	0.01	1	0.02	1	2	2[c]

Footnotes:

a. All level of service measurements are based upon HCM procedures for peak-hour conditions. However, V/C ratios for Roadway Segments may be estimated on an ADT/24-hour traffic volume basis (using Table 4-3 or a similar LOS chart for each jurisdiction). The acceptable LOS for freeways, roadways, and intersections is generally "D" ("C" for undeveloped or not densely developed locations per jurisdiction definitions). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

b. If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are deemed to be significant. These impact changes may be measured from appropriate computer programs or expanded manual spreadsheets. The project applicant shall then identify feasible mitigations (within the Traffic Impact Study [TIS] report) that will maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see note a above), or if the project adds a significant amount of peak hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating significant impact changes.

c. The allowable increase in delay at a ramp meter with more than 15 minutes of delay and freeway LOS E is 2 minutes and at LOS F is 1 minute.

General Notes:

1. V/C = Volume to Capacity Ratio
2. Speed = Arterial speed measured in miles per hour
3. Delay = Average stopped delay per vehicle measured in seconds for intersections, or minutes for ramp meters.
4. LOS = Level of Service

PC ORIGINAL PKG

6.0 ANALYSIS OF EXISTING CONDITIONS

6.1 Peak Hour Intersection Levels of Service

The project study area is located in a rural setting and both intersections are unsignalized. As seen in ***Table 6–1,*** both study area intersections are calculated to currently operate at LOS A during both the AM and PM peak hours.

Appendix B contains the peak hour intersection analysis worksheets.

TABLE 6–1
EXISTING INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	Existing	
			Delay[a]	LOS[b]
1. SR-115 / Gonder Road	TWSC	AM	9.1	A
		PM	9.2	A
2. Gonder Road / Project Driveway	TWSC	AM	8.6	A
		PM	8.5	A

Footnotes:
a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported).

UNSIGNALIZED

DELAY/LOS THRESHOLDS

Delay	LOS
0.0 < 10.0	A
10.1 to 15.0	B
15.1 to 25.0	C
25.1 to 35.0	D
35.1 to 50.0	E
> 50.1	F

PC ORIGINAL PKG

6.2 Daily Street Segment Levels of Service

As described above, the project study area is located in a rural setting and all segments are two-lane facilities. As seen in ***Table 6–2***, all study area segments are calculated to currently operate at LOS B or better on a daily basis.

TABLE 6–2
EXISTING STREET SEGMENT OPERATIONS

Street Segment	Capacity (LOS E) [a]	ADT [b]	LOS [c]	V/C [d]
SR-115				
North of Gonder Road	16,200	2,370	B	0.146
South of Gonder Road	16,200	3,960	B	0.244
Gonder Road				
SR-115 to Project Driveway	16,200	330	A	0.020
East of Project Driveway	16,200	330	A	0.020

Footnotes:

a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
b. Average Daily Traffic volumes
c. Level of Service
d. Volume / Capacity ratio.

PC ORIGINAL PKG

7.0 TRIP GENERATION/DISTRIBUTION/ASSIGNMENT

7.1 Trip Generation

Project traffic generation is based on site-specific trip generating characteristics provided by the applicant. The Project would expand operations at the current project site. Based on discussions with the applicant, it is expected that 4 additional trucks per day would ingress and egress the site per day. To be conservative, the analysis assumes an additional 8 trucks.

In addition to trucks, the applicant will have 5 new employees at the site to run operations. The majority of the new worker trips are expected to arrive/depart during the AM/PM peak hours. To be conservative, 10 new workers were assumed.

Based on the information obtained from the applicant, the Total Project would generate a maximum of 20 ADT by passenger vehicles. It would also generate 48 equivalent ADT from trucks, with 6 inbound and 6 outbound trips during the AM and PM peak hours. A passenger car equivalence factor (PCE) of 3.0 is applied to these trucks trips for the purposes of the analysis to account for the reduced performance characteristics (stopping, starting, maneuvering, etc.) of heavy vehicles in the traffic flow. ***Table 7–1*** is a summary of the Project traffic generating.

TABLE 7–1
TRIP GENERATION

Use	Quantity	PCE*	Daily Trips		AM Peak Hour		PM Peak Hour	
			Rate	ADT[a]	Volume		Volume	
					In	Out	In	Out
Heavy Veh (trucks)[b]	8	3.0	2.0 / vehicle[d]	48	6	1	1	6
Employees[c]	10	1.0	2.0 / vehicle[d]	20	8	1	1	8
Subtotal				***68***	***14***	***2***	***2***	***14***

Footnotes:

a. ADT – Average daily traffic.
b. Trucks assumed to arrive/leave the site evenly throughout the day's work shift (6AM – 5PM).
c. 80% of employee trips are assumed to enter and 80% to exit the site during the peak periods.
d. Employees and trucks enter and exit each day and therefore a factor of 2.0 was applied.
* PCE Factor of 3.0 utilized for truck trips.

PC ORIGINAL PKG

7.2 Trip Distribution

Regional trip distribution for truck traffic was based on discussions with the applicant. Based on these discussions, 90% of truck traffic would come from the north and south principally utilizing SR-115. The remaining truck traffic (10%) would come from the east utilizing Gonder Road. ***Figure 7–1*** shows the distribution of truck traffic in the study area.

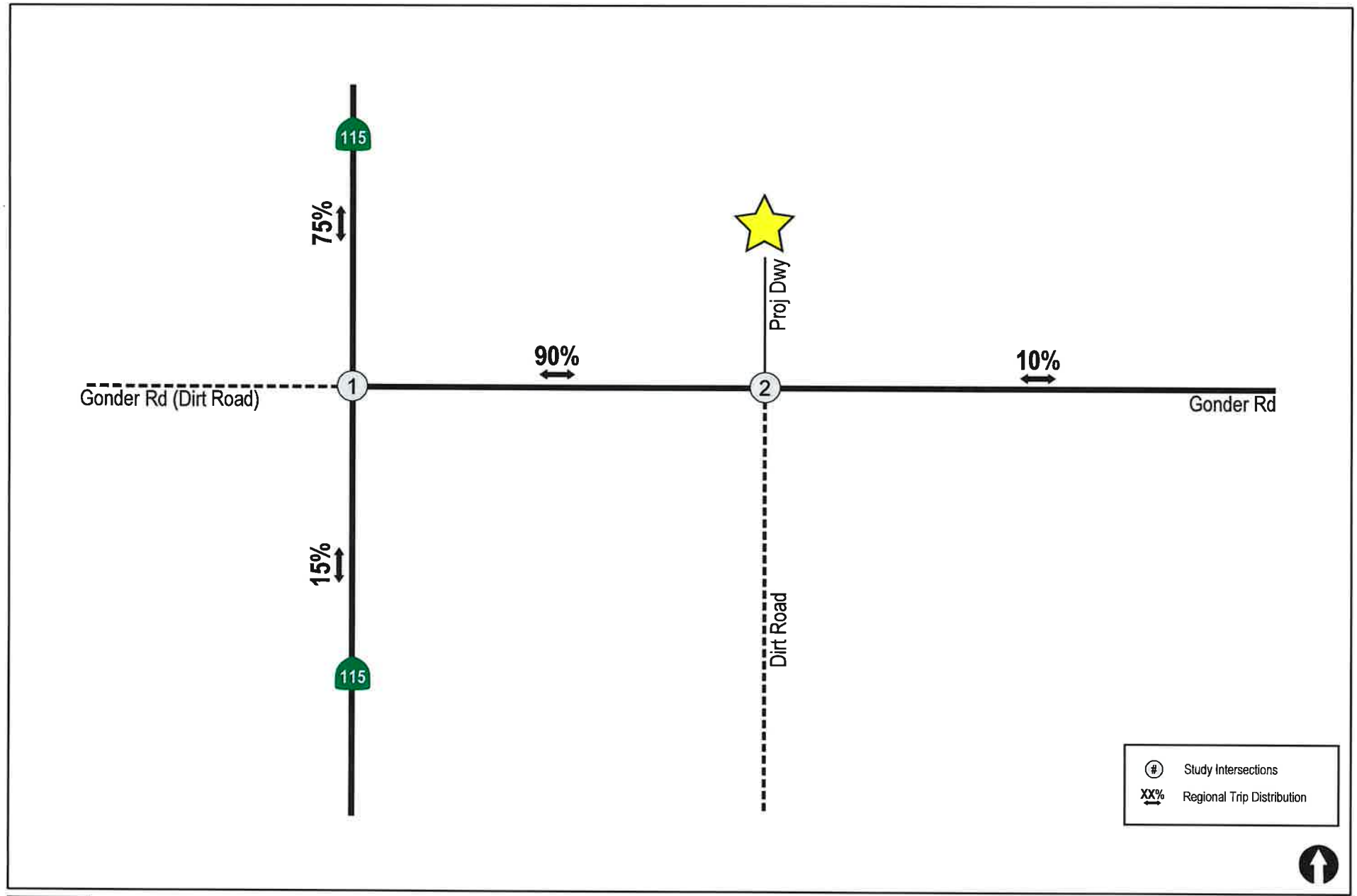
It is anticipated that the majority of new workers will be from the proximate local population centers of Calipatria, Brawley, and El Centro. ***Figure 7–2*** shows the distribution of employee passenger car traffic. The majority of employee traffic (65%) would come from the north and south utilizing SR-115 with a lesser amount of 35% from the east utilizing Gonder Road.

7.3 Trip Assignment

The Project trip generation values shown in ***Table 7–1*** were multiplied by the related truck and employee distribution percentages shown on *Figures 7–1* and *7–2*, respectively. The Project truck traffic assignment is shown on ***Figure 7–3*** and ***Figure 7–4*** shows the Project employee traffic assignment. ***Figure 7–5*** depicts the Total Project traffic assignment. ***Figure 7–6*** depicts the Existing + Total Project traffic assignment.

PC ORIGINAL PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

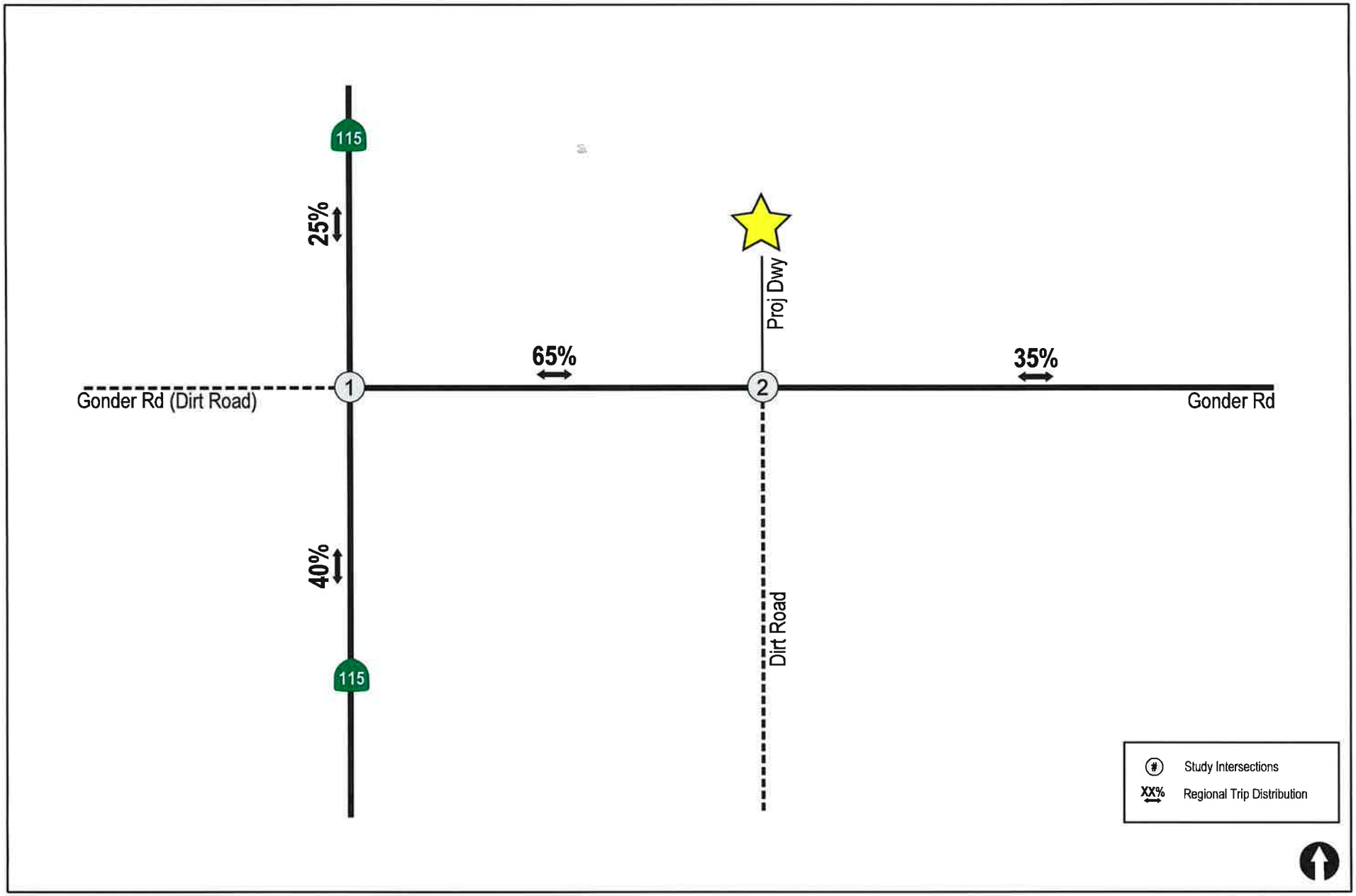
Figure 7-1

Project Traffic Distribution

Truck Trips

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

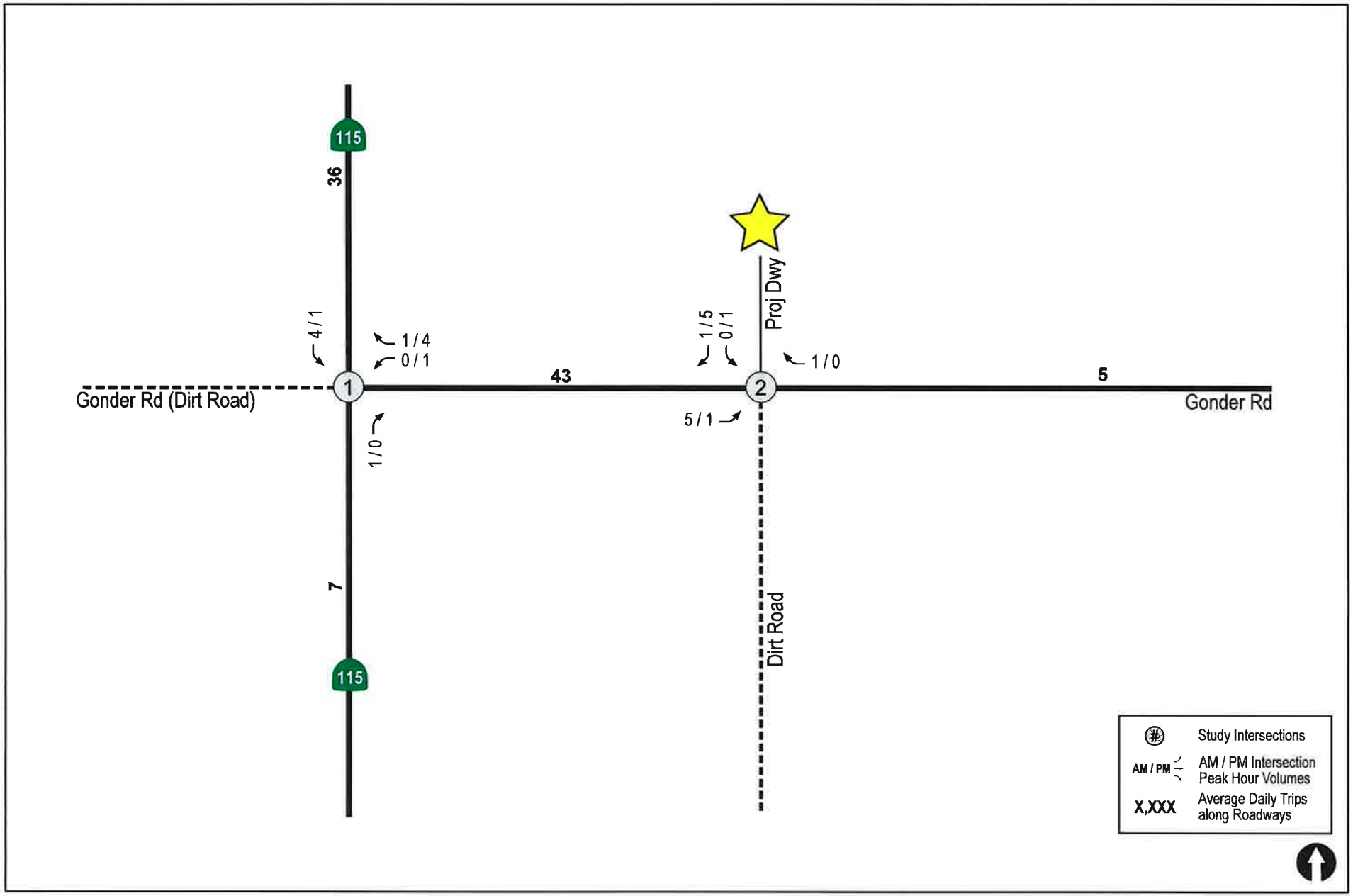
Figure 7-2

Project Traffic Distribution

Employee Trips

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

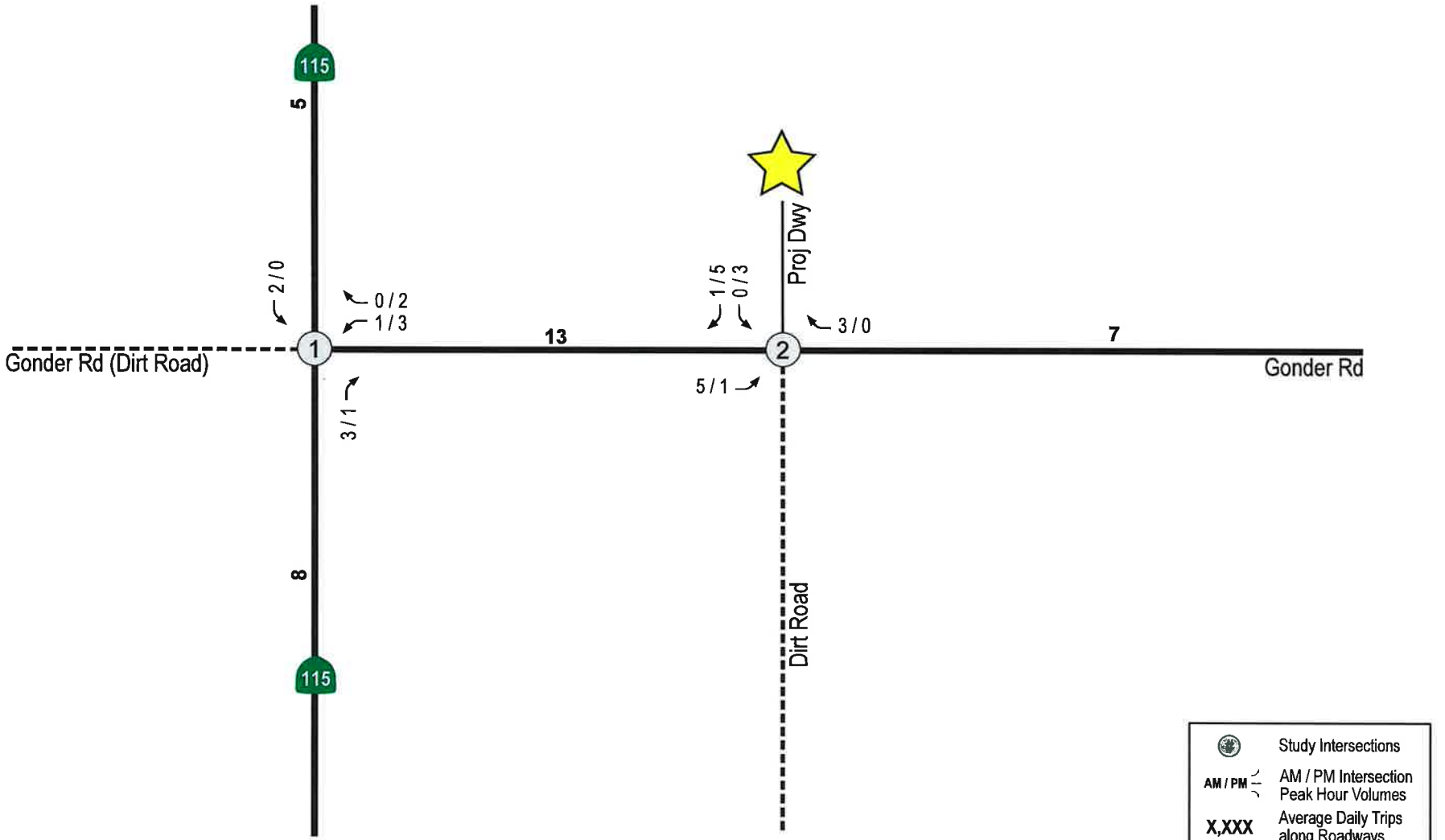
Figure 7-3

Project Traffic Volumes

Truck Trips

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

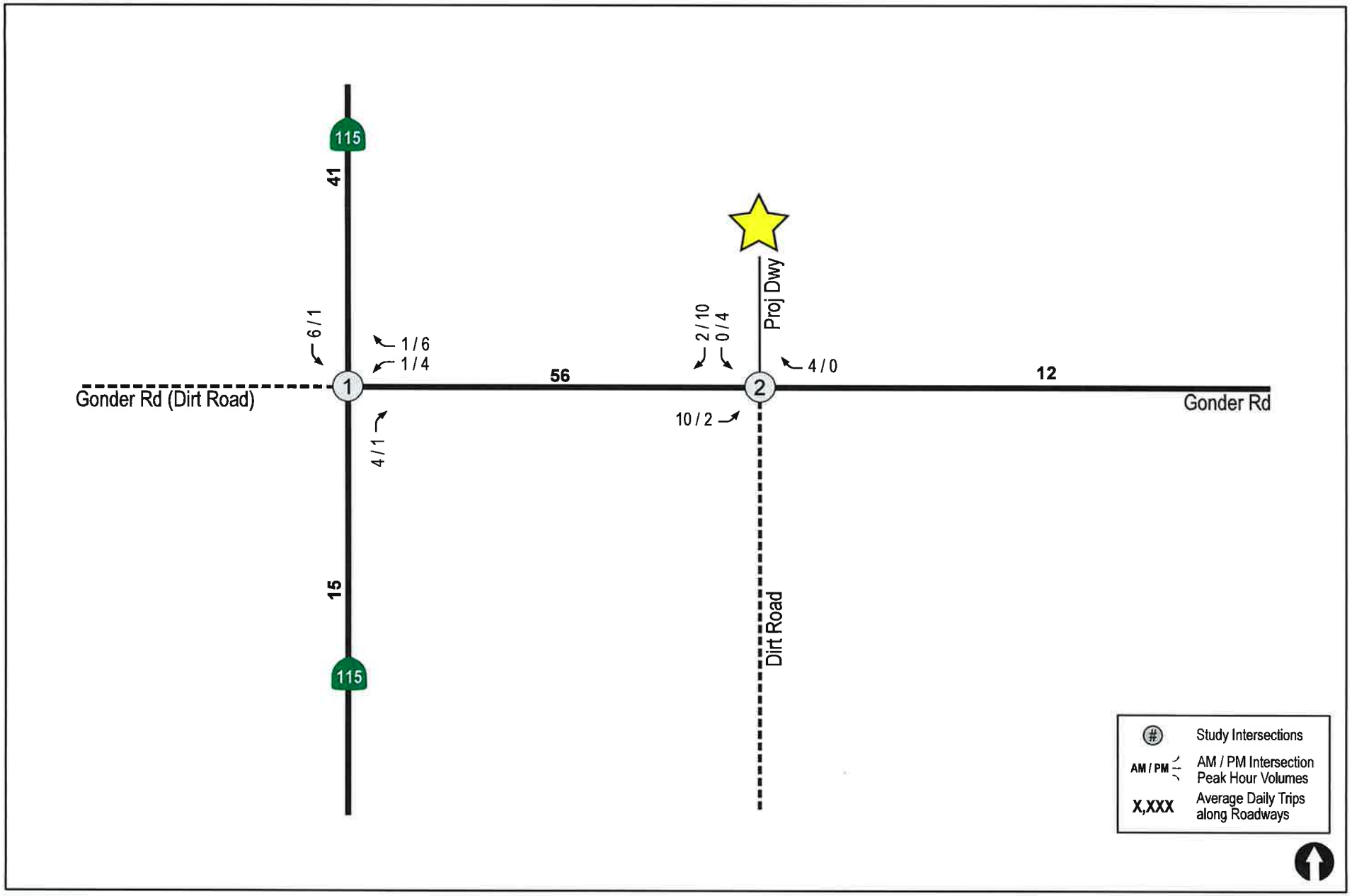
Figure 7-4

Project Traffic Volumes

Employee Trips

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

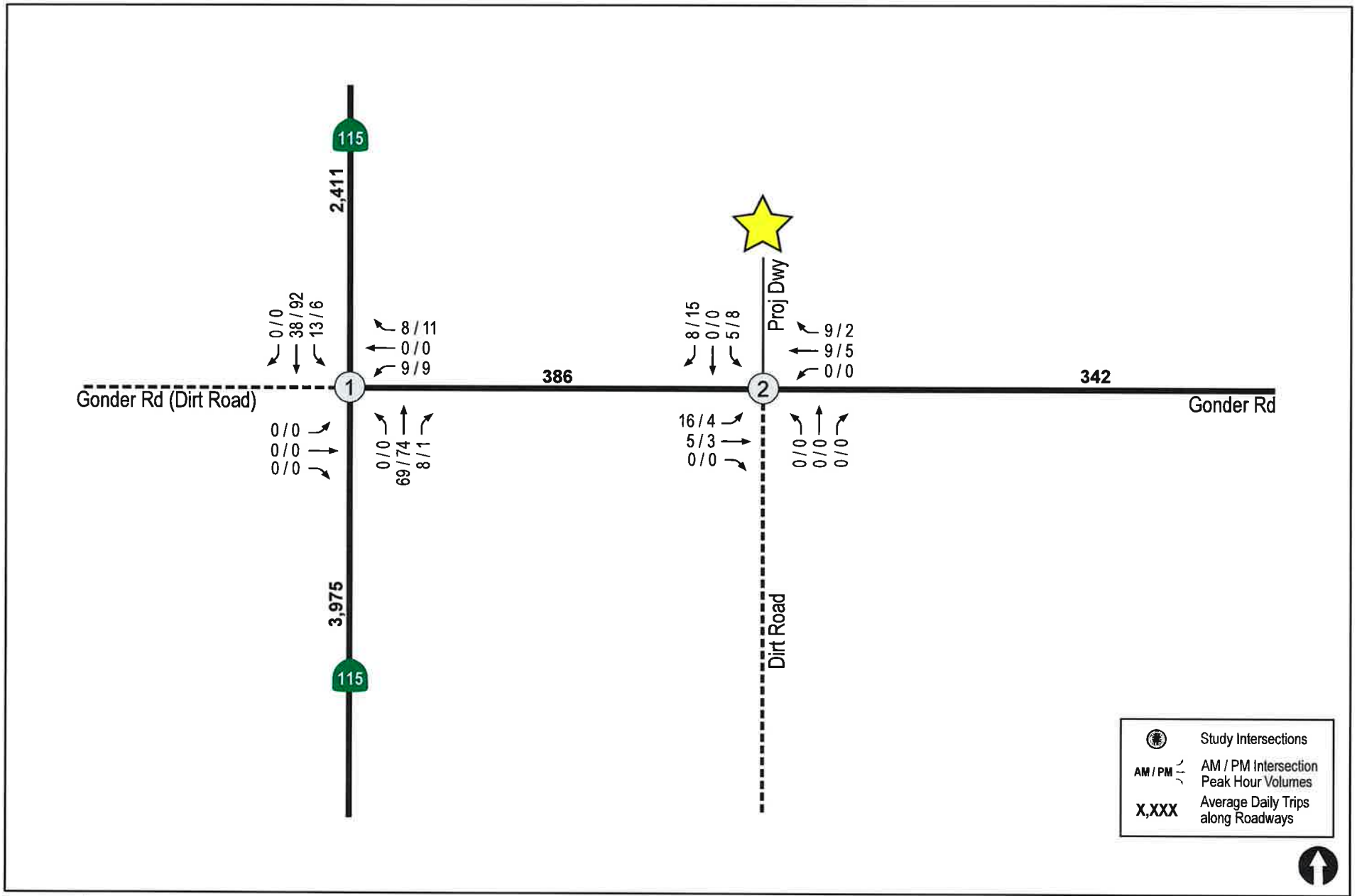
N:\2922\Figures
Date: 08/10/18

Figure 7-5

Total Project Traffic Volumes

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

Figure 7-6

Existing + Total Project Traffic Volumes

8.0 CUMULATIVE PROJECTS AND ANALYSIS RESULTS

There are no significant planned projects in the area adjacent to the project site that may add traffic to the surrounding roadways. Therefore to account for any unforeseen increase in traffic, a 20% growth factor was applied to the existing traffic volumes to account for cumulative traffic.

Figure 8–1 depicts the Existing + Total Project + Cumulative growth.

8.1 Existing + Project Analysis

8.1.1 *Intersection Operations*

Table 8–1 summarizes the intersection operations throughout the project study area with the addition of project traffic. ***Table 8–1*** shows that all of the intersections in the study area are calculated to operate at LOS A during the AM and PM peak hours.

8.1.2 *Segment Analysis*

Table 8–2 summarizes the street segment operations throughout the project study area with the addition of project traffic. ***Table 8–2*** shows that all of the street segments in the study area are forecasted to operate at LOS B or better on a daily basis.

8.2 Existing + Project + Cumulative Analysis

8.2.1 *Intersection Analysis*

Table 8–1 summarizes the intersection operations throughout the project study area with the addition of cumulative growth. ***Table 8–1*** shows that all of the intersections in the study area are calculated to continue to operate at LOS A during the AM and PM peak hours.

8.2.2 *Segment Analysis*

Table 8–2 summarizes the street segment operations throughout the project study area with the addition of cumulative growth. ***Table 8–2*** shows that all of the street segments in the study area are forecasted to continue to operate at LOS C or better on a daily basis.

PC ORIGINAL PKG

TABLE 8–1
NEAR-TERM INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	Existing + Project		Existing + Project + Cumulative		Significant?
			Delay [a]	LOS [b]	Delay	LOS	
1. SR-115 / Gonder Road	TWSC[C]	AM	9.2	A	9.3	A	No
		PM	9.3	A	9.5	A	No
2. SR-115 / Project Driveway	TWSC	AM	8.6	A	8.7	A	No
		PM	8.6	A	8.6	A	No

Footnotes:

a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported); WB=Westbound; SB=Southbound.

UNSIGNALIZED

Delay	LOS
0.0 ≤ 10.0	A
10.1 to 15.0	B
15.1 to 25.0	C
25.1 to 35.0	D
35.1 to 50.0	E
≥ 50.1	F

PC ORIGINAL PKG

PC ORIGINAL PKG

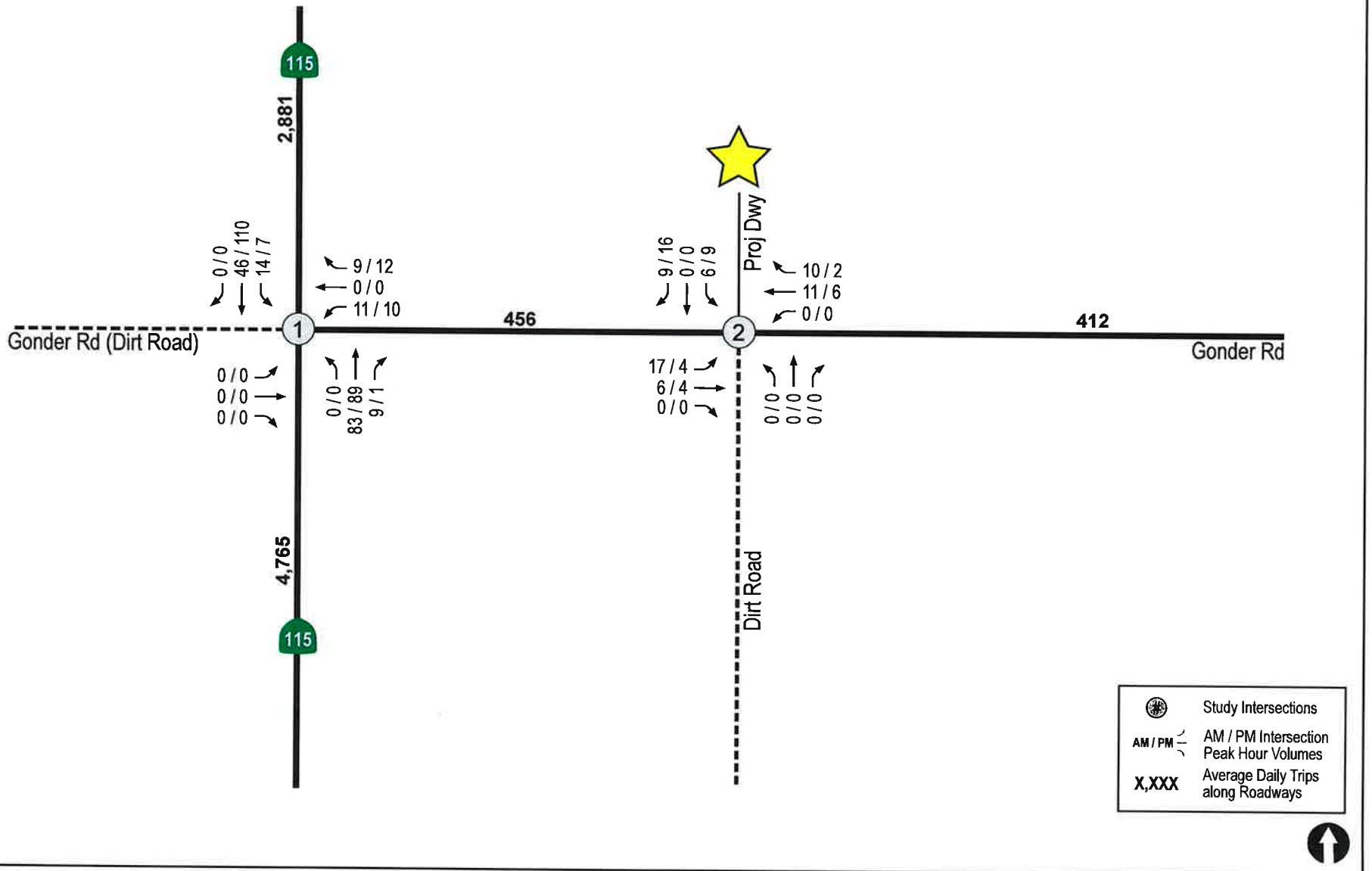
TABLE 8–2
NEAR-TERM STREET SEGMENT OPERATIONS

Street Segment	Existing Capacity (LOS E)[a]	Existing + Project			Existing + Project + Cumulative		
		ADT[b]	LOS[c]	V/C[d]	ADT	LOS	V/C[e]
SR-115							
North of Gonder Road	16,200	2,411	B	0.149	2,881	A	0.178
South of Gonder Road	16,200	3,975	B	0.245	4,765	C	0.294
Gonder Road							
SR-115 to Project Driveway	16,200	386	A	0.023	456	A	0.028
East of Project Driveway	16,200	342	A	0.021	412	A	0.025

Footnotes:

a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
b. Average Daily Traffic volumes
c. Level of Service
d. Volume / Capacity ratio.
e. Increase in V/C due to cumulative growth.

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

Figure 8-1

Existing + Project + Cumulative Growth Traffic Volumes

9.0 PROJECT ACCESS

Project traffic will utilize the existing project driveway along the north side of Gonder Road. Based on the location of the driveway, the relatively low amount of project trips, and the very low traffic volumes along Gonder Road, the driveway should perform adequately.

PC ORIGINAL PKG

10.0 CONCLUSIONS & RECOMMENDATIONS

The capacity analyses performed for the key roadway segments and unsignalized intersections indicate that ***no significant impacts would occur*** during the daily operations of the project.

No traffic related mitigation measures are necessary.

PC ORIGINAL PKG

LINSCOTT
LAW &
GREENSPAN
engineers

TECHNICAL APPENDICES

MOIOLA BROTHERS CATTLE FEEDERS

County of Imperial, California
May 9, 2019

LLG Ref. 3-18-2922

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego, CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

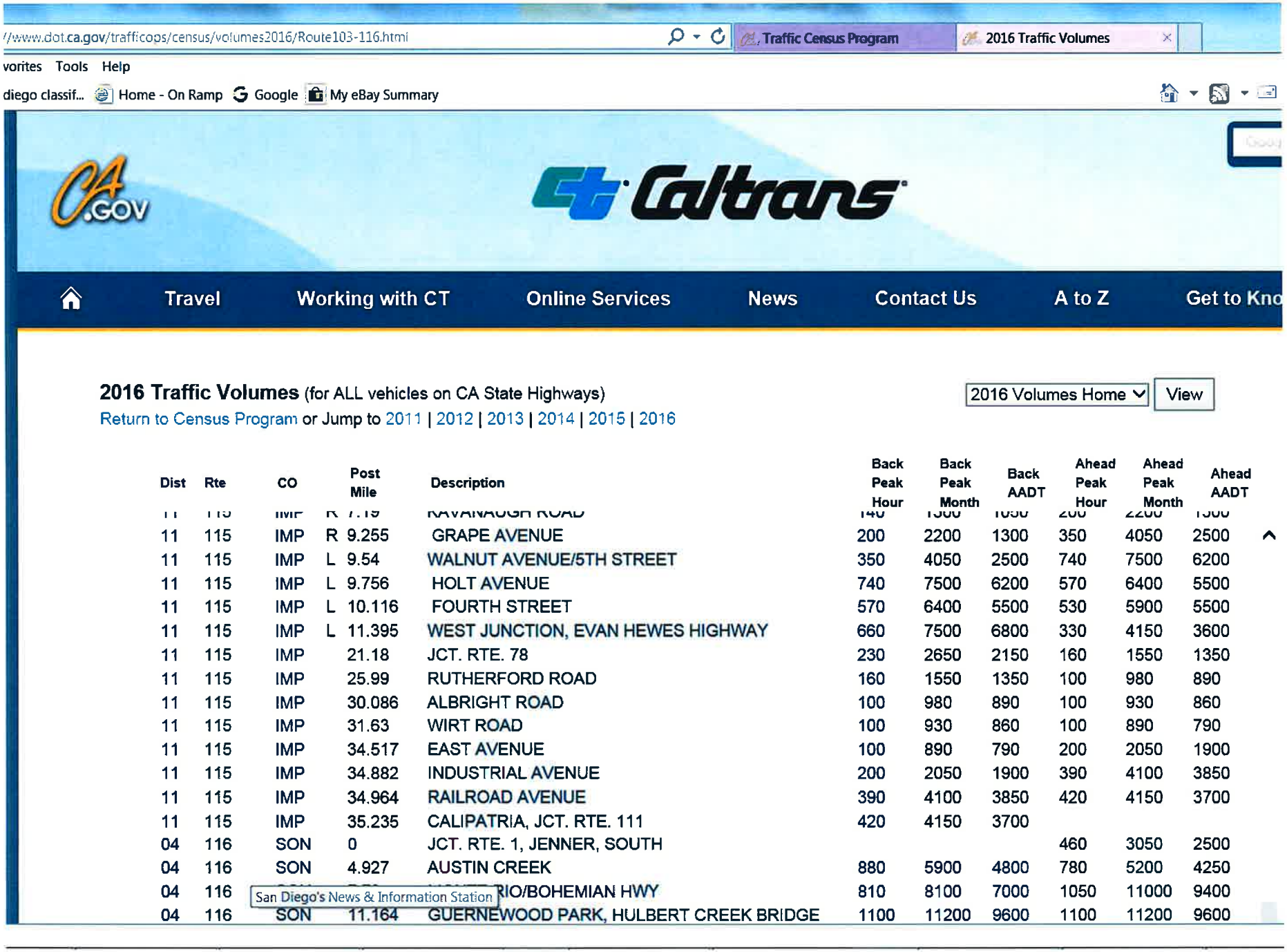
PC ORIGINAL PKG

APPENDIX A

INTERSECTION COUNT SHEETS & CALTRANS TRAFFIC VOLUMES

PC ORIGINAL PKG

PC ORIGINAL PKG



//www.dot.ca.gov/trafficops/census/volumes2016/Route103-116.html

Traffic Census Program | 2016 Traffic Volumes

vorites Tools Help

diego classif... Home - On Ramp Google My eBay Summary

CA.GOV Caltrans

Travel | Working with CT | Online Services | News | Contact Us | A to Z | Get to Kno

2016 Traffic Volumes (for ALL vehicles on CA State Highways)

2016 Volumes Home | View

Return to Census Program or Jump to 2011 | 2012 | 2013 | 2014 | 2015 | 2016

Dist	Rte	CO	Post Mile	Description	Back Peak Hour	Back Peak Month	Back AADT	Ahead Peak Hour	Ahead Peak Month	Ahead AADT
11	115	IMP	R 9.255	GRAPE AVENUE	200	2200	1300	350	4050	2500
11	115	IMP	L 9.54	WALNUT AVENUE/5TH STREET	350	4050	2500	740	7500	6200
11	115	IMP	L 9.756	HOLT AVENUE	740	7500	6200	570	6400	5500
11	115	IMP	L 10.116	FOURTH STREET	570	6400	5500	530	5900	5500
11	115	IMP	L 11.395	WEST JUNCTION, EVAN HEWES HIGHWAY	660	7500	6800	330	4150	3600
11	115	IMP	21.18	JCT. RTE. 78	230	2650	2150	160	1550	1350
11	115	IMP	25.99	RUTHERFORD ROAD	160	1550	1350	100	980	890
11	115	IMP	30.086	ALBRIGHT ROAD	100	980	890	100	930	860
11	115	IMP	31.63	WIRT ROAD	100	930	860	100	890	790
11	115	IMP	34.517	EAST AVENUE	100	890	790	200	2050	1900
11	115	IMP	34.882	INDUSTRIAL AVENUE	200	2050	1900	390	4100	3850
11	115	IMP	34.964	RAILROAD AVENUE	390	4100	3850	420	4150	3700
11	115	IMP	35.235	CALIPATRIA, JCT. RTE. 111	420	4150	3700			
04	116	SON	0	JCT. RTE. 1, JENNER, SOUTH				460	3050	2500
04	116	SON	4.927	AUSTIN CREEK	880	5900	4800	780	5200	4250
04	116	SON		RIO/BOHEMIAN HWY	810	8100	7000	1050	11000	9400
04	116	SON	11.164	GUERNEWOOD PARK, HULBERT CREEK BRIDGE	1100	11200	9600	1100	11200	9600

San Diego's News & Information Station

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **#02 Gonder Road between SR-115 & Project Driveway**

Date: **Thursday, July 19, 2018** Total Daily Volume: **324** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	14	2	10	22	30	26	18	19	26	31	20	17	17	15	15	17	9	4	7	1	1	2
0	0	3	1	2	4	7	7	4	5	8	10	9	2	5	4	4	5	0	1	3	0	0	0
0	0	3	1	3	6	7	6	2	4	3	10	3	6	4	3	3	4	1	0	1	0	0	1
0	1	4	0	3	5	8	8	5	5	6	3	2	6	4	4	3	5	6	2	1	1	1	0
0	0	4	0	2	7	8	5	7	5	9	8	6	3	4	4	5	3	2	1	2	0	0	1

Date: **Thursday, July 19, 2018** Total Daily Volume: **146** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	13	1	7	16	10	11	7	9	11	12	6	6	8	5	5	7	2	0	6	0	1	2
0	0	3	0	2	2	3	3	1	1	5	4	1	0	3	1	1	3	0	0	2	0	0	0
0	0	3	1	3	6	2	2	1	1	2	6	0	2	0	1	1	1	0	0	1	0	0	1
0	1	4	0	0	3	3	3	2	3	1	0	0	2	2	2	1	1	2	0	1	0	1	0
0	0	3	0	2	5	2	3	3	4	3	2	5	2	3	1	2	2	0	0	2	0	0	1

Date: **Thursday, July 19, 2018** Total Daily Volume: **178** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	0	1	1	3	6	20	15	11	10	15	19	14	11	9	10	10	10	7	4	1	1	0	0
0	0	0	1	0	2	4	4	3	4	3	6	8	2	2	3	3	2	0	1	1	0	0	0
0	0	0	0	0	0	5	4	1	3	1	4	3	4	4	2	2	3	1	0	0	0	0	0
0	0	0	0	3	2	5	5	3	2	5	3	2	4	2	2	2	4	4	2	0	1	0	0
0	0	1	0	0	2	6	2	4	1	6	6	1	1	1	3	3	1	2	1	0	0	0	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Moiola Brothers Driveway**

Date: **Thursday, July 19, 2018** Total Daily Volume: **156** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	2	22	7	13	10	3	10	18	15	12	7	10	9	5	1	2	3	4	1	0	0	2	0
0	0	4	2	6	0	0	3	4	2	5	2	4	0	2	1	0	0	2	0	0	0	0	0
0	0	0	0	3	5	3	4	5	5	5	4	0	3	0	0	2	0	2	1	0	0	0	0
0	2	10	0	0	4	0	1	1	3	2	0	0	2	3	0	0	2	0	0	0	0	2	0
0	0	8	5	4	1	0	2	8	5	0	1	6	4	0	0	0	1	0	0	0	0	0	0

Date: **Thursday, July 19, 2018** Total Daily Volume: **68** Description: **Inbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	11	3	6	4	1	4	8	6	5	3	5	4	2	0	1	1	2	0	0	0	1	0
0	0	2	1	3	0	0	1	2	1	2	1	2	0	1	0	0	0	1	0	0	0	0	0
0	0	0	0	1	2	1	2	2	2	2	2	0	1	0	0	1	0	1	0	0	0	0	0
0	1	5	0	0	2	0	0	0	1	1	0	0	1	1	0	0	1	0	0	0	0	1	0
0	0	4	2	2	0	0	1	4	2	0	0	3	2	0	0	0	0	0	0	0	0	0	0

Date: **Thursday, July 19, 2018** Total Daily Volume: **88** Description: **Outbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	11	4	7	6	2	6	10	9	7	4	5	5	3	1	1	2	2	1	0	0	1	0
0	0	2	1	3	0	0	2	2	1	3	1	2	0	1	1	0	0	1	0	0	0	0	0
0	0	0	0	2	3	2	2	3	3	3	2	0	2	0	0	1	0	1	1	0	0	0	0
0	1	5	0	0	2	0	1	1	2	1	0	0	1	2	0	0	1	0	0	0	0	1	0
0	0	4	3	2	1	0	1	4	3	0	1	3	2	0	0	0	1	0	0	0	0	0	0

Report Generated by "Count Data" all rights reserved

* See note for explanation. Note is after this countsheet.

Begin forwarded message:

From: Michael Stutz <michaelstutz44@gmail.com>
Date: May 9, 2019 at 2:10:42 AM PDT
To: "John A. Boarman" <boarman@llgengineers.com>
Subject: BC 18-100 Moiola Brothers Driveway Volume Report

Good morning John,

Attached is a revised report for the Moiola Brothers Driveway Volume Report.

We use Metro Count counter for our roadway segment counters. To get the best possible accurate vehicle counts the road hoses need to be on a solid flat surface. In looking at a Google map of the driveway, it appears to be gravel/dirt driveway which would have reduced being able to obtain an accurate volume count. Additionally, the basic volume of vehicle counts is calculated as the sum of the axle strikes divided by two. Unfortunately, multi axle vehicles such as a ten wheeler or truck with trailers get counted as two to three vehicles each when their speeds are less than 25 mph. By analyzing the time of each axle strike, we were able to more closely identify the proper number of vehicles.

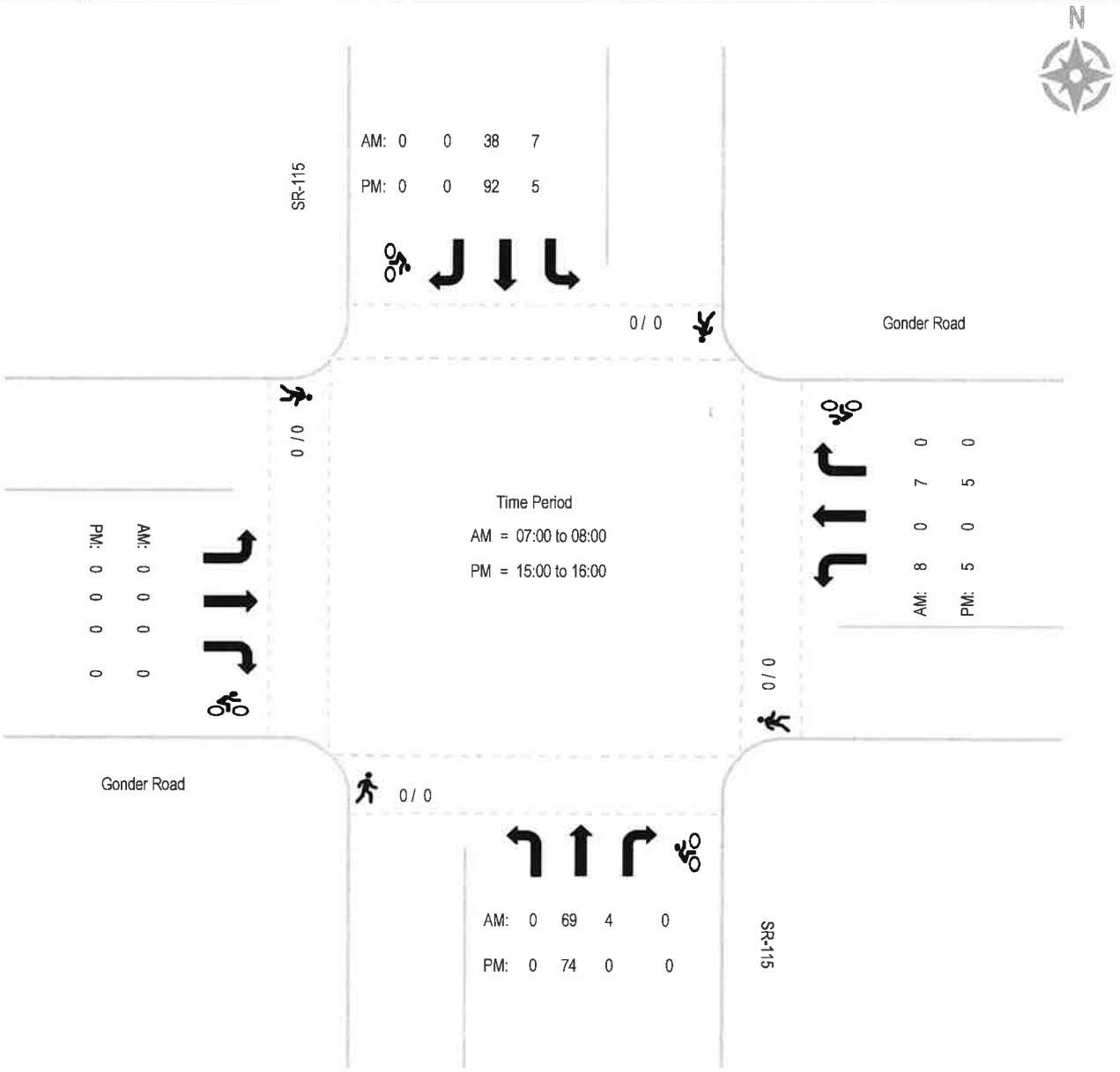
Please let me know if you need any addition information.

Mike

PC ORIGINAL PKG

Intersection Turning Movement - Peak Hour Summary

LINSCOTT LAW & GREENSPAN engineers	Location:	#01	File Name:	ITM-18-106-01
	Intersection:	SR-115 & Gonder Road	Project:	LLG Ref. 3-18-2922
	Date of Count:	Thursday, July 19, 2018		Calipatria



PC ORIGINAL PKG

APPENDIX B

PEAK HOUR INTERSECTION ANALYSIS WORKSHEETS

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	8	0	7	0	69	4	7	38	0
Future Vol, veh/h	0	0	0	8	0	7	0	69	4	7	38	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	9	0	8	0	75	4	8	41	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	138	136	41	134	134	77	41	0	0	79	0	0
Stage 1	57	57	-	77	77	-	-	-	-	-	-	-
Stage 2	81	79	-	57	57	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	833	755	1030	838	757	984	1568	-	-	1519	-	-
Stage 1	955	847	-	932	831	-	-	-	-	-	-	-
Stage 2	927	829	-	955	847	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	823	751	1030	835	753	984	1568	-	-	1519	-	-
Mov Cap-2 Maneuver	823	751	-	835	753	-	-	-	-	-	-	-
Stage 1	955	843	-	932	831	-	-	-	-	-	-	-
Stage 2	920	829	-	950	843	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.1	0	1.1
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1568	-	-	-	898	1519	-	-
HCM Lane V/C Ratio	-	-	-	-	0.018	0.005	-	-
HCM Control Delay (s)	0	-	-	0	9.1	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	3.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	6	5	0	0	9	5	0	0	0	5	0	6
Future Vol, veh/h	6	5	0	0	9	5	0	0	0	5	0	6
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	7	5	0	0	10	5	0	0	0	5	0	7

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	15	0	0	5	0	0	40	34	5	32	32	18
Stage 1	-	-	-	-	-	-	19	19	-	13	13	-
Stage 2	-	-	-	-	-	-	21	15	-	19	19	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1603	-	-	1616	-	-	964	859	1078	976	861	1061
Stage 1	-	-	-	-	-	-	1000	880	-	1007	885	-
Stage 2	-	-	-	-	-	-	998	883	-	1000	880	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1603	-	-	1616	-	-	951	856	1078	973	858	1056
Mov Cap-2 Maneuver	-	-	-	-	-	-	951	856	-	973	858	-
Stage 1	-	-	-	-	-	-	996	876	-	1003	885	-
Stage 2	-	-	-	-	-	-	987	883	-	996	876	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	4	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1603	-	-	1616	-	-	1017
HCM Lane V/C Ratio	-	0.004	-	-	-	-	-	0.012
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	0.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	5	0	5	0	74	0	5	92	0
Future Vol, veh/h	0	0	0	5	0	5	0	74	0	5	92	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	5	0	5	0	80	0	5	100	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	193	190	100	190	190	80	100	0	0	80	0	0
Stage 1	110	110	-	80	80	-	-	-	-	-	-	-
Stage 2	83	80	-	110	110	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	767	705	956	770	705	980	1493	-	-	1518	-	-
Stage 1	895	804	-	929	828	-	-	-	-	-	-	-
Stage 2	925	828	-	895	804	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	761	703	956	768	703	980	1493	-	-	1518	-	-
Mov Cap-2 Maneuver	761	703	-	768	703	-	-	-	-	-	-	-
Stage 1	895	802	-	929	828	-	-	-	-	-	-	-
Stage 2	920	828	-	892	802	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.2	0	0.4
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1493	-	-	-	861	1518	-	-
HCM Lane V/C Ratio	-	-	-	-	0.013	0.004	-	-
HCM Control Delay (s)	0	-	-	0	9.2	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0	0	-	-

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	4.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	2	3	0	0	5	2	0	0	0	4	0	5
Future Vol, veh/h	2	3	0	0	5	2	0	0	0	4	0	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	2	3	0	0	5	2	0	0	0	4	0	5

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	7	0	0	3	0	0	21	14	3	13	13	11
Stage 1	-	-	-	-	-	-	7	7	-	6	6	-
Stage 2	-	-	-	-	-	-	14	7	-	7	7	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1614	-	-	1619	-	-	992	880	1081	1004	881	1070
Stage 1	-	-	-	-	-	-	1015	890	-	1016	891	-
Stage 2	-	-	-	-	-	-	1006	890	-	1015	890	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1614	-	-	1619	-	-	981	879	1081	1003	880	1065
Mov Cap-2 Maneuver	-	-	-	-	-	-	981	879	-	1003	880	-
Stage 1	-	-	-	-	-	-	1014	889	-	1015	891	-
Stage 2	-	-	-	-	-	-	996	890	-	1014	889	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.9	0	0	8.5
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1614	-	-	1619	-	-	1037
HCM Lane V/C Ratio	-	0.001	-	-	-	-	-	0.009
HCM Control Delay (s)	0	7.2	0	-	0	-	-	8.5
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	1.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	9	0	8	0	69	8	13	38	0
Future Vol, veh/h	0	0	0	9	0	8	0	69	8	13	38	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	10	0	9	0	75	9	14	41	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	153	153	41	149	149	80	41	0	0	84	0	0
Stage 1	69	69	-	80	80	-	-	-	-	-	-	-
Stage 2	84	84	-	69	69	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	814	739	1030	819	743	980	1568	-	-	1513	-	-
Stage 1	941	837	-	929	828	-	-	-	-	-	-	-
Stage 2	924	825	-	941	837	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	801	732	1030	813	736	980	1568	-	-	1513	-	-
Mov Cap-2 Maneuver	801	732	-	813	736	-	-	-	-	-	-	-
Stage 1	941	829	-	929	828	-	-	-	-	-	-	-
Stage 2	916	825	-	933	829	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.2	0	1.9
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1568	-	-	-	884	1513	-	-
HCM Lane V/C Ratio	-	-	-	-	0.021	0.009	-	-
HCM Control Delay (s)	0	-	-	0	9.2	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	4.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	16	5	0	0	9	9	0	0	0	5	0	8
Future Vol, veh/h	16	5	0	0	9	9	0	0	0	5	0	8
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	5	0	0	10	10	0	0	0	5	0	9

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	20	0	0	5	0	0	64	59	5	54	54	20
Stage 1	-	-	-	-	-	-	39	39	-	15	15	-
Stage 2	-	-	-	-	-	-	25	20	-	39	39	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1596	-	-	1616	-	-	930	832	1078	944	837	1058
Stage 1	-	-	-	-	-	-	976	862	-	1005	883	-
Stage 2	-	-	-	-	-	-	993	879	-	976	862	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1596	-	-	1616	-	-	910	823	1078	936	828	1053
Mov Cap-2 Maneuver	-	-	-	-	-	-	910	823	-	936	828	-
Stage 1	-	-	-	-	-	-	965	853	-	994	883	-
Stage 2	-	-	-	-	-	-	980	879	-	965	853	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	5.5	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1596	-	-	1616	-	-	1005
HCM Lane V/C Ratio	-	0.011	-	-	-	-	-	0.014
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	1.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	9	0	11	0	74	1	6	92	0
Future Vol, veh/h	0	0	0	9	0	11	0	74	1	6	92	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	10	0	12	0	80	1	7	100	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	201	195	100	195	195	81	100	0	0	81	0	0
Stage 1	114	114	-	81	81	-	-	-	-	-	-	-
Stage 2	87	81	-	114	114	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	757	700	956	764	700	979	1493	-	-	1517	-	-
Stage 1	891	801	-	927	828	-	-	-	-	-	-	-
Stage 2	921	828	-	891	801	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	745	697	956	761	697	979	1493	-	-	1517	-	-
Mov Cap-2 Maneuver	745	697	-	761	697	-	-	-	-	-	-	-
Stage 1	891	797	-	927	828	-	-	-	-	-	-	-
Stage 2	910	828	-	887	797	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.3	0	0.5
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1493	-	-	-	867	1517	-	-
HCM Lane V/C Ratio	-	-	-	-	0.025	0.004	-	-
HCM Control Delay (s)	0	-	-	0	9.3	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	6.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	16	5	0	0	5	2	0	0	0	8	0	15
Future Vol, veh/h	16	5	0	0	5	2	0	0	0	8	0	15
Conflicting Peds, #/hr	0	0	0	5	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	5	0	0	5	2	0	0	0	9	0	16

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	7	0	0	10	0	0	63	51	10	45	50	11
Stage 1	-	-	-	-	-	-	44	44	-	6	6	-
Stage 2	-	-	-	-	-	-	19	7	-	39	44	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1614	-	-	1610	-	-	932	840	1071	957	841	1070
Stage 1	-	-	-	-	-	-	970	858	-	1016	891	-
Stage 2	-	-	-	-	-	-	1000	890	-	976	858	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1614	-	-	1602	-	-	901	827	1066	949	828	1065
Mov Cap-2 Maneuver	-	-	-	-	-	-	901	827	-	949	828	-
Stage 1	-	-	-	-	-	-	954	844	-	1005	891	-
Stage 2	-	-	-	-	-	-	980	890	-	965	844	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	5.5	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1614	-	-	1602	-	-	1022
HCM Lane V/C Ratio	-	0.011	-	-	-	-	-	0.024
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	1.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	11	0	9	0	83	9	14	46	0
Future Vol, veh/h	0	0	0	11	0	9	0	83	9	14	46	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	12	0	10	0	90	10	15	50	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	180	180	50	175	175	95	50	0	0	100	0	0
Stage 1	80	80	-	95	95	-	-	-	-	-	-	-
Stage 2	100	100	-	80	80	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	782	714	1018	788	718	962	1557	-	-	1493	-	-
Stage 1	929	828	-	912	816	-	-	-	-	-	-	-
Stage 2	906	812	-	929	828	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	768	707	1018	782	711	962	1557	-	-	1493	-	-
Mov Cap-2 Maneuver	768	707	-	782	711	-	-	-	-	-	-	-
Stage 1	929	820	-	912	816	-	-	-	-	-	-	-
Stage 2	897	812	-	920	820	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.3	0	1.7
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1557	-	-	-	854	1493	-	-
HCM Lane V/C Ratio	-	-	-	-	0.025	0.01	-	-
HCM Control Delay (s)	0	-	-	0	9.3	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	4.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	17	6	0	0	11	10	0	0	0	6	0	9
Future Vol, veh/h	17	6	0	0	11	10	0	0	0	6	0	9
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	7	0	0	12	11	0	0	0	7	0	10

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	23	0	0	7	0	0	71	66	7	61	61	23
Stage 1	-	-	-	-	-	-	43	43	-	18	18	-
Stage 2	-	-	-	-	-	-	28	23	-	43	43	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1592	-	-	1614	-	-	920	825	1075	934	830	1054
Stage 1	-	-	-	-	-	-	971	859	-	1001	880	-
Stage 2	-	-	-	-	-	-	989	876	-	971	859	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1592	-	-	1614	-	-	900	816	1075	927	821	1049
Mov Cap-2 Maneuver	-	-	-	-	-	-	900	816	-	927	821	-
Stage 1	-	-	-	-	-	-	960	850	-	990	880	-
Stage 2	-	-	-	-	-	-	975	876	-	960	850	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	5.4	0	0	8.7
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1592	-	-	1614	-	-	997
HCM Lane V/C Ratio	-	0.012	-	-	-	-	-	0.016
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.7
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	1.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	10	0	12	0	89	1	7	110	0
Future Vol, veh/h	0	0	0	10	0	12	0	89	1	7	110	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	11	0	13	0	97	1	8	120	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	240	234	120	234	234	98	120	0	0	98	0	0
Stage 1	136	136	-	98	98	-	-	-	-	-	-	-
Stage 2	104	98	-	136	136	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	714	666	931	721	666	958	1468	-	-	1495	-	-
Stage 1	867	784	-	908	814	-	-	-	-	-	-	-
Stage 2	902	814	-	867	784	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	701	662	931	717	662	958	1468	-	-	1495	-	-
Mov Cap-2 Maneuver	701	662	-	717	662	-	-	-	-	-	-	-
Stage 1	867	779	-	908	814	-	-	-	-	-	-	-
Stage 2	890	814	-	862	779	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.5	0	0.4
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1468	-	-	-	831	1495	-	-
HCM Lane V/C Ratio	-	-	-	-	0.029	0.005	-	-
HCM Control Delay (s)	0	-	-	0	9.5	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

Intersection	
Int Delay, s/veh	5.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	4	4	0	0	6	2	0	0	0	9	0	16
Future Vol, veh/h	4	4	0	0	6	2	0	0	0	9	0	16
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	4	0	0	7	2	0	0	0	10	0	17

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	9	0	0	4	0	0	34	21	4	20	20	13
Stage 1	-	-	-	-	-	-	12	12	-	8	8	-
Stage 2	-	-	-	-	-	-	22	9	-	12	12	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1611	-	-	1618	-	-	973	873	1080	993	874	1067
Stage 1	-	-	-	-	-	-	1009	886	-	1013	889	-
Stage 2	-	-	-	-	-	-	996	888	-	1009	886	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1611	-	-	1618	-	-	951	871	1080	991	872	1062
Mov Cap-2 Maneuver	-	-	-	-	-	-	951	871	-	991	872	-
Stage 1	-	-	-	-	-	-	1007	884	-	1011	889	-
Stage 2	-	-	-	-	-	-	975	888	-	1007	884	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	3.6	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1611	-	-	1618	-	-	1035
HCM Lane V/C Ratio	-	0.003	-	-	-	-	-	0.026
HCM Control Delay (s)	0	7.2	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

PC ORIGINAL PKG

Attachment 4.

Transportation Impact Analysis Response Letter from Engineer dated April 1, 2019

PC ORIGINAL PKG

LINSCOTT
LAW &
GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego , CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

April 1, 2019

Mr. Tom Dubose
Dubose Design Group
1065 State Street
El Centro, CA 92243

LLG Reference: 3-18-2922

Subject: **Moiola Brothers Cattle Feeders – Traffic Study**

Dear Mr. Dubose:

Linscott, Law & Greenspan, Engineers (LLG) completed a traffic study for the subject project dated August 13, 2018. An appeal of the Environmental Evaluation Committee's decision to prepare a Mitigated Negative Declaration was filed regarding the project and is dated February 20, 2019.

The purpose of this letter is to respond to a few points in the appeal.

1. The traffic study states that the existing number of daily trips on Gonder Road east of SR 115 is 330 ADT (Average Daily Trips). This amount was disputed and therefore, LLG conducted a 7 day count on March 13 – 19 of this year. The average weekday count was 278 ADT. Therefore, the existing count in the traffic study is conservative. ***Appendix A*** contains the 7-day count data and is provided at the end of this letter.

2. The appeal letter states that the project expansion would generate 67 trips during the AM/PM peak hours. This is incorrect. As seen in ***Table 2*** of the traffic study (***see Appendix B***), the number of peak hour trips is 16 in both the AM & PM peak hours.

3. The appeal letter conducts an apples to oranges comparison on page 4. They compare the expansion only trips discussed on Table 2 of the traffic study (68 ADT) to existing on-the-ground trips (stated to be 138 vehicles) in the appeal letter. The existing trips are properly included in the traffic study as part of the 330 ADT. This 330 ADT includes the 138 vehicles the appeal letter counted currently entering and exiting the existing site.

Philip M. Linscott, PE (1924-2000)
William A. Law, PE (1921-2018)
Jack M. Greenspan, PE (Ret.)
Paul W. Wilkinson, PE (Ret.)
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

An LGZWB Company Founded 1966

PC ORIGINAL PKG

LINSCOTT LAW & GREENSPAN
engineers

4. Gonder Road can accommodate about 7,100 ADT before exceeding County standards. Therefore, even if the appeal letter trips were utilized, LOS A would be calculated and no significant impacts would occur.

Please let me know if you have any questions.

Sincerely,
Linscott, Law & Greenspan, Engineers

John Boarman, P.E.
Principal
California Registration: C50033

JB:wcs
cc: File

PC ORIGINAL PKG

APPENDIX A

GONDER ROAD 7-DAY ADT COUNT DATA

PC ORIGINAL PKG

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Wednesday, March 13, 2019** Total Daily Volume: **271** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	4	2	12	9	17	14	19	25	18	14	20	9	28	20	19	6	9	9	5	7	1	4	0
0	0	0	3	2	2	6	6	5	6	6	6	4	12	2	5	4	5	4	0	1	0	0	0
0	1	0	2	1	2	4	2	7	3	3	3	1	4	6	3	1	1	2	1	1	1	0	0
0	2	0	2	2	7	2	3	6	7	3	8	4	8	6	6	0	3	2	0	4	0	1	0
0	1	2	5	4	6	2	8	7	2	2	3	0	4	6	5	1	0	1	4	1	0	3	0

Date: **Wednesday, March 13, 2019** Total Daily Volume: **129** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	2	2	11	7	12	7	12	16	9	7	8	1	9	7	3	2	4	4	2	1	0	3	0
0	0	0	2	0	2	4	5	3	3	4	2	1	0	0	0	1	2	2	0	0	0	0	0
0	0	0	2	1	1	2	0	4	0	1	2	0	3	1	1	0	1	2	0	0	0	0	0
0	1	0	2	2	5	1	2	5	5	2	3	0	3	2	1	0	1	0	0	0	0	1	0
0	1	2	5	4	4	0	5	4	1	0	1	0	3	4	1	1	0	0	2	1	0	2	0

Date: **Wednesday, March 13, 2019** Total Daily Volume: **142** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	2	0	1	2	5	7	7	9	9	7	12	8	19	13	16	4	5	5	3	6	1	1	0
0	0	0	1	2	0	2	1	2	3	2	4	3	12	2	5	3	3	2	0	1	0	0	0
0	1	0	0	0	1	2	2	3	3	2	1	1	1	5	2	1	0	0	1	1	1	0	0
0	1	0	0	0	2	1	1	1	2	1	5	4	5	4	5	0	2	2	0	4	0	0	0
0	0	0	0	0	2	2	3	3	1	2	2	0	1	2	4	0	0	1	2	0	0	1	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Thursday, March 14, 2019** Total Daily Volume: **300** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
3	2	2	13	10	17	18	15	31	18	24	24	19	21	11	18	19	12	9	5	4	0	1	4
1	2	0	2	2	1	6	5	4	5	6	5	5	11	1	5	6	3	3	1	1	0	1	0
1	0	0	1	1	2	7	3	6	4	6	8	6	5	3	3	3	5	3	0	2	0	0	2
0	0	2	3	2	10	2	3	10	3	5	9	4	3	3	9	5	3	3	2	0	0	0	0
1	0	0	7	5	4	3	4	11	6	7	2	4	2	4	1	5	1	0	2	1	0	0	2

Date: **Thursday, March 14, 2019** Total Daily Volume: **146** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
2	1	2	13	7	10	12	8	14	10	12	9	7	3	6	6	7	5	4	1	2	0	1	4
1	1	0	2	0	1	6	3	0	2	3	1	2	2	1	3	1	2	2	0	1	0	1	0
1	0	0	1	1	1	4	1	4	3	2	4	2	1	2	1	1	1	1	0	0	0	0	2
0	0	2	3	1	5	2	2	4	2	2	4	2	0	1	1	3	1	1	0	0	0	0	0
0	0	0	7	5	3	0	2	6	3	5	0	1	0	2	1	2	1	0	1	1	0	0	2

Date: **Thursday, March 14, 2019** Total Daily Volume: **154** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
1	1	0	0	3	7	6	7	17	8	12	15	12	18	5	12	12	7	5	4	2	0	0	0
0	1	0	0	2	0	0	2	4	3	3	4	3	9	0	2	5	1	1	1	0	0	0	0
0	0	0	0	0	1	3	2	2	1	4	4	4	4	1	2	2	4	2	0	2	0	0	0
0	0	0	0	1	5	0	1	6	1	3	5	2	3	2	8	2	2	2	2	0	0	0	0
1	0	0	0	0	1	3	2	5	3	2	2	3	2	2	0	3	0	0	1	0	0	0	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Friday, March 15, 2019** Total Daily Volume: **268** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
3	0	6	14	7	14	12	15	23	18	23	21	9	27	18	19	8	9	11	3	5	1	2	0
1	0	0	1	2	2	2	3	6	7	7	6	1	8	9	9	5	0	3	1	2	1	0	0
1	0	2	0	1	4	2	1	5	4	7	5	3	5	1	3	2	3	3	0	0	0	0	0
1	0	3	3	1	4	4	3	6	6	5	7	1	10	4	2	1	3	3	0	2	0	2	0
0	0	1	10	3	4	4	8	6	1	4	3	4	4	4	5	0	3	2	2	1	0	0	0

Date: **Friday, March 15, 2019** Total Daily Volume: **123** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
1	0	5	11	4	9	8	7	14	9	12	7	5	11	6	3	1	0	6	1	0	1	2	0
0	0	0	1	1	1	2	1	5	3	4	3	1	2	4	1	0	0	1	0	0	1	0	0
1	0	1	0	1	3	0	1	1	3	4	1	0	3	1	0	1	0	2	0	0	0	0	0
0	0	3	3	1	3	3	2	5	2	2	3	1	3	1	0	0	0	2	0	0	0	2	0
0	0	1	7	1	2	3	3	3	1	2	0	3	3	0	2	0	0	1	1	0	0	0	0

Date: **Friday, March 15, 2019** Total Daily Volume: **145** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
2	0	1	3	3	5	4	8	9	9	11	14	4	16	12	16	7	9	5	2	5	0	0	0
1	0	0	0	1	1	0	2	1	4	3	3	0	6	5	8	5	0	2	1	2	0	0	0
0	0	1	0	0	1	2	0	4	1	3	4	3	2	0	3	1	3	1	0	0	0	0	0
1	0	0	0	0	1	1	1	1	4	3	4	0	7	3	2	1	3	1	0	2	0	0	0
0	0	0	3	2	2	1	5	3	0	2	3	1	1	4	3	0	3	1	1	1	0	0	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Saturday, March 16, 2019** Total Daily Volume: **177** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	6	9	11	8	10	6	16	15	18	18	13	12	5	2	4	3	7	4	4	3	2	0
0	0	1	2	6	1	4	1	6	4	2	5	7	4	2	1	1	0	0	1	1	0	0	0
0	0	1	2	2	5	1	2	4	3	2	5	2	6	0	1	2	0	0	1	2	1	1	0
0	1	0	3	2	1	3	2	6	2	7	5	3	1	2	0	1	0	4	1	1	0	0	0
0	0	4	2	1	1	2	1	0	6	7	3	1	1	1	0	0	3	3	1	0	2	1	0

Date: **Saturday, March 16, 2019** Total Daily Volume: **85** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	6	9	7	2	8	2	6	9	9	7	4	4	1	0	1	2	2	1	2	1	1	0
0	0	1	2	4	0	4	0	1	3	2	2	0	0	0	0	1	0	0	0	1	0	0	0
0	0	1	2	2	1	1	0	4	2	0	1	1	3	0	0	0	0	0	1	1	1	1	0
0	1	0	3	1	0	2	2	1	0	5	2	2	1	1	0	0	0	1	0	0	0	0	0
0	0	4	2	0	1	1	0	0	4	2	2	1	0	0	0	0	2	1	0	0	0	0	0

Date: **Saturday, March 16, 2019** Total Daily Volume: **92** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	0	0	0	4	6	2	4	10	6	9	11	9	8	4	2	3	1	5	3	2	2	1	0
0	0	0	0	2	1	0	1	5	1	0	3	7	4	2	1	0	0	0	1	0	0	0	0
0	0	0	0	0	4	0	2	0	1	2	4	1	3	0	1	2	0	0	0	1	0	0	0
0	0	0	0	1	1	1	0	5	2	2	3	1	0	1	0	1	0	3	1	1	0	0	0
0	0	0	0	1	0	1	1	0	2	5	1	0	1	1	0	0	1	2	1	0	2	1	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Sunday, March 17, 2019** Total Daily Volume: **78** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	2	2	8	2	4	2	2	8	5	2	8	7	4	3	0	0	4	5	5	2	2	0	1
0	1	2	3	0	2	1	0	1	0	1	4	3	0	1	0	0	0	2	4	1	0	0	0
0	0	0	0	0	0	1	0	3	1	1	0	0	0	2	0	0	0	2	0	0	1	0	1
0	0	0	1	2	1	0	1	1	1	0	3	0	4	0	0	0	4	0	1	1	0	0	0
0	1	0	4	0	1	0	1	3	3	0	1	4	0	0	0	0	0	1	0	0	1	0	0

Date: **Sunday, March 17, 2019** Total Daily Volume: **33** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	0	1	8	2	2	0	1	4	2	2	4	0	0	0	0	0	3	2	1	0	1	0	0
0	0	1	3	0	1	0	0	1	0	1	0	0	0	0	0	0	0	2	0	0	0	0	0
0	0	0	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0
0	0	0	1	2	0	0	0	0	1	0	3	0	0	0	0	0	3	0	1	0	0	0	0
0	0	0	4	0	1	0	1	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0

Date: **Sunday, March 17, 2019** Total Daily Volume: **45** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	2	1	0	0	2	2	1	4	3	0	4	7	4	3	0	0	1	3	4	2	1	0	1
0	1	1	0	0	1	1	0	0	0	0	4	3	0	1	0	0	0	0	4	1	0	0	0
0	0	0	0	0	0	1	0	2	0	0	0	0	0	2	0	0	0	2	0	0	0	0	1
0	0	0	0	0	1	0	1	1	0	0	0	0	4	0	0	0	1	0	0	1	0	0	0
0	1	0	0	0	0	0	0	1	3	0	0	4	0	0	0	0	0	1	0	0	1	0	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Monday, March 18, 2019** Total Daily Volume: **269** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
3	4	2	10	9	17	14	19	25	10	22	21	10	30	11	15	23	3	7	3	7	2	1	1
1	1	0	0	4	3	4	7	7	3	4	4	4	13	3	5	9	1	0	1	2	0	1	0
0	0	0	2	2	4	4	2	6	2	5	8	1	8	2	2	4	1	2	0	0	2	0	1
1	0	1	5	1	5	4	6	7	2	5	5	1	4	5	6	5	1	3	0	2	0	0	0
1	3	1	3	2	5	2	4	5	3	8	4	4	5	1	2	5	0	2	2	3	0	0	0

Date: **Monday, March 18, 2019** Total Daily Volume: **119** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
2	2	2	10	7	10	7	10	15	3	12	6	4	8	5	4	4	1	3	0	2	0	1	1
1	1	0	0	3	2	2	5	5	0	2	1	1	2	3	0	0	0	0	0	0	0	1	0
0	0	0	2	2	1	3	2	3	1	2	1	1	3	1	0	1	1	1	0	0	0	0	1
1	0	1	5	1	3	2	1	5	0	4	3	0	1	1	3	2	0	2	0	1	0	0	0
0	1	1	3	1	4	0	2	2	2	4	1	2	2	0	1	1	0	0	0	1	0	0	0

Date: **Monday, March 18, 2019** Total Daily Volume: **150** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
1	2	0	0	2	7	7	9	10	7	10	15	6	22	6	11	19	2	4	3	5	2	0	0
0	0	0	0	1	1	2	2	2	3	2	3	3	11	0	5	9	1	0	1	2	0	0	0
0	0	0	0	0	3	1	0	3	1	3	7	0	5	1	2	3	0	1	0	0	2	0	0
0	0	0	0	0	2	2	5	2	2	1	2	1	3	4	3	3	1	1	0	1	0	0	0
1	2	0	0	1	1	2	2	3	1	4	3	2	3	1	1	4	0	2	2	2	0	0	0

Report Generated by "Count Data" all rights reserved

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **Gonder Road, between SR-115 and Project Driveway**

Date: **Tuesday, March 19, 2019** Total Daily Volume: **283** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
2	1	4	15	14	18	9	24	18	21	14	19	19	37	17	17	10	4	9	5	4	1	0	1
0	1	0	0	2	2	1	8	5	9	3	3	4	17	2	6	4	1	0	3	1	0	0	0
1	0	0	6	3	4	4	5	4	4	3	4	2	6	5	2	1	1	4	1	1	1	0	0
0	0	1	3	5	5	1	5	7	6	2	4	6	8	2	5	2	2	2	0	1	0	0	0
1	0	3	6	4	7	3	6	2	2	6	8	7	6	8	4	3	0	3	1	1	0	0	1

Date: **Tuesday, March 19, 2019** Total Daily Volume: **127** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
1	1	3	14	9	9	7	13	10	12	6	7	6	10	3	3	1	3	5	2	1	0	0	1
0	1	0	0	1	1	1	6	1	6	1	0	2	3	0	3	0	0	0	2	1	0	0	0
1	0	0	5	1	2	3	2	4	1	1	3	1	1	3	0	0	1	2	0	0	0	0	0
0	0	1	3	4	3	1	2	3	4	1	2	3	2	0	0	0	2	0	0	0	0	0	0
0	0	2	6	3	3	2	3	2	1	3	2	0	4	0	0	1	0	3	0	0	0	0	1

Date: **Tuesday, March 19, 2019** Total Daily Volume: **156** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
1	0	1	1	5	9	2	11	8	9	8	12	13	27	14	14	9	1	4	3	3	1	0	0
0	0	0	0	1	1	0	2	4	3	2	3	2	14	2	3	4	1	0	1	0	0	0	0
0	0	0	1	2	2	1	3	0	3	2	1	1	5	2	2	1	0	2	1	1	1	0	0
0	0	0	0	1	2	0	3	4	2	1	2	3	6	2	5	2	0	2	0	1	0	0	0
1	0	1	0	1	4	1	3	0	1	3	6	7	2	8	4	2	0	0	1	1	0	0	0

Report Generated by "Count Data" all rights reserved

APPENDIX B

TABLE 2 – TRIP GENERATION TABLE

PC ORIGINAL PKG

TABLE 2
TRIP GENERATION

Use	Quantity	PCE*	Daily Trips		AM Peak Hour		PM Peak Hour	
			Rate	ADT[a]	Volume		Volume	
					In	Out	In	Out
Heavy Veh (trucks)[b]	8	3.0	2.0 / vehicle[d]	48	6	1	1	6
Employees[c]	10	1.0	2.0 / vehicle[d]	20	8	1	1	8
Subtotal				***68***	***14***	***2***	***2***	***14***

Footnotes:

a. ADT – Average daily traffic.

b. Trucks assumed to arrive/leave the site evenly throughout the day's work shift (6AM – 5PM).

c. 80% of employee trips are assumed to enter and 80% to exit the site during the peak periods.

d. Employees and trucks enter and exit each day and therefore a factor of 2.0 was applied.

* PCE Factor of 3.0 utilized for truck trips.

PC ORIGINAL PKG

Attachment 5.

I.C. Public Works Department Comment's Letter dated May 2, 2019

PC ORIGINAL PKG

COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

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

Follow Us:

www.facebook.com/ImperialCountyDPW/

https://twitter.com/CountyDpw/

Public Works works for the Public

ICDPW

May 2, 2019

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

Attention: Diana Robinson, Planner II

SUBJECT: ZC 17-0006/ IS 17-0026 Moiola Brothers Cattle Feeders Ltd; Transportation Impact Analysis

Dear Mr. Minnick:

This correspondence is in response to the Linscott, Law & Greenspan Engineers Traffic Study Letter dated April 1, 2019 and the August 13, 2018 Transportation Impact Analysis prepared for the Moiola Brothers Cattle Feeders Project. This Department has reviewed the above referenced documents, and the following comments have been prepared:

1. The applicant shall be required to complete the installation of one (1) commercial-type driveway per Imperial County Standards and, if warranted by the Imperial County Fire Department, one (1) secondary emergency access driveway for the proposed project site. The commercial-type driveway for the proposed site shall be located a minimum of 1,000 feet east of the existing driveway currently located on the existing project site. The secondary emergency access driveway shall be constructed of asphalt concrete or as approved by this Department.

2. If not already in file, the applicant shall be required to apply for an encroachment permit for the existing access driveway servicing the existing project site. In the event that the existing access driveway does not meet Imperial County Standards, the applicant shall submit a Request for a Modification to a Road Standard to this Department for review and approval.

3. The transportation impact analysis indicates that Gonder Road will still operate at a Level of Service (LOS) of A after Existing + Project + Cumulative Impacts. No mitigation measures to address road LOS shall be required at this time. However, the applicant shall update the transportation impact analysis at five (5) years from the date of this correspondence and/or as directed by the Road Commissioner. The updates of the transportation impact analysis shall include:

An Equal Opportunity / Affirmative Action Employer

PC ORIGINAL PKG

a. Current traffic volume data along County and Caltrans Roads (within one (1) year of the date of the transportation impact report update) at the following locations:

   i. Gonder Road east of the existing site and proposed site
   ii. Gonder Road west of the existing site and proposed site

b. If the updated transportation impact analysis warrants the installation of right and/or left turn lanes on Gonder Road into either the existing or proposed project sites, the applicant shall complete the construction of said turn lanes. The construction of such turn lanes shall be completed as approved by this Department.

4. The comments on this correspondence have been prepared exclusively for traffic-related impacts. Any comments related to this project in regards to construction, engineering, survey, and/or right-of-way impacts provided on previous correspondences shall still be in effect.

Respectfully,

John A. Gay, P.E.
Director of Public Works

FO/cv

PC ORIGINAL PKG

Attachment 6.

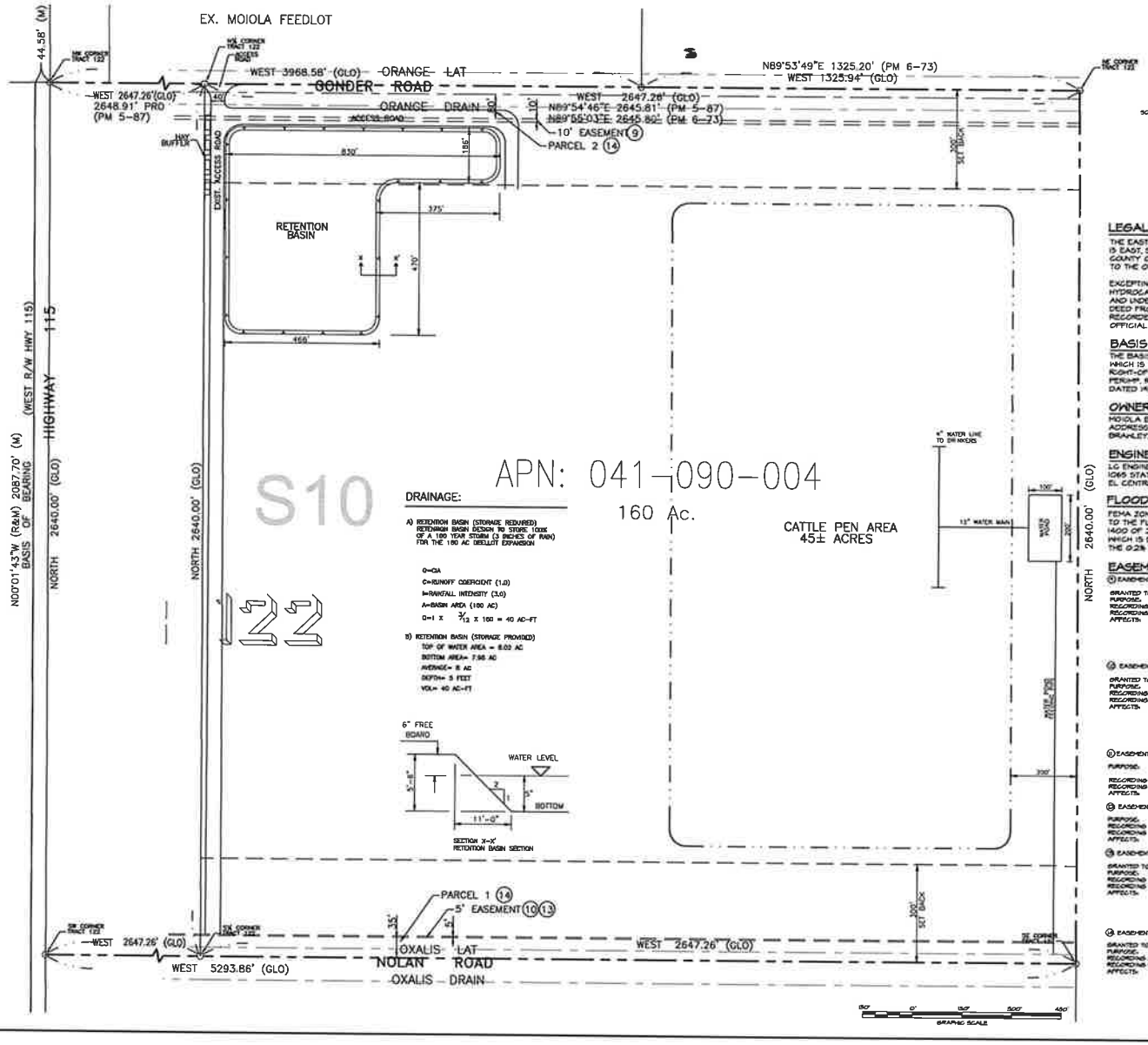
Revised Site Plan from the applicant on behalf of Moiola Bros. Cattle Feeders received April 22, 2019

PC ORIGINAL PKG

PC ORIGINAL PKG

MOIOLA FEEDLOT EXPANSION

E½ TRACT 122, SEC10, T14S, R15E, S.B.M.



VICINITY MAP



LEGAL DESCRIPTION:

THE EAST HALF OF TRACT 122, TOWNSHIP 14 SOUTH, RANGE 15 EAST, S.B.M., IN AN UNINCORPORATED AREA OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL GOVERNMENT PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBONS, MINERALS AND GEOTHERMAL DEPOSITS IN AND UNDERLYING SAID REAL PROPERTY, AS RESERVED IN DEED FROM JOAN MOIOLA, AS TRUSTEE, ET AL., IN DEED RECORDED OCTOBER 31, 1989 AS DOCUMENT No. 26 OF OFFICIAL RECORDS.

LAND USE DATA:

TOTAL AREA:
PROJECT SITE TOTAL AREA: 160 AC.

ASSESSOR PARCEL NUMBER:
041-090-004-000

COUNTY ZONING:
PROJECT EXISTING: A-2-R
PROPOSED: A-3

BASIS OF BEARINGS:

THE BASIS OF BEARINGS IS N 00°01'45" W WHICH IS THE BEARING OF THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 115, PER M.R., RT. 181 C-SECTION SHEETS 13 & 14, DATED 1956.

OWNER/DEV.

MOIOLA BROS. CATTLE FEEDERS
ADDRESS: 1340 GONDER RD.
BRAWLEY, CA 92227

ENGINEER:

LC ENGINEERING CONSULTANTS INC.
1065 STATE STREET
EL CENTRO, CA 92243

FLOOD ZONE:

FEMA ZONE: THE PROJECT SITE LIES IN ZONE "X" ACCORDING TO THE FLOOD INSURANCE MAP No. 06025C1400C PANEL 1400 OF 2000 - EFFECTIVE DATE SEPTEMBER 26, 2008 WHICH IS DEFINES AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

EASEMENTS:

(1) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT;

GRANTED TO: IMPERIAL IRRIGATION DISTRICT
PURPOSE: LATERAL DRAIN AND ELECTRIC POWER LINE
RECORDING DATE: SEPTEMBER 14, 1956
RECORDING NO.: 20 IN BOOK 439, PAGE 465 OF OFFICIAL RECORDS
AFFECTS: A STRIP OF LAND 50 FEET IN WIDTH ACROSS, LYING PARALLEL WITH AND ADJACENT TO, ON THE SOUTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR THE GRANDE LATERAL DRAIN NOW CONSTRUCTED ACROSS THE NORTH SIDE AND THE NORTH HALF OF THE EAST HALF OF TRACT 122, THE SOUTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 30 FEET FEET SOUTH OF THE CENTER LINE OF GRANDE LATERAL DRAIN NOW CONSTRUCTED ALONG THE NORTH BOUNDARY OF ABOVE DESCRIBED LAND.

(2) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT;

GRANTED TO: IMPERIAL IRRIGATION DISTRICT
PURPOSE: CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE.
RECORDING DATE: SEPTEMBER 14, 1956
RECORDING NO.: 21 IN BOOK 439, PAGE 468 OF OFFICIAL RECORDS
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH ACROSS, LYING PARALLEL WITH AND ADJACENT TO, ON THE NORTH SIDE OF AND IN ADDITION TO THE EXISTING RIGHT OF WAY FOR THE OXALIS CANAL NOW CONSTRUCTED ALONG THE SOUTH SIDE, SOUTHEASTERLY ONE-FOURTH OF EAST ONE-HALF OF TRACT 122, THE BOUNDARY OF SAID RIGHT OF WAY SHALL BE 30 FEET NORTH OF CENTER LINE OF OXALIS CANAL NOW CONSTRUCTED ALONG THE SOUTH BOUNDARY OF ABOVE DESCRIBED REAL ESTATE.

(3) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS RESERVED IN A DOCUMENT;

PURPOSE: ALL EASEMENTS USED BY THE IMPERIAL IRRIGATION DISTRICT FOR CANALS, POWER AND TELEPHONE LINES.
RECORDING DATE:
RECORDING NO.: 5 IN BOOK 451, PAGE 461 OF OFFICIAL RECORDS
AFFECTS: THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD.

(4) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS RESERVED IN A DOCUMENT;

PURPOSE: TELEPHONE LINES AND TRANSMISSION LINES.
RECORDING DATE: MARCH 15, 1951
RECORDING NO.: 9 IN BOOK 451, PAGE 461 OF OFFICIAL RECORDS
AFFECTS: THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD.

(5) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT;

GRANTED TO: IMPERIAL IRRIGATION DISTRICT
PURPOSE: CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE.
RECORDING DATE: MARCH 15, 1951
RECORDING NO.: 12 IN BOOK 451, PAGE 464 OF OFFICIAL RECORDS
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH ACROSS, LYING PARALLEL WITH AND ADJACENT TO, ON THE NORTH SIDE OF AND IN ADDITION TO EXISTING RIGHT OF WAY FOR THE OXALIS CANAL NOW CONSTRUCTED ALONG THE SOUTH SIDE, SOUTHEAST ONE-FOURTH OF EAST ONE-HALF OF TRACT 122, THE NORTH BOUNDARY OF SAID RIGHT OF WAY SHALL BE 30 FEET NORTH OF THE CENTER LINE OF OXALIS LATERAL CANAL.
PARCEL 1: A STRIP OF LAND 50 FEET WIDE LYING SOUTH OF, ADJACENT TO, PARALLEL WITH AND IN ADDITION TO THE COUNTY ROAD AS NOW CONSTRUCTED ACROSS THE NORTH SIDE OF THE EAST ONE-HALF OF TRACT 122-14-15, S.B.M. IT IS EXPRESSLY UNDERSTOOD THAT THE SOUTH LINE OF PARCEL 2 OF SAID RIGHT OF WAY SHALL BE 100 FEET SOUTH OF THE CENTER LINE OF THE CERTAIN GRANDE LATERAL CANAL AS NOW CONSTRUCTED ALONG SAID ABOVE-DESCRIBED REAL PROPERTY.

(6) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT;

GRANTED TO: IMPERIAL IRRIGATION DISTRICT
PURPOSE: CANAL, TELEPHONE AND/OR ELECTRIC POWER LINE OR LINES.
RECORDING DATE: NOVEMBER 18, 1948
RECORDING NO.: 24 IN BOOK 612, PAGE 124 OF OFFICIAL RECORDS
AFFECTS: PARCEL A: THAT PORTION OF THE EAST ONE-HALF OF TRACT 122-14-15, S.B.M. LYING SOUTH OF A LINE WHICH IS PARALLEL WITH AND 35 FEET NORTH OF THE CENTER LINE OF OXALIS LATERAL CANAL.
PARCEL 2: A STRIP OF LAND 50 FEET WIDE LYING SOUTH OF, ADJACENT TO, PARALLEL WITH AND IN ADDITION TO THE COUNTY ROAD AS NOW CONSTRUCTED ACROSS THE NORTH SIDE OF THE EAST ONE-HALF OF TRACT 122-14-15, S.B.M. IT IS EXPRESSLY UNDERSTOOD THAT THE SOUTH LINE OF PARCEL 2 OF SAID RIGHT OF WAY SHALL BE 100 FEET SOUTH OF THE CENTER LINE OF THE CERTAIN GRANDE LATERAL CANAL AS NOW CONSTRUCTED ALONG SAID ABOVE-DESCRIBED REAL PROPERTY

ENGINEER OF RECORD
PLANS PREPARED UNDER THE SUPERVISION OF
BY: _____ DATE: _____
CARLOS CORRALES
R.C.E. NO.: 55432

SEAL: REGISTERED ENGINEER CARLOS CORRALES No. 55432 EXP. 12-31-19 CIVIL STATE OF CALIFORNIA

REVISIONS
NO. | DATE | BY

SHEET 1 OF - SHEETS
JOB NO. C19014-00
W.O.
SITE PLAN
MOIOLA FEEDLOT EXPANSION
MOIOLA
BENCHMARK:
DATE: 04/22/19

LC ENGINEERING CONSULTANTS INC.
1065 State Street
El Centro CA 92243

L:\Projects\2019\C19014-00 (DDG-Moiola Feed Lot Expansion)\Site Plan\C19014-00 Site Plan.dwg 04/22/2019 13:23

Attachment 7.

Reatta and Del Charro feedlots

PC ORIGINAL PKG

Diana Robinson

From: Matthew Harmon <matthew@dubosedesigngroup.com>
Sent: Tuesday, May 07, 2019 9:25 AM
To: Diana Robinson
Cc: Annette Leon; Tom DuBose
Subject: Reata & Del Charros Counts

Follow Up Flag: Follow up
Flag Status: Flagged

Diana,

Reatta- There are 12,000 head of cattle at this feedlot, however, Moiola only owns 4,000 head of cattle at this location so they only feed 4,000 head.
Del Charro- There are 12,000 head of cattle all owned by Moiola.

Total Count- 16,000 head of cattle

Matt

MATTHEW HARMON, *Assistant Planner*

DUBOSE DESIGN GROUP

1065 State Street, El Centro, CA 92243
Office #: 760-353-8110

PC ORIGINAL PKG

Attachment 8.

EEC Package for February 14, 2019 Hearing

PC ORIGINAL PKG

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE **AGENDA DATE: February 14, 2019**

FROM: PLANNING & DEVELOPMENT SERVICES **AGENDA TIME 1:30 PM/ No. 3**

Zone Change #17-0006 (Revised)

PROJECT TYPE: IS#17-0026 Moiola Bros. Cattle Feeders SUPERVISOR DIST # 5

LOCATION: Approximately 3,000-feet from intersection of State Highway 115 and Gonder Road APN: 041-090-004-000

Approximately 6.5 miles southeast of Brawley, CA PARCEL SIZE: +/-160 AC

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

ZONE (existing) A-2-R (General Agriculture/Rural Zone) ZONE(proposed) A-3 (Heavy Agriculture)

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: N/A

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: N/A

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 02/14/19

INITIAL STUDY: 17-0026

☐ NEGATIVE DECLARATION ☒ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☐ NONE	☒ ATTACHED
AG	☒ NONE	☐ ATTACHED
APCD	☐ NONE	☒ ATTACHED
E.H.S.	☒ NONE	☐ ATTACHED
FIRE / OES	☒ NONE	☐ ATTACHED
SHERIFF	☒ NONE	☐ ATTACHED
OTHER	IID, Dubose Design Group, and Linscott Law & Greenspan	

REQUESTED ACTION:

(See Attached)

PC ORIGINAL PKG ORIGINAL EEC PKG

☐ NEGATIVE DECLARATION
☐ MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For:

Moiola Bros. Cattle Feeders

IS#17-0026
ZC#17-0006 (Revised)

Prepared By:

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

February 2019

PC ORIGINAL PKG

ORIGINAL EEC PKG

TABLE OF CONTENTS

PAGE

SECTION 1

I. INTRODUCTION 3

SECTION 2

II. ENVIRONMENTAL CHECKLIST 8
PROJECT SUMMARY 11
ENVIRONMENTAL ANALYSIS 14

I. AESTHETICS 15
II. AGRICULTURE AND FOREST RESOURCES 15
III. AIR QUALITY 16
IV. BIOLOGICAL RESOURCES 17
V. CULTURAL RESOURCES 18
VII. GEOLOGY AND SOILS 19
VII. GREENHOUSE GAS EMISSION 20
X. HAZARDS AND HAZARDOUS MATERIALS 20
XI. HYDROLOGY AND WATER QUALITY 21
XII. LAND USE AND PLANNING 23
XIII. MINERAL RESOURCES 23
XIV. NOISE 23
XV. POPULATION AND HOUSING 24
XVI. PUBLIC SERVICES 25
XVII. RECREATION 25
XVIII. TRANSPORTATION / TRAFFIC 25
XVIV. TRIBAL CULTURAL RESOURCES 26
XIX. UTILITIES AND SERVICE SYSTEMS 27

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE 29
IV. PERSONS AND ORGANIZATIONS CONSULTED 30
V. REFERENCES 31
VI. MITIGATED NEGATIVE DECLARATION - COUNTY OF IMPERIAL 32
VII. FINDINGS 33

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY) 34

PC ORIGINAL PKG
ORIGINAL EEC PKG

SECTION 1
INTRODUCTION

A. PURPOSE

This document is a ☐ policy-level, ☒ project level Initial Study for the evaluation of potential environmental impacts resulting with the proposed Zone Change #17-0006 Initial Study#17-0026 (Revised). For purposes of this document, the abovementioned project will be called the "proposed application". (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

Pursuant to the County of Imperial Guidelines for Implementing CEQA as amended, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated

PC ORIGINAL PKG
ORIGINAL EEC PKG

the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

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

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.

2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".

4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the 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.

PC ORIGINAL PKG
ORIGINAL EEC PKG

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

PC ORIGINAL PKG
ORIGINAL EEC PKG

II. Environmental Checklist

1. **Project Title**: Moiola Bros. Cattle Feeders – Zone Change #17-0006 Initial Study #17-0026 (Revised)
2. **Lead Agency**: Imperial County Planning & Development Services Department
3. **Contact person and phone number**: Diana Robinson, Planner III, (442)265-1736, ext. 1751
4. **Address**: 801 Main Street, El Centro CA, 92243
5. **E-mail**: dianarobinson@co.imperial.ca.us
6. **Project location**: The project site is located approximately 3,000-feet east from the intersection of State Highway 115 and Gonder Road. It is approximately 6.50 miles southeast of Brawley, and is further identified as Assessor's Parcel Number 041-090-004-000. See Exhibit A.
7. **Project sponsor's name and address**: Moiola Bros. Cattle Feeders. 1594 Gonder Road, Brawley, CA 92227
8. **General Plan designation**: Agriculture
9. **Zoning**: A-2-R (General Agricultural/Rural Zone)
10. **Description of project**: On July 28, 2017, the applicant submitted a Zone Change and two Conditional Use Permit applications. It involved two parcels, approximately 260 acres, and the project was to add up to 18,000 head of cattle on the parcel east of Highway 115 (parcel north of Gonder Road), and to be able to operate composting activities on the parcel south of Gonder Road. The applicant later withdrew both CUP's and made changes to the Zone Change application, reducing the scope of work to rezone both parcels and eliminating the composting activities. The project was heard at Environmental Evaluation Committee on February 15, 2018 and our office received an appeal to the EEC's determination of a Negative Declaration. On May 9, 2018, the appeal was heard at Planning Commission and it was determined that a Transportation Impact Analysis and an Air Quality Study were required to properly assess the project's environmental impacts, and that the project was to go back to EEC for review once the project was reassessed. The applicant provided both studies along with a revised project description on November 21, 2018, reducing the Zone Change scope of work from two parcels (approximately 260 acres) to a one 160-acre parcel, and focusing the feedlot expansion area solely on the parcel south of Gonder Road ("Project Site"), identified as APN 041-090-004-000. The studies were based on an increase in number of employees by five (5) and with four (4) more trucks per day, as per information provided by the applicant, although the Transportation Impact Analysis assumed that ten (10) new employees and eight (8) additional trucks would access the site. The applicant has proposed a cattle pen area of approximately 45 acres within the 160-acre parcel. See attached Application Package for more information.

    This Initial Study is based on the Moiola Bros.' revised project description, requested studies and supporting documents. Zone Change #17-0006 consists of rezoning from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture), submitted with the intent to expand their existing feedlot operations which are currently located on two parcels, identified as APNs 041-020-019-000 and 041-020-029-000, approximately 100-feet away across the road, north of the project site. As per the original application, the intention is to add is up to 18,000 head of cattle. The existing feedlot has approximately 20,000 head of cattle[1]. If the Zone Change were to be approved, it would allow the applicant to submit a building permit package for additional cattle pens, and the total number of cattle (new and existing) would be up to 38,000. Pursuant to Division 5 Chapter 9 Section 90509.06, there shall be a 300-foot setback from centerline of adjacent street(s) for any animal, livestock pens.

11. **Surrounding land uses and setting**: The project site is currently being farmed and is surrounded by cultivated agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and they are both owned by the applicant, Moiola Bros. There are six (6) residences nearby, the closest one being adjacent to the northwest corner of the project site. Neighboring parcels are zoned: A-2 (General Agricultural) and A-3 (Heavy Agricultural). The environmental setting is mostly open flat space due to agricultural

[1] Per Applicant's Note on Site Plan dated September 19, 2017

PC ORIGINAL PKG ORIGINAL EEC PKG

fields.

12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): A) Planning Commission B) Regional Water Quality Control Board

13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so has consultation begun?**

    Native American Tribes and members of the Native American Heritage Commission (NAHC) have been invited to participate in the second "Request for Review and Comment" as part of the revised Initial Study review process. Our office did not receive any correspondence, phone calls, emails or fax from them. When we first processed the project in 2017, a Sacred Files Search was requested and we received a letter dated October 5, 2017 with negative findings. Also, a tribal list was delivered from NAHC for us to contact so we did, but no comments related to significant impacts were received. All the tribes that were listed were contacted either via email, phone or fax and only one tribe member replied via email on October 5, 2017. This tribe member belongs to Iipay Nation of Ysabel (Kumeyaay), and the email stated they had no comment regarding the project.

PC ORIGINAL PKG
ORIGINAL EEC PKG

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	☐ 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
☐ Mandatory Findings of Significance		

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

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

Sor _____ 2-20-19

Jim Minnick, Director of Planning/EEC Chairman — Date:

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT SUMMARY

A. Project Location: The project site is located approximately 3,000-feet east from the intersection of State Highway 115 and Gonder Road. It is approximately 6.50 miles southeast of Brawley, and is further identified as Assessor's Parcel Number 041-090-004-000. (See Exhibit A).

Project Summary: According to the revised application package received on November 21, 2018, the project consists of a Zone Change from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) in order to allow the expansion of an existing feedlot, operated by Moiola Bros. Cattle Feeders and located on APNs 041-020-019-000 and 041-020-029-000, approximately 100-feet away north of the project site, which is identified as APN 041-090-004-000. The applicant wishes to accommodate up to 18,000 additional head of cattle. The existing feedlot has approximately 20,000 head of cattle and if the Zone Change is approved, it would allow the applicant to submit a building permit application package for the additional cattle pens, and the total number of cattle (new and existing) would be up to 38,000. See attached Application Package for additional information.

The applicant's site plan shows an outlined area within the 300-foot setback where they are proposing the location of the cattle pens. This is towards the east of the parcel and approximately 890-feet away from the existing house on the northwest corner of the parcel, where the nearest residence is found. The site plan shows they are proposing one pond, two future retention ponds and a hay buffer area. See Exhibit B for reference.

C. Environmental Setting: The project site is currently being farmed and is surrounded by cultivated agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and they are both owned by the applicant, Moiola Bros. There are six (6) residences nearby, the closest one being adjacent to the northwest corner of this project site. Neighboring parcels are zoned: A-2 (General Agricultural) and A-3 (Heavy Agricultural). The environmental setting is mostly open flat space due to agricultural fields.

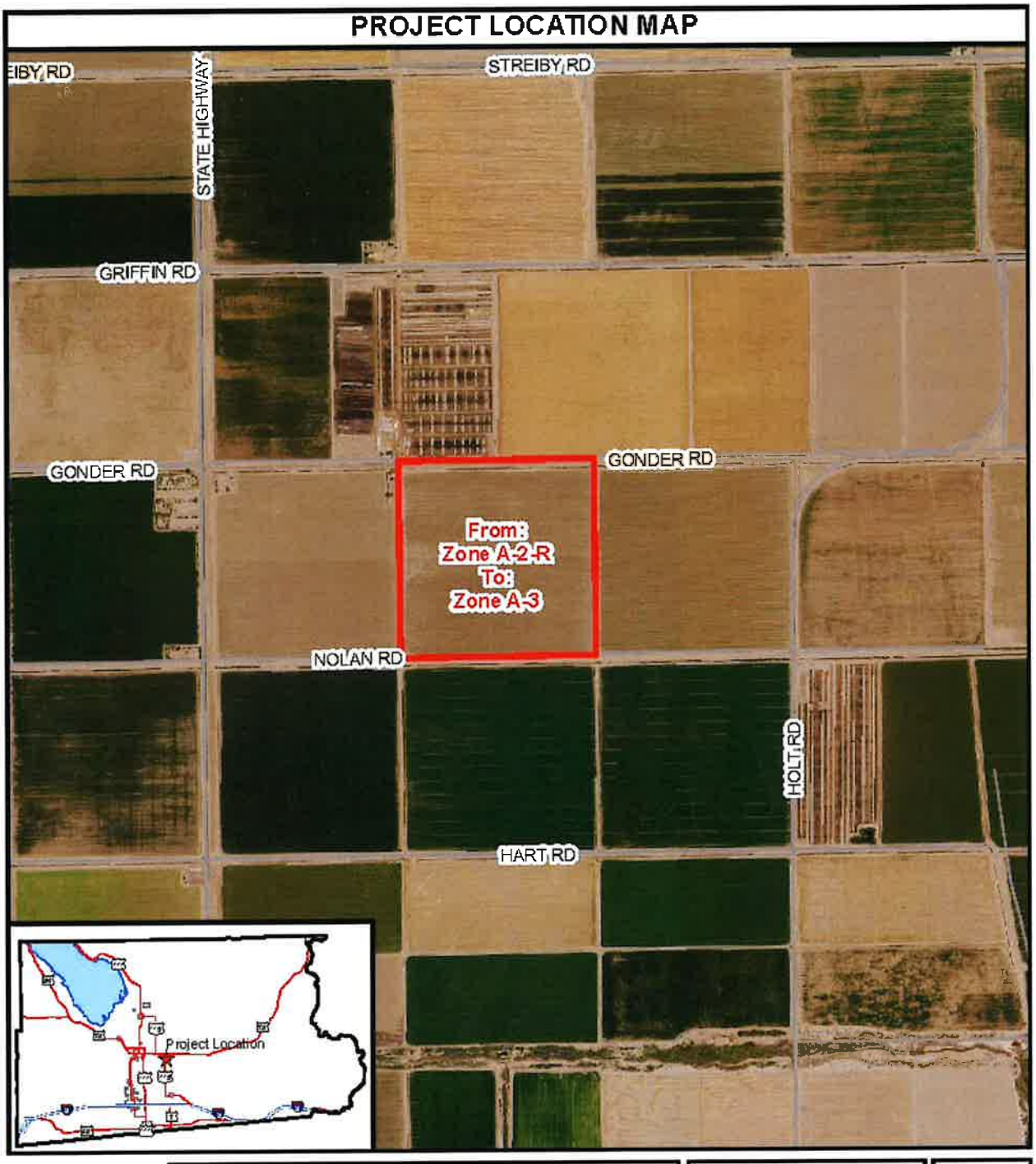
D. Analysis: The project site is zoned A-2-R (General Agricultural/Rural Zone) per Zoning Map #31 (Title 9, Section 92531.04). The approval of the proposed Zone Change to A-3 (Heavy Agriculture) would allow for the proposed use with the submittal and approval of a building permit since it is listed as a permitted use per Title 9, Division 5, Chapter 9, Section 90509.01. The proposed application is consistent with the Imperial County General Plan's designation, and the Imperial County's Land Use Ordinance. In addition, the adoption of the CEQA Initial Study for this project would be consistent with applicable County and State ordinances and regulations.

E. General Plan Consistency: The project site is designated as "Agriculture", according to the County's General Plan Land Use Map. The proposed project is not expected to conflict with the County's General Plan, and can be found consistent with the Agricultural Element's Implementation Programs, Policies, Goals and Objectives, especially Goal 10, which encourages the continuation and expansion of cattle/dairy production on agricultural land.[2]

[2] Imperial County Agriculture Element, page 35

PC ORIGINAL PKG
ORIGINAL EEC PKG

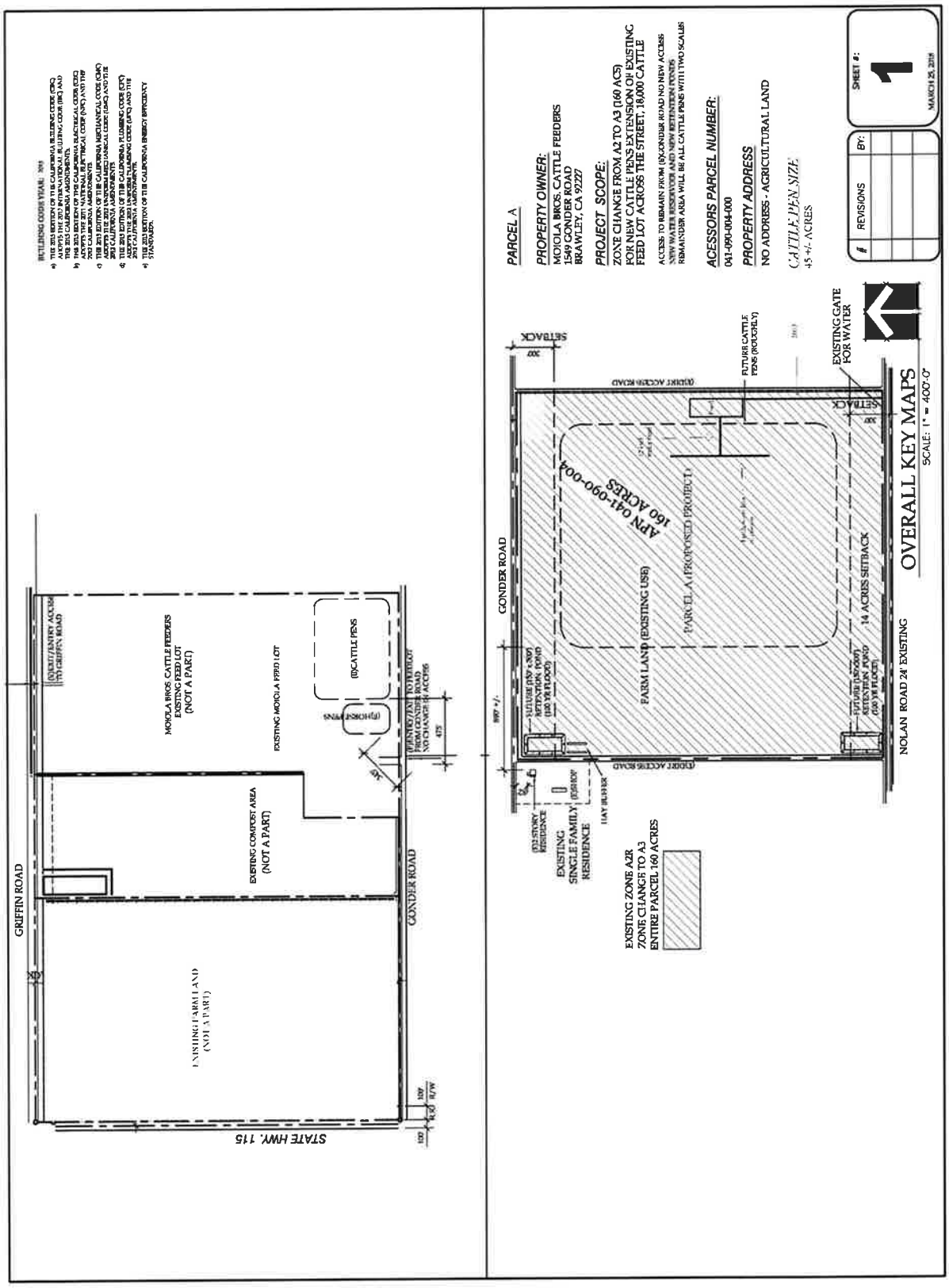
Exhibit "A"
Vicinity Map



PC ORIGINAL PKG

ORIGINAL EEC PKG

Exhibit "B"
Revised Site Plan



PC ORIGINAL PKG

ORIGINAL EEC PKG

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

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

I. *AESTHETICS Would the project:*

a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☒ ☐

a) The project is not located near a designated scenic vista or scenic highway as per the Imperial County Circulation & Scenic Highways Element. The existing vista would not be significantly altered as a consequence of the approval of the proposed project since the area has been used for agricultural purposes and is adjacent to another feedlot. The applicant has proposed to use hay storage as a visual buffer on the northwest corner of the parcel to lessen visual impacts to the existing residents.[3] Less than significant impacts are expected.

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

b) The nearest highway State Highway 115, located approximately 2,740 feet west of the parcel, is not considered scenic and there are no scenic resources near the proposed project; therefore, no impacts are expected.

c) Substantially degrade the existing visual character or quality of the site and its surrounding? ☐ ☐ ☒ ☐

c) The proposed use is consistent with the surrounding parcels, where one is a feedlot; and with the County's General Plan and Land Use Ordinance. The approval of the project is not expected to cause for the existing visual character to change substantially. Respecting A-3 setbacks as per Title 9 Section 90509.06 and using hay buffers will help reduce any potential visual impacts to less than significant levels.

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

d) Any source(s) of lighting that may be used for the construction and operations of the feedlot expansion as required by State Codes and County Ordinances, shall be shielded or directed onsite to minimize offsite interference from unacceptable levels or light or glare. Compliance with said codes and ordinances would cause for less than significant impacts.

II. *AGRICULTURE AND FOREST RESOURCES*

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ☒

a) The project site appears as "Farmland of Statewide Importance" according to the California Department of Conservation Farmland Mapping Program[4], and is surrounded by the same classification, except for the existing feedlot and composting area (APNs 041-020-019-000 & 041-020-029-000), which appears as by "Other Land". The proposed project does not convert prime farmland, unique farmland, farmland of statewide importance (farmland), to non-agricultural use, nor does it include modifications from farmland to non-agricultural land. No impacts are expected.

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

b) The project site is currently zoned A-2-R (General Agricultural/Rural Zone), which is used to designate areas that are suitable and intended primarily for agricultural purposes (limited) and agricultural related compatible uses. The proposed project does not conflict with existing zoning for agricultural use and is not under a Williamson Act contract, according to the Williamson Act map created in 2012 by ICPDS for the Imperial County Board of Supervisors Order #10a; therefore, no impacts are expected.

[3] See Applicant's Site Plan on Exhibit B of this Initial Study

[4] California Important Farmland: 1984-2014 Maps https://maps.conservation.ca.gov/agriculture/

PC ORIGINAL PKG
ORIGINAL EEC PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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))?	☐	☐	☐	☒

c) The project site is mostly surrounded by open and flat lands used for agricultural purposes, and would not cause for any forest land to be converted into non-forest use. No impacts are expected to occur.

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

d) There is no forest land in the area of the project location and no conversion to non-forest use would occur as a consequence of the approval of the proposed project; therefore, no impacts would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

e) If the Zone Change were to be approved and subsequently a building permit was submitted and approved, the implementation of the proposed feedlot expansion would not result in the conversion of farmland to non-agricultural use since the scope of work is related to agriculture; therefore, no impacts are expected.

III. *AIR QUALITY*

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐

a) As requested at the Planning Commission appeal hearing on May 9, 2018, an Air Quality Study was prepared to identify the potential significant air quality effects on the environmental that could result from the short term (i.e. construction activities) and long term (i.e. implementation and operation) impacts of the project. The Study states that there are no regional or local climate action plans or general or specific plan provisions to reduce GHG emissions in the study area. There is one Mitigation Measure on the study, and it is that employees and cattle trucks drive only on paved roads. In addition, a modification of the existing APCD permit for cattle would be required to reflect the total number of cattle as per the proposed feedlot expansion. The Air Study also states that this is a "Tier 1" project and that it shall adopt standard mitigation measures for construction.[5] Compliance with MM AQ-1 below and with any applicable APCD requirements (especially Regulation VIII, Rule 420 and Rule 217[6]) would bring potential air quality impacts to less than significant levels. Also, to get an ATC and LCAF per Rule 217, the applicant must submit a dust control plan to be reviewed and approved by APCD.

MM AQ-1
The operator will require that employees and cattle trucks drive only on paved roads.[7]

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐

b) The Imperial County is currently in "moderate" non-attainment for $PM_{2.5}$ and PM_{10} and in the process of requesting the designation of "attainment" for PM_{10}. Compliance with APCD's rules and regulations as well as with the above referenced mitigation measure MM AQ-1, would bring the potential impacts to less than significant impacts. In addition to the statement above (III. a)), a Transportation Impact Analysis was also requested at the Planning Commission appeal hearing on May 9, 2018, to determine the project's potential traffic impacts to the local circulation system. The study was based on hours of operation being from 6 am to 4 pm for 7 days a week, and considering that the number of employees would increase by five (5) and four (4) more trucks per day. Even though the Transportation Impact Analysis study concluded that no significant impacts would occur during the daily operations of the project,[8] compliance with MM AQ-1, MM AQ-2 and APCD regarding impacts to air would lower potential impacts to less than significant levels.

MM AQ-2
Pursuant to Section 6.1 Standard Mitigation Measures for Construction, of the Revised Air Quality and Greenhouse Gas Emissions Study for Moiola Brothers Cattle Feedlot prepared by UltraSystems and dated January 2019, the applicant shall follow standard mitigation measures for Fugitive PM_{10} Control and for Construction Combustion Equipment as per the

5 UltraSystems Air Quality Study 4.2.1 Construction Impacts, pages 18 and 19
6 UltraSystems Air Quality Study 4.5.2.2 Stationary Sources, page 21
7 UltraSystems Air Quality Study 6.0 Mitigation Measures, page 29
8 Linscott Law & Greenspan Engineers Transportation Impact Analysis dated August 13, 2018

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

attached Mitigation, Monitoring & Reporting Program (MMRP), which are based from APCD's CEQA Air Quality Handbook (2017).

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? ☐ ☒ ☐ ☐

c) The Air Study identified pollutants, mobile and stationary sources (i.e. exhaust emissions from trucks), objectionable odors and GHG, and stated that the APCD CEQA Air Quality Handbook does not specify criteria for significance when ambient CO levels already exceed a state or federal standard. Cumulative impacts from ammonia emissions, along with those of other feedlots would not be cumulatively significant. The applicant is subject to MM AQ-1, as well as the standard mitigation measures for construction emissions for Fugitive PM_{10} Control (see Attachment 2 of the Air Quality and Greenhouse Gas Emissions Study dated January 2019). In addition, all feedlots must comply with ammonia mitigation measures prescribed by Rule 217 and must obtain a permit from APCD.[9] These are the impacts that have been identified as potentially significant unless mitigations are incorporated.

MM AQ-3
Through the APCD's permitting process, emissions of VOC and Ammonia (NH_3) will be reduced and controlled to the extent feasible; therefore, impacts related to the project's VOC and Ammonia (NH_3) emissions are considered less than significant.[10]

d) Expose sensitive receptors to substantial pollutants concentrations? ☐ ☐ ☒ ☐

d) The applicant is currently in compliance with the California Water Boards National Pollutant Discharge Elimination Systems (NPDES) and have kept their Concentrated Animal Feeding Operation (CAFO) permits in good condition.[11] Any dust and smells are to be controlled by mitigation measures in ACPD's Rule 217. In addition the applicant has proposed a hay buffer to be located on the northwest corner of the project parcel to mitigate any visual and air quality impacts. The emissions from trucks used for daily operations are not expected to be significant, according to the Transportation Impact Analysis prepared for this project.

e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

e) As previously stated, the proposed feed lot expansion project has the potential to create odors, but as per the Air Study prepared for this project, they are not expected to be substantial. Continual compliance with all County and APCD's regulations would lower potential impacts to less than significant levels.

IV. *BIOLOGICAL RESOURCES Would the project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☒ ☐

a) The Imperial County General Plan's Conservation and Open Space Element[12] Figure 1 "Sensitive Habitats Map" shows that the project site is not within a designated sensitive habitat, and Figure 2 "Sensitive Species Map" shows the project site being within the Burrowing Owl Species Distribution Model, although after communication with U.S. Fish and Wildlife staff member, it was confirmed what there were no federally listed species in the area. California Department of Fish and Wildlife was also contacted and our office received no comment. Less than significant impacts are expected to occur.

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? ☐ ☐ ☐ ☒

b) The project site is surrounded by flat agricultural fields and is not located within or near any riparian habitat or sensitive natural community; therefore, no impacts are expected to occur.

9 UltraSystems Air Study, 4.5.6 Cumulative Impacts of Ammonia Emissions, page 22
10 UltraSystems Air Study, 4.5.2.4 VOCs and Ammonia (NH_3), pages 21 and 22
11 Copies of NPDES and CAFO Permits provided by the applicant (see Attachment F. Additional References)
12 IC General Plan Conservation and Open Space Element Figure 1 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

PC ORIGINAL PKG ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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?	☐	☐	☒	☐

c) The proposed project site is mostly surrounded by agricultural flat lands, and is far from wetlands. Water may be used for its operations (i.e. dust suppression), but the amount of water to be used is not expected to be substantial and would be subject to APCD's rules and regulations. Water would also be used for the cattle to drink, which would be in contained areas so the water would not filter into the waters of the United States or affect marsh, vernal pool or coastal wetlands. Compliance with APCD and County regarding water would lower any potential impact to less than significant levels.

d)	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

d) The proposed project is not expected to impact the movement of resident or migratory fish, since the project site is not located near a body of water nor near a wildlife corridor. As previously mentioned, the project site is within the burrowing owl distribution model but no burrowing owls have been seen in the past, making it unlikely for the special-status species to appear; therefore, less than significant impacts are expected.

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

e) There are no policies protecting biological resources that apply to the scope of work of the proposed project; therefore, less than significant impacts are expected.

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?	☐	☐	☐	☒

f) There are no Conservation Plans within the project area; therefore, no impacts are expected.

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

a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒

a) The Imperial County General Plan's Conservation and Open Space Element Figure 6 "Known Areas of Native American Cultural Sensitivity Map"[13] shows that the project site is not within any known areas of Native American Cultural Sensitivity. In addition, a Sacred Lands Search request was sent to Native American Heritage Commission (NAHC) and we received a response with negative results, also a Tribal Consultation List was provided and contacted. Our office received a response from the Kumeyaay Tribe, saying they had no comment; therefore, no impacts are expected.

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

b) The project site does not appear to be within the vicinity of any Tribal Land, as shown on the California Tribal Lands Map[14] from the U. S. Environmental Protection Agency, nor does it appear to be within any of the California Indian Tribal Homelands and Trust Land Map of the U.S. Bureau of Indian Affairs[15]. The proposed project will not cause a substantial adverse change in the significant of an archaeological resource as defined in §15064.5; therefore, no impacts are expected.

c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

c) No excavations were included in the scope of work, and no unique geologic features are around. The proposed project would be subject to California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98. Compliance with the said codes would lessen the impacts to less than significant.

---

[13] Imperial County General Plan Conservation and Open Space Element Fig 6 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
[14] California Tribal Lands Map https://www3.epa.gov/region9/air/maps/pdfs/air1100040_3.pdf
[15] California Indian Tribal Homelands Map http://www.water.ca.gov/tribal/docs/maps/CaliforniaIndianTribalHomelands24x30_20110719.pdf

PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

d) There are no cemeteries within the vicinity of the project site. Compliance with the California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98 would bring any potential project impacts to less than significant levels.

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

a)	Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:	☐	☐	☒	☐

a) According to the State of California Special Studies Zones Fault Activity Map (2010)[16], the proposed project is not located within a known fault. In the event that a structure is proposed in the area, it shall be designed to comply with the California Uniform Building Code (Section 1626 through 1635), which requires development to incorporate the most stringent earthquake resistant measures. Adherence with the previously referenced Building Codes or any other applicable requirements, would reduce any seismic impact to a less than significant level.

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?	☐	☐	☒	☐

1) In addition to the statement above, the project shall comply with California Public Resources Codes 2621.5 and 2623 in case of future development. Less than significant impacts are expected to occur regarding rupture of a known earthquake fault.

2)	Strong Seismic ground shaking?	☐	☐	☐	☒

2) As previously mentioned , the nature of the project includes cattle pens and no major grading and/or construction work that could expose people to injury related to seismic ground shaking; therefore, no impacts are expected to occur.

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

3) According to the Department of Conservation Regulatory Maps, the project site is not within the designated Tsunami areas; therefore, no impacts are expected.

4)	Landslides?	☐	☐	☐	☒

4) Also using the Department of Conservation Regulatory Maps, it was found that the site is not located within a landslide hazard zone; therefore, no impacts are expected.

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

b) The proposed project would not cause for substantial ground disturbance and the applicant shall provide a drainage letter or plan to I.C. Public Works Department (PWD) for approval, designed to prevent soil erosion or loss of topsoil. Compliance with PWD would cause for the project's impacts to be less than significant.

c)	Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒

c) The project site is not known to be located on geological units or soil that is unstable[17], and the conditions for lateral spreading, subsidence, liquefaction and collapse are not present; therefore, no impacts are expected to occur.

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

d) The proposed project is not located on expansive soils and no structures are being proposed for human occupancy; therefore, less than significant impacts are expected.

e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems	☐	☐	☒	☐

[16] Fault Activity Map of California (2010) http://maps.conservation.ca.gov/cgs/fam/
[17] U.S. Dept. of Agriculture Soil Conservation Service Soil Survey Imperial County California Imperial Valley Area

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

where sewers are not available for the disposal of waste water?

e) No septic tanks are being proposed, although one pond and two (2) future water reservoirs are being proposed within the 160 acre parcel for the proposed feedlot expansion project. Water disposal would be subject to Environmental Health's or Regional Water Quality Control Board's requirements, as applicable. Compliance with all local and state agencies' requirements would cause for the impacts to be less than significant.

VII. *GREENHOUSE GAS EMISSION Would the project:*

a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐

a) According to the Transportation Impact Analysis prepared, the project will cause emissions of GHG from mobile sources, enteric fermentation, and manure management[18]. APCD's Rule 217 has the purpose of limiting emissions of Volatile Organic Compounds (VOC) and Ammonia from Large Confined Animal Facilities (LCAF). As per Section C.5 of APCD's Rule 217, the owner/operator shall submit an Emissions Mitigation Plan as part of their Permit to Operate. Said plan shall be based on the conditions of section C.5[19] Using approved practices of manure management with the composting operations located in the existing operation area (across the street from the project site) would also lower impacts. The expected daily trips from employees and truck trips are not exceed the allowable threshold by APCD. Compliance with the Air Study recommendations, such as MM GHG-1 and APCD's rules, regulations and permit conditions would cause for to less than significant impacts to occur.

MM GHG-1
Pursuant to Section 6.3 Mitigation for Climate Change Impacts, of the Revised Air Quality and Greenhouse Gas Emissions Study for Moiola Brothers Cattle Feedlot prepared by UltraSystems and dated January 2019, GHG emission reductions resulting from implementing of permit conditions should be based upon APCD'S Rule 217 requirements.

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

b) There are no regional or local climate action plans, general or specific plan provisions to reduce GHG emissions in the study area, other than the regulations under AB 32, which has a target of reducing GHG emissions to 1990 levels by 2020[20]. The California Air Resources Board (CARB)'s AB 32 Scoping Plan was updated but it does not include an applicable threshold for GHG emissions for a project with these characteristics and duration. [21] All future site preparation activities needed for the cattle pen expansion project, are subject to the Imperial County Air Pollution Control District's recommendations for the reduction of pollutant emissions. Compliance with APCD and all applicable County's requirements would bring the impacts to less than significant.

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

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

a) The proposed project does not have the potential to create a significant hazard to the public or environment through the transportation, use or disposal of hazardous materials, since they are not part of the scope of work; therefore, no impacts are expected to occur.

b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

b) As stated above, no hazardous materials are included in the proposed project; therefore, no impacts are expected.

[18] Lindscott Law & Greenspan Transportation Impact Analysis, dated August 13, 2018, page 26
[19] APCD's Rule 217 Section C.5
[20] Assembly Bill 32 Overview https://www.arb.ca.gov/cc/ab32/ab32.htm
[21] CARB's AB 32 Scoping Plan https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm

PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

c) The nearest school, Magnolia Union Elementary School, is approximately 2.5 miles northwest of the project site but since no hazardous emissions are anticipated, no impacts are expected.

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?	☐	☐	☐	☒

d) Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update a list of hazardous waste and substances sites from the DTSC EnviroStor Database. After using the EnvironStor Database[22] for the project site, it was found that it was not included in the database; therefore, no impacts are expected to occur.

e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

e) According to Figure 1A of the 1996 Imperial County Airport Land Use Compatibility Plan (ALUC Plan), the project is not located within two miles of an airport, nor is it located within an airport land use plan. The nearest airport is the Brawley Municipal Airport, which is located approximately 7.5 miles northwest of the project site area. This proposed project would not result in a hazard for people residing or working in the airport nor its surroundings. No impacts are expected to occur.

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?	☐	☐	☐	☒

f) In addition to the statement above, the proposed project is not within any known private airstrip; therefore, no impacts are expected to occur.

g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

g) The proposed project shall comply with all County requirements related to any applicable emergency plan to avoid impairing its implementation. The access points to the existing feedlot and composting facility would remain the same, which is from Gonder Road. Showing compliance with County requirements regarding design of emergency points or access to be used by employees would bring potential impacts to less than significant levels.

h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

h) The project site is located within a Local Responsibility Area (LRA) Moderate Zone and a LRA Unzoned area according to the Fire Hazard Severity Zone Map.[23] Zones are classified based on a combination of how a fire will behave and the probability of flames and embers threatening buildings, as well of the likelihood of the area burning. Since no wildlands are surrounding the project vicinity, less than significant impacts are to be expected.

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

a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐

a) The proposed project includes water for the cattle to drink and for dust mitigation purposes. The water would be obtained from the southeast end of the property, since there is a field gate and main canal (Oxalis Lateral Gate OXA 22). The applicant mentioned that this water is not metered. The applicant and property owner are subject to compliance with all local, state and federal laws. In addition, two retention ponds are being proposed and as part of a requirement from Environmental Health Services (EHS), a mosquito abatement plan is to be submitted to their office for review and approval prior to commencement

[22] EnviroStor Database http://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Sacramento&tour=True
[23] FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/fhszl06_1_map.13.pdf

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

of any work. Compliance with EHS and all laws regarding water would bring potential impacts to less than significant levels.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☒ ☐

b) Groundwater use is not a part of the scope of work of this project, and there are no known groundwater or domestic wells near the project site area. Additionally, groundwater is usually found within 8 to 10 feet in depth, and the future cattle pen expansion project would not use groundwater as it is currently obtained from canals; therefore, less than significant impacts are expected.

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

c) According to the Imperial County Public Works requirements, a grading/drainage plan is required to assure drainage patterns are designed to avoid alterations of streams or to negatively affect the surrounding water sources. Compliance with all County Building (ICPDS) and Public Works (PW) Departments' requirements on the proposed cattle pen expansion project would cause for the impacts to be less than significant.

d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ☐ ☐ ☒ ☐

d) As previously stated, adherence to the approved grading/drainage plan for the project would prevent any negative alterations to the existing drainage patterns. No streams or rivers are nearby, and the drainage pattern shall comply with all State and Local codes, including Public Works Department's (PWD) regulations; therefore, less than significant impacts are expected to occur.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ☐ ☐ ☒ ☐

e) The applicant's compliance with ICPDS and PWD regarding grading/drainage plans to prevent or avoid contribution of runoff or polluted water, or alter stormwater drainage systems would lower potential impacts to less than significant impact levels.

f) Otherwise substantially degrade water quality? ☐ ☐ ☒ ☐

f) The property owner and feedlot operator(s) shall show compliance with all local, state and federal laws to prevent degradation of any water supply during the life of the feedlot permit, and are responsible for third parties in charge of any site preparation activities (e.g. feedlot expansion, composting, etc.) and operations. Compliance with all laws against water quality degradation would bring any potential impacts to less than significant levels.

g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☐ ☒

g) No housing is being proposed for this project and the project site is not within a Flood Hazard Boundary; therefore, no impacts are expected.

h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows? ☐ ☐ ☐ ☒

h) The project site is approximately 3 miles east of the nearest 100-year flood hazard area (Zone A) of the FEMA Flood Insurance Rate Map Panel 625 of 1175[24], and is located on Zone C, which means it is an area of minimal flooding. No impacts are expected regarding redirection or impediment of flood flows.

i) Expose people or structures to a significant risk of loss, injury, ☐ ☐ ☐ ☒

[24] Federal Emergency Management Area (FEMA) http://www.icpds.com/CMS/Media/45-FEMA-1100.pd

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

or death involving flooding, including flooding as a result of the failure of a levee or dam?

i) In addition to the statement above, there are no dams or levees near the proposed site; therefore, the approval of the proposed project is not expected to cause impacts related to people or structures.

j) Inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☒

j) According to the California Emergency Management Agency and the Department of Conservation, the project site is not within a Tsunami Inundation Area for Emergency Planning; therefore, no impacts are expected to occur.

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

a) Physically divide an established community? ☐ ☐ ☐ ☒

a) The project would not physically divide any established community since it is approximately 6.5 miles southeast of an established community in Brawley; therefore, no impacts can be expected.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☐ ☒

b) The proposed project does not conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The proposed Zone Change is consistent with the intent of the Imperial County General Plan's Agricultural Element and its goals and objectives. If the proposed Zone Change is approved, the applicant would need to submit a building permit application per the County Land Use Ordinance Title 9 Division 5, Chapter 9 Section 90509.01 list of permitted uses; therefore, no impacts are expected.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ☐ ☐ ☐ ☒

c) The project would not conflict with any habitat conservation plan or natural community conservation plan since there are none that apply to the area; for that reason, no impacts are expected to occur.

XI. *MINERAL RESOURCES Would the project:*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ☐ ☐ ☐ ☒

a) The project site area is not located in or near any existing mineral resource areas as shown on the Imperial County Conservation and Open Space Element, Figure 8 "Existing Mineral Resources"[25]; therefore, no impacts are expected.

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? ☐ ☐ ☐ ☒

b) As previously stated, the proposed project would not result in the loss of locally-important mineral resources as identified in the Imperial County General Plan Conservation and Open Space Element, Figure 8 "Existing Mineral Resources". No impacts are expected to occur.

XII. *NOISE Would the project result in:*

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? ☐ ☐ ☒ ☐

a) The proposed cattle pen expansion project is expected to temporarily increase noise levels during the site preparation activities and during the daily feedlot operations. The activities are expected to occur within business hours, and the noise levels shall not exceed the thresholds established in the Imperial County General Plan "Noise Element". The proposed cattle

25 Imperial County Conservation and Open Space Element Figure 8 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

pens expansion project shall not exceed the Construction Noise Standards of 75 dB Leq, when averaged over an eight (8) hour period, and measured at the nearest sensitive receptor. Adherence to the "Noise Element" standards would bring the impacts to a less than significant level.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ☒ ☐

b) As previously stated, temporary noise levels and vibration could result from the site preparation during daily feedlot operations, but these noise levels would have to be maintained within the County's allowed threshold to avoid nuisances regarding excessive groundborne vibration. Adherence to the "Noise Element" standards would bring any potential impacts to a less than significant levels.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

c) According to the Transportation Impact Analysis prepared, the proposed feedlot expansion would cause no significant impacts, and no permanent increase in noise levels are expected. Also, according to a letter received on January 30, 2019 from Linscott Law & Engineers, they projected their study considering that the construction phase would last approximately 1,000 days, and that no heavy trucks would be needed on most days, with at most one truck per day in certain circumstances, and that for those reasons, no significant impacts were expected during the construction phase. Less than significant impacts are expected to occur during the operational phase if the operators continue to show compliance with all permits.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

d) As previously stated, compliance with the Imperial County General Plan, Land Use Ordinance, Noise Element and standard construction practices would ensure that the temporary noise levels associated with site preparation and trucks remain less than significant.

e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

e) The project site is not located within 2 miles of an airport; therefore, no impacts are expected.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

f) No known private airstrip is located near the vicinity of the project; therefore, no impact is expected.

XIII. *POPULATION AND HOUSING* *Would the project:*

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☒ ☐

a) The proposed project is consistent with the Imperial County's General Plan. According to the revised application received November 21, 2018, only five (5) employees are expected to be hired to operate the proposed cattle pen expansion project. Per the Transportation Impact Analysis, it is anticipated that the majority of new workers will be from the proximate local population centers of Calipatria, Brawley and El Centro. Less than significant impacts are expected since no substantial no population growth is expected to occur.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

b) Since no housing is being proposed as part of the project; no impacts are expected to occur.

c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

c) The proposed project does not involve any housing and is not expected to displace substantial number of people; therefore, no impacts are expected.

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

XIV. *PUBLIC SERVICES*

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: ☐ ☐ ☒ ☐

a) The project would not cause for the need of any provisions or cause for alterations involving governmental facilities. It would not substantially affect any type of public service, except an increase in traffic during the site preparation phase, and during operations, if this Zone Change and later building permit were to be approved. Less than significant impacts are to be expected.

1) Fire Protection? ☐ ☐ ☒ ☐

a1) The applicant and operator of the existing feedlot and composting facility have showed compliance with Fire Protection and have a fire suppression system on site (across the street from the project site). Continual compliance with the Fire Department's rules and regulations would bring the proposed project's impacts to less than significant levels.

2) Police Protection? ☐ ☐ ☐ ☒

a2) According to a response received from Imperial County Sheriff's Office during our review process, no significant impact are expected to occur.

3) Schools? ☐ ☐ ☐ ☒

a3) The project site is within the vicinity of the Magnolia Union Elementary School. On March 5, 2018, our office received a letter from them stating that they did not object with the proposed Zone Change; therefore, no impacts are expected.

4) Parks? ☐ ☐ ☐ ☒

a4) The proposed project is not within a park or would cause for the need to alter one; therefore, no impacts are expected.

5) Other Public Facilities? ☐ ☐ ☐ ☒

a5) No other public facilities would be affected by the proposed project; therefore, no impacts are expected.

XV. *RECREATION*

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☐ ☒

a) Since the proposed site is not within any residential areas, parks or recreational facilities, no impacts are expected.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? ☐ ☐ ☐ ☒

b) No recreational facilities are being included in the scope of work or would cause for the need to construct or expand existing recreational facilities; therefore, no impacts are expected.

XVI. *TRANSPORTATION / TRAFFIC Would the project:*

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ☐ ☐ ☒ ☐

a) As requested at the Planning Commission (PC)'s May 9, 2018 appeal hearing (APP#18-0001), a Transportation Impact

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

Analysis[26] was prepared to determine the potential traffic impacts to the local circulation system related to the proposed expansion of the current cattle feeding operation. The study was based on hours of operation being from 6 am to 4 pm for 7 days a week, and considering that the number of employees would increase by five (5), and four (4) more trucks per day accessing the site via Gonder Road. It was based on discussions with the applicant, and it analyzed 90% of traffic coming from north and south of SR-115 and about 10% from the east using Gonder Road. The study concluded that no significant impacts would occur during the daily operations of the project. Public Works Department (PWD) provided a comment letter[27] where they state all of the requirements and one of them states that a Transportation Permit may be required from road agencies having jurisdiction over the haul route(s) for any hauls of heavy equipment of large vehicles which impose greater than legal loads on riding surfaces including bridges. PWD'S January 11, 2019 letter also states that: "...The combined traffic generation for both the existing operations and proposed project shall not exceed 20 trips per day for passenger vehicles (10 employees) and 16 trips per day for heavy vehicles (8 trucks)..." Compliance with Public Works Departments' requirements would bring any potential impacts to traffic to less than significant levels.

b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestions/management agency for designated roads or highways? ☐ ☐ ☒ ☐

b) In addition to the statement above, no significant impacts are expected regarding traffic and no congestion management programs are expected to be required. Conformance with Imperial County Public Works and Caltrans at the time of the building permit submittal and process would cause for the project impacts to be less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ☐ ☐ ☐ ☒

c) The proposed project would not affect air traffic patterns; therefore, no impacts are expected to occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ☐ ☐ ☐ ☒

d) No design features have been proposed that could damage or cause a substantial burden on traffic; therefore, no impacts are being expected.

e) Result in inadequate emergency access? ☐ ☐ ☒ ☐

e) The emergency access to the property is located on Gonder Road and the applicant shall agree not to block any access used for emergency. Less than significant impacts are expected if continuing to use the driveway from Gonder Road.

f) Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? ☐ ☐ ☒ ☐

f) Conformance with applicable agencies such as Imperial County Public Works and Caltrans would prevent any conflict with adopted policies, plans or programs regarding public transit. Compliance with the above agencies' requirements regarding traffic and transportation would cause for less than significant impacts.

XVII. *TRIBAL CULTURAL RESOURCES*

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is: ☐ ☐ ☒ ☐

a) The project site is not within the vicinity of any area that has been geographically defined as sacred or object of value to California Native American Tribe, according to the Imperial County General Plan Conservation and Open Space Element, Figure 6 "Known Areas of Native American Cultural Sensitivity". Efforts of consultation with tribes and with Native American Heritage Commission were performed since September 20, 2017. A Sacred Lands Search was requested and came back with negative results; therefore, less than significant impacts are expected.

[26] Linscott Law & Greenspan Transportation Impact Analysis dated August 13, 2018
[27] I.C. Public Works Comment Letter dated January 11, 2019

PC ORIGINAL PKG
ORIGINAL EEC PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or	☐	☐	☒	☐

1) The proposed site does not seems to be eligible under Public Resources Code Section 21074 or 5020.1 (k). The Native American Heritage Commission was contacted regarding this project and a Tribal Consultation List was received. Communication was sent out to these tribes since September 20, 2017, but no responses regarding negative impact were received; therefore, less than significant impacts are to be expected.

2) 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 is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☐	☒	☐

2) The Native American Heritage Commission Sacred Lands was contacted for a record search for the area of potential project effect (APE) and they answered back with negative results. A list of tribal consultation was sent and these tribes were contacted. Our office did not receive any comments indicating concerns; therefore, less than significant impacts are expected.

XVIII. ***UTILITIES AND SERVICE SYSTEMS*** ***Would the project:***

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

a) The existing feedlot operation is regulated under Regional Board Confined Animal Feeding Operation (CAFO) General Permit (R7-2013-0800), and copies of permits have been provided to show compliance with facility. If the proposed Zone Change were approved and the applicant submitted a building permit for the cattle pen addition for review, the applicant would need to update the cattle head count via annual report requirement to CAFO. In addition, any wastewater systems required for the proposed project shall be designed according to County standards. Compliance with all County standards and any Regional Water Quality Control Board, would bring the project's impacts to less than significant levels.

b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

b) No new or expansion of water treatment facilities are required for this project since there will be no need to provide potable drinking water. According to the applicant, water is currently being taken from the canals for the existing feedlot and composting facility, is not metered, and is to be used for the dust mitigation of the proposed cattle pen expansion project. No impacts to water treatment facilities are expected to occur.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐

c) The applicant shall provide a Grading/Drainage letter to Public Works Department and shall comply with all applicable agencies to ensure that wastewater and storm water are properly handled to avoid a negative environmental effect. Compliance with all applicable agencies would bring the project's impacts to less than significant levels.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐

d) According to the applicant, the water for the proposed cattle pen expansion project will be obtained from the southeast end of the property, where there is a field gate and main canal (Oxalis Lateral). Compliance with all County's requirements related to water supply for the proposed future cattle pen expansion shall bring the project's impacts to less than significant levels.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in	☐	☐	☒	☐

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

addition to the provider's existing commitments?

e) The wastewater system for the proposed cattle pen expansion project shall be designed to have adequate capacity to serve the project's demand. The approval of a Grading and Drainage Study/Plan would cause for the project's impacts regarding the discharge of the unused wastewater, to be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ☐ ☐ ☒ ☐

f) The proposed Zone Change would not produce a significant amount of solid waste, and the cattle manure from the proposed cattle pen expansion project shall continue to be handled as per Conditional Use Permit #06-0019. As per a conversation with the applicant, the estimated increase in manure is of approximately 18,000 tons per year. Our office is currently processing the fourth and final time extension before the expiration of the CUP. Continual compliance with the County regarding solid waste disposal to an approved landfill would bring the project's impacts to less than significant.

g) Comply with federal, state, and local statutes and regulations related to solid waste? ☐ ☐ ☒ ☐

g) The proposed project shall comply with all federal, state and local statues and regulations. Compliance with said codes shall cause for impacts to be less than significant.

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

PC ORIGINAL PKG
ORIGINAL EEC PKG

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

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

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

a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources 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 projects, 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?**	☐	☒	☐	☐

PC ORIGINAL PKG
ORIGINAL EEC PKG

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planner III
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Agriculture Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Regional Water Quality Control Board
- Native American Heritage Commission
- U.S. Fish and Wildlife
- California Highway Patrol
- Imperial Irrigation District
- Magnolia Union Elementary
- Iipay Nation of Santa Ysabel Tribe
- U.S. Army Corps of Engineers
- Quechan Indian Tribe
- California Department of Transportation, District 11

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

PC ORIGINAL PKG
ORIGINAL EEC PKG

V. REFERENCES

1. Per Applicant's Note on Site Plan dated September 19, 2017 (it was a site plan from the original project and has been included in Attachment E. for reference only)
2. Imperial County Agriculture Element, page 35
3. See Applicant's Site Plan on Exhibit B of this Initial Study
4. California Important Farmland: 1984-2014 Maps https://maps.conservation.ca.gov/agriculture
5. UltraSystems Air Quality Study 4.2.1 Construction Impacts, pages 18 and 19
6. UltraSystems Air Quality Study 4.5.2.2 Stationary Sources, page 21
7. UltraSystems Air Quality Study 6.0 Mitigation Measures, page 29
8. Linscott Law & Greenspan Engineers Transportation Impact Analysis dated August 13, 2018
9. UltraSystems Air Study, 4.5.6 Cumulative Impacts of Ammonia Emissions, page 22
10. Copies of NPDES and CAFO Permits provided by the applicant (see Attachment E. Additional References)
11. IC General Plan Conservation and Open Space Element Figure 1 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pd
12. Imperial County General Plan Conservation and Open Space Element Fig 6 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
13. California Tribal Lands Map https://www3.epa.gov/region9/air/maps/pdfs/air1100040_3.pdf
14. California Indian Tribal Homelands Map http://www.water.ca.gov/tribal/docs/maps/CaliforniaIndianTribalHomelands24x30_20110719.pdf
15. Fault Activity Map of California (2010) http://maps.conservation.ca.gov/cgs/fam
16. U.S. Dept. of Agriculture Soil Conservation Service Soil Survey Imperial County California Imperial Valley Area
17. Lindscott Law & Greenspan Transportation Impact Analysis, dated August 13, 2018, page 26
18. UltraSystems Air Quality Study, 5.4.1 Increase in Greenhouse Gas Emissions, page 29
19. Assembly Bill 32 Overview https://www.arb.ca.gov/cc/ab32/ab32.htm
20. CARB AB 32 Scoping Plan https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm
21. EnviroStor Database http://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Sacramento&tour=True
22. FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/fhszl06_1_map.13.pdf
23. Federal Emergency Management Area (FEMA) http://www.icpds.com/CMS/Media/45-FEMA-1100.pdf
24. Imperial County Conservation and Open Space Element Figure 8 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
25. Linscott Law & Greenspan Transportation Impact Analysis dated August 13, 2018
26. I.C. Public Works Comment Letter dated January 11, 2019
27. Imperial County General Plan Conservation and Open Space Element
28. Federal Emergency Management Area (FEMA)
29. California Water Boards Compliance Inspection Report dated June 14, 2018 and Inspection Report dated May 01, 2018
30. Engineered Waste Management Plan by BJ Engineering & Surveying dated October 5, 2010
31. California Regional Water Quality Control Board Colorado River Basin Region Order R7-2013-0800 NPES No. CAG017001

PC ORIGINAL PKG ORIGINAL EEC PKG

VI. MITIGATED NEGATIVE DECLARATION – County of Imperial

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

Project Name: ZC#17-0006 Initial Study #17-0026 (Revised)

Project Applicant: Moiola Bros. Cattle Feeders

Project Location: The project site is located approximately 3,000-feet east from the intersection of State Highway 115 and Gonder Road. It is approximately 6.50 miles southeast of Brawley, and is further identified as Assessor's Parcel Number 041-090-004-000. See Exhibit A.

Description of Project: The revised application received November 21, 2018 indicates that the project consists of a Zone Change of the above referenced property from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) in order to allow the expansion of their existing feedlot operations. The existing feedlot operated by Moiola Bros. Cattle Feeders, is located on APNs 041-020-019-000 and 041-020-029-000, and they plan to expand their operations on the proposed project site (APN 041-090-004-000), which is south of the existing feedlot, which is approximately 100-feet away. The applicant wishes to accommodate up to 18,000 additional head of cattle on this proposed project site. The project consists of the rezone of one parcel only, and does not include any composting activities. The existing feedlot has approximately 20,000 head of cattle and the approval of Zone Change #17-0006 would allow the applicant to submit a building permit application package for the additional cattle pens. See attached Application Package.

PC ORIGINAL PKG
ORIGINAL EEC PKG

VII. FINDINGS

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

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

☒ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

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

NOTICE

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

2-20-19 — For [signature]

Date of Determination — Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

[signature] — Applicant Signature

2-20-19 — Date

PC ORIGINAL PKG

ORIGINAL EEC PKG

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

PC ORIGINAL PKG
ORIGINAL EEC PKG

February 8, 2019

RECEIVED
FEB 14 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Re: ***Project Type: Zone Change #17-2006 (Revised); IS #17-0026***
Applicant: Moiola Bros. Cattle Feeders
Location: Approx. 3,000 feet from the intersection of State Highway 115 and Gonder Rd
APN: 041-090-004-000

Dear Mr. Minnick,

As you are aware, my family and I own the farm ground (Oxalis Canal, Gate 23) and the residence (1593 East Gonder Road), located directly west of the of the Applicant Moiola Brothers Cattle Feeders' *revised* proposed project identified as "Zone Change #17-0006 (Revised) and "IS #17-0026" and located approximately 3,000 feet from the intersection of State Highway 115 and Gonder Road (Assessor's Parcel Number 041-090-004-000) (the "Project"). This letter is in response to the February 2019 Initial Study and Environmental Analysis for Moiola Bros. Cattle Feeders ZC #17-0006 (Revised) and IS #17-0026 (the "Initial Study").

I strongly disagree with the Imperial County Planning & Development Services Department's determination that the Moiola Bros. Cattle Feeders' (the "Applicant") Project will not result in any potentially significant environmental impacts. I further strongly disagree with the Imperial County Planning & Development Service Department's finding that a Negative Declaration is the appropriate document to provide the necessary environmental evaluations and clearance for said Project. For the reasons set forth herein, I strongly urge the Environmental Evaluation Committee find that the Applicant's Project may have a significant effect on the environment, thereby requiring the preparation of an Environmental Impact Report.

THE EEC'S FINDINGS AS TO ENVIRONMENTAL IMPACTS OF THE APPLICANT'S PROJECT ARE INCORRECT

ENVIRONMENTAL CHECKLIST

The Applicant's traffic numbers ignore most of the traffic related to the Project, and because the Transportation Impact Analysis and the Air Quality Study are ***based on information provided by the Applicant***, neither study reflects the true environmental impacts.

The Applicant's *revised* project description reduced the zone change to one 160-acre parcel south of Gonder Road to be rezoned from A-2-R (General Agricultural/Rural Zone) to A-3 (Heavy Agricultural) with the intention of adding up to 18,000 additional head of cattle on the project site. The Applicant's proposed cattle pen area will occupy approximately 45 acres of within the 160-acre site. The Initial Study and all impact studies are based on an increase of 18,000 head of cattle. If the Applicant truly only means to add 18,000 head of cattle which can be held in pens ONLY occupying 45 acres, then ***there is NO reason to approve a zone change of 160 acres.*** If the County approves the Applicant's zone change of 160 acres, very soon thereafter cattle pens will cover

PC ORIGINAL PKG ORIGINAL EEC PKG

ALL 160 acres, with up to 54,000 head of cattle (160 acres / 45 acres = 3.56 → 3 x 18,000 head of cattle = 54,000 head of cattle).

PROJECT SUMMARY

In 2006, a conditional use permit was granted to the Applicant to ONLY construct and operate a composting facility. The Agreement for Conditional Use Permit CUP 06-0019 specifically prohibited the Applicant from constructing or operating the project beyond the specified boundaries of the project as shown one the application/project description/permit, and further prohibited any accessory or ancillary use not specified therein. However, in 2008, the Applicant built cattle pens to the west of the existing feedlot, covering approximately 9.3 acres (or approximately 95,100 square feet of shade) ***in direct violation of the Conditional Use Permit***. Moreover, as these cattle pens were built well after the adoption of Title Division 10 "Building" ordinances and covered well more than 2,000 square feet of share, building permits were required for these cattle pens. ***However, NO building permit was accepted or approved for these cattle pens.***

I. AESTHETICS

The Initial Study indicates that the Project would have a less than significant impact on a scenic vista or scenic highway, because the project is not located near a scenic vista or scenic highway and the Applicant has proposed to use hay storage as a visual buffer on the Northwest corner of the parcel to lessen the visual degradation and impacts to existing neighbors. As stated above, my family's real property, including a residence, is located directly west of the Project site. The proposed placement of the hay storage will be directly east of the residence. The Applicant's proposed hay storage "buffer" will do very little to decrease the noise, odors, lights, and other disturbances from the proposed addition to the feedlot. Moreover, this buffer is to be created using the Applicant's stored hay. As the Applicant uses its hay storage, the size of the hay buffer will be decreased, resulting in an even less effective buffer for any kind of noise, odor, light, or other disturbances emanating from the project site. Additionally, the hay buffer is also a fire hazard and will not be very far from the residence. As the fire suppression is located on the current feedlot located across the street from the Project site, and NOT on the Project site, any potential fire will quickly spread to the residence and other neighboring properties.

II. AGRICULTURE AND FOREST RESOURCES

Some agricultural processors and distributors require a zone of separation (buffer zone) of a half mile, a mile, or more, between crops and an animal feeding operation or a composting operation. The letter submitted by Craig and Jerry Moiola to the Planning Department on February 15, 2018 indicates that some large companies require a one-mile ***minimum*** buffer zone between the feedlot and vegetable crops. The expansion of the Applicant's feedlot will continue to restrict the types of crops that can be grown on the surrounding farm ground.

III. AIR QUALITY

Again, because the Air Quality Study ("ACS") uses unrealistic traffic figures and other data provided by the Applicant, the study is not applicable to this Project nor a true measure of the environmental impacts. For instance, the AQS suggests that the Project will only have stock trucks delivering calves and picking up fat cattle, and a feed supply truck picking up hay within a 1.5-

PC ORIGINAL PKG ORIGINAL EEC PKG

mile zone of the feedlot. There are no data entries for other feed supply trucks, such as trucks that will deliver other feed ingredients, no entries for the actual feed truck that delivers the feed from the mill to the feed troughs on the Project, no entries for trucks to remove and haul manure and/or compost, and no entries for trucks to remove carcasses from the Project. Moreover, the mitigation measure of the AQS requires that employees and cattle trucks drive only on paved roads. ***There are NO paved roads on the Project site. The field road the Applicant claims will be the entrance to the Project also is NOT paved.***

Further, the Imperial County is currently in "moderate" non-attainment for $PM_{2.5}$ and PM_{10}. If the Imperial County is already in non-attainment, why would we add additional up to 54,000 head of cattle which will only serve to increase the unacceptable levels of $PM_{2.5}$ and PM_{10}?

CEQA Guidelines, section 15378, subdivision (a) indicates that a "project" means "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (Tuolumne County Citizens for Responsible Growth. Inc. v. City of Sonora, 155 Cal. App. 4th1214, 1222, 66 Cal. Rptr. 3d 645 (2007). Thus, CEQA forbids piecemeal review of significant environmental impacts of a project. "Agencies cannot allow "environmental consideration [to] become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences" (Banning Ranch Conservancy v. City of Newport Beach, 211 Cal. App. 4th 1209, 1222, 150 Cal. Rptr. 3d 591 (2012) citing Bozung v. Local Agency Formation Com., 13 Cal. 3d 263, 283-284, 118 Cal. Rptr. 249 (1975). Improper piecemealing may occur when the purpose of the reviewed project is to be the first step toward future development (Banning, 211 Cal. App. 4th at 1223, 150 Cal. Rptr. 3d 591). ***CEQA requires an analysis of the environmental effects of the entire project, including reasonably foreseeable future projects and expansion of an initial project*** (Laurel Heights Improvement Assn. v. Regents of University of California, 47 Cal. 3d 376, 396, 253 Cal. Rptr. 426 (1988)). ***In this case, the Applicant indicates it wants to add 18,000 head of cattle, but wants to re-zone 160 acres, an area large enough to hold up to 54,000 head of cattle. It is entirely reasonably foreseeable*** that the Applicant will expand its current feedlot, including the addition of at 54,000 or more cattle. Therefore, ***the environmental effects of the total amount of cattle the Applicant could add to its Project site should be considered, and an Environmental Impact Report recommended for further analysis of such environmental effects.***

VII. GREENHOUSE GAS EMISSIONS

Again, the Air Quality Study and Transportation Impact Analysis were both based on information ***provided by the Applicant***. The Air Quality Study states that the expected daily trips from employees and trucks will not exceed the allowable threshold by the Imperial County Air Pollution Control District. However, the number of daily trucks and employees accessing the site were provided by the Applicant and are completely unrealistic.

IX. HYDROLOGY AND WATER QUALITY

When it rains, the proposed retention basin which is to lie east of the Residence may overflow and flood the Residence and neighboring properties. This flood water will be contaminated with manure and other animal byproducts.

X. LAND USE AND PLANNING

If the proposed zone change is approved, the Applicant will be required to submit a building permit application to the County. As further detailed herein, the Applicant has demonstrated its continued failure to comply with current rules, ordinances, and restrictions on its feedlot and composting operation. The responses in the Initial Study should be based on current data and evidence, not assumptions that the Applicant will comply with all applicable codes and regulations.

In 2006, the Applicant built cattle pens to the north of its existing feedlot covering approximately 6.6 acres (or 63,022 approximately square feet of shade). Section 91002.07 of Imperial County's Title 9 Division 10 "Building" ordinances states it is unlawful for any person, firm, or corporation to erect or construct a building without first obtaining a permit to do such work from the Building Official. The County argued in its Staff Report dated May 9, 2018 that the Imperial County's Title 9 Division 10 "Building" ordinance was adopted on November 24, 1998 and that Section 91002.22 indicated that "Provisions of this Division are not applicable to livestock feed pens, or livestock sun shades less than 2,000 square feet (aggregate), meaning that there were no building permit requirements for cattle pens at the time that the feedlot was first built in 1968." However, although the feedlot was first built in 1968, the cattle pens in question were built in 2006, ***8 years AFTER the adoption of Imperial County's Title 9 Division 10 "Building" ordinance***, and these cattle pens contained 63,022 square feet of shade, well over the 2,000 square feet exemption of Section 91002.22. Therefore, said cattle pens required a building permit; however, according to the County, ***NO building permit applications accepted or approved on this parcel, meaning the Applicant built these cattle pens WITHOUT the proper permits.***

Following the 2006 zone change, an area zoned A-2-R remained as a set back to the north of Assessor's Parcel Numbers 041-020-019-000 and APN 041-020-029-00. In 2007, the Applicant built cattle pens to the north of its feedlot in the set back area zoned A-2-R, covering approximately 6.7 acres (or approximately 72,900 square feet of shade). According to Section 90508.01, subsection c. of Imperial County's Title 9 Division 5 "Zoning" ordinances, livestock feed lots are strictly prohibited unless approved by a conditional use permit in areas zoned A-2 General Agriculture) and A-2-R (General Agriculture/Rural). Likewise, Section 90508.02, subsection rr., livestock feed yards to include onsite composting are only permitted in areas zoned A-2 if a conditional use permit is first obtained. In this case, the Applicant did not seek nor obtain a conditional use permit to allow it to build livestock feed lots in an area zoned A-2-R. Moreover, the Applicant did not seek nor obtain a building permit as required by Section 91002.07. The County argued that Title 9 Division 5 "Zoning" ordinances were also adopted on November 24, 1998, so there were no setback requirements imposed on the feedlot prior to that date. However, the County ignores the fact that these ***cattle pens were added in 2007, 9 years AFTER Title 9 Division 5 was adopted, and 1 year AFTER the parcel was zoned A-3, thereby requiring a 300-foot set back.***

Attachment 1 is an image of the Applicant's cattle pens built before Title IX was adopted in 1998. **Attachment 2** is an image of the Applicant's cattle pens built after Title IX was adopted, showing cattle pens built within the setbacks and in areas governed by the CUP. **Attachment 3** is an image of the Applicant's cattle pens built in 2007 north of the Applicant's existing feedlot and within the set back area zone A-2-R. **Attachment 4** is an image showing the Applicant's cattle pens built in 2008 in an area west of the existing feedlot and required under the CUP to ONLY be used for composting. **Attachment 5** is a chart detailing the expansion of the Applicant's cattle business.

PC ORIGINAL PKG ORIGINAL EEC PKG

XII. NOISE

CEQA requires you to take into account all cumulative impact of an entire project, including reasonably foreseeable future projects and expansion of an initial project. The Applicant currently feeds approximately 45,000 head of cattle from the existing mill located at the main feedlot on Gonder Road. The feed mill starts up at 3:00 a.m. and is very noisy. Increasing the Applicant's cattle numbers by up to 54,000 (which is reasonably foreseeable as the 160 acres the Applicant plans to re-zone will hold that many cattle) will increase the capacity or work load of the mill, which will increase the noise levels. Moreover, cattle are very vocal and social animals and are very noisy. Because the Initial Study only looked at an increase of 18,000 head of cattle, it did not accurately review the noise level increases the reasonably foreseeable expansion of the Project, i.e., adding up to 54,000 head of cattle.

XVI. TRANSPORTATION/TRAFFIC

Because the Transportation Impact Analysis ("TIA") used inaccurate information and data provided by the Applicant, rather than actual data, the study does not reflect the true impacts of the project. As stated previous, the feed mill begins making feed at 3:00 a.m. The compost facility stated their hours of operation on their permit application as 5:00 a.m. to 8:00 p.m. However, the TIA, using times provided by the Applicant, states the hours of operation are 6:00 a.m. to 4:00 p.m., which is in complete contradiction to the above information. Moreover, as further detailed herein, based on ***the information provided by the Applicant***, the TIA found that the project would generate 20 average daily trips by passenger vehicles and 48 average daily trips from trucks, with ***ONLY*** 6 trucks entering and exiting the Project site during AM and PM peak hours. ***Based on my years of observance and as resident and local farmer, many more than 6 trucks will enter and exit the site, and much more than 68 vehicles and trucks will travel along Gonder Road to and from the project daily.***

A Negative Declaration may ONLY be adopted if there NO substantial evidence that the project may have substantial adverse environmental effects. (Cal. Pub. Res. Code §§22180, 21064.5; Cal. Code Regs., tit. 14 §15070, subd. (b)(1)). Generally substantial evidence is evidence that is reasonable, credible, and has solid value (*Stanislaus Audubon Society, Inc. v. County of Stanislaus*, 33 Cal.App.4th 144, 152, 39 Cal.Rptr.2d 54 (5th Dist. 1995)). "Substantial evidence" is specifically defined in the California Environmental Quality Act (CEQA) Guidelines as "enough relevant information and reasonable inference from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached". (Cal. Code Regs., tit. 14 §15384). The CEQA Guidelines and the California Public Resources Code indicate that substantial evidence includes facts, reasonable assumptions predicated on facts, and expert opinions supported by facts (Cal. Code Regs., tit. 14 §15384, subd. (b); Cal. Pub. Res. Code §§ 21080, subd. (e), 21082.2, subd. (c)). Moreover, "relevant personal observations of area residents on nontechnical subjects" may also qualify as substantial evidence (*See Keep Our Mountains Quiet v. County of Santa Clara*, 236 Cal.App.4th 714, 730, 187 Cal.Rptr.3d 96 (6th Dist. 2015)). In *Keep Our Mountains Quiet,* residents' statements regarding noise and *traffic impacts* from wedding/live music events in rural area constituted substantial evidence supporting fair argument of potential significant impacts requiring an EIR rather than a mitigated negative declaration. *Keep Our Mountains Quiet* at 730-736.

In its original Application Package, the Applicant alleged that it has 18 employees, 1 of whom lives on site, and the remaining 17 car pool, resulting in only 5 cars entering and exiting the main feedlot (located directly North of the proposed Project site) daily. The Applicant further alleges that approximately 4 trucks enter and exit the main feedlot daily, resulting in a total of 9 vehicles entering and exiting the main feedlot daily. The Applicant alleges its number of employees will increase by 5 and the number of trucks will be increased by 4 if the proposed Project is approved. As required by the Imperial County Planning Commission, a Transportation Impact Analysis ("TIA") and an Air Quality Study ("AQS") were prepared to assess the Project's environmental impacts. These studies were based on an increase of 5 employees and 4 trucks, although the TIA assumed 10 new employees and 8 trucks would access the site daily.

Average Daily Traffic (ADT) volumes for 2018 were conducted along Gonder Road and at the Project driveway and AM and PM peak hour intersection turning movement volume counts for 2018 were conducted at the intersection of the Project driveway and Gonder Road, and found that both Gonder Road and the intersection operate at acceptable levels of service. However, the TIA **is silent as to the times the AM and PM peak hour intersection turning movement volume counts were conducted**, and ***Appendix A, containing the manual intersection count sheets,*** and ***Appendix B, containing the peak hour intersection worksheets***, (which would have shown the times of the counts) ***were NOT included in the TIA or the Project Report.*** Moreover, much of the TIA was ***based on information provided by the Applicant***.

When attempting to determine traffic increases that will result from the Project (the expansion of the feedlot), the TIA used ***information provided by the Applicant*** (i.e., that only 4 trucks would enter and exit the site and only 5 new employees would be added), although the TIA states to be conservative the analysis assumed 8 trucks would access the site daily, and 10 new employees would be added. Based on ***the information provided by the Applicant,*** the TIA found that the project would generate 20 ADT by passenger vehicles and 48 ADT from trucks, with ***ONLY 6 inbound and 6 outbound trips during the AM and PM peak hours. THIS IS IMPOSSIBLE.*** Moreover, the TIA is completely inaccurate because it does not include or accurately describe an entrance to the Project site on any of the Figures included with the TIA. Further, when considering the expansion of the feedlot and project traffic entering and exiting the Project site, the Figures do not show any traffic using the dirt road to enter or exit the Project site. It is impossible to believe that NO vehicles or trucks will access the Project site.

For almost 95 years, my family and I have owned the real property commonly known as Oxalis Canal, Gate 23 and located directly west of the of the Applicant's *revised* proposed project. The residence (1593 East Gonder Road), also directly west of the Applicant's *revised* proposed project, was built in approximately 1937, *30 years before* the Applicant's current feedlot was built. The main feedlot was built in approximately 1968, over 50 years ago. Since that time, I have had decades of daily observation of the traffic conditions of the intersection of Gonder Road and the entrance to the main feedlot. I am intimately aware of the traffic conditions based on my own personal knowledge and experience. As my neighbors and I have stated numerous times, ***at least 100 trucks and 30 vehicles will enter and exit the existing feedlot on any given day***. Because our statements alone did not seem to convince the EEC board of this fact, on May 7, 2018, beginning at 5:36 a.m. and continuing to 6:36 p.m., I performed my own traffic study and videoed approximately 106 trucks and 32 vehicles entering and exiting the Applicant's feedlot. Attached hereto as **Attachment 6** are stills from the video showing the 138 vehicles entering and exiting the Applicant's feedlot. This is **MORE** trucks than the Applicant claimed enter and exit its feedlot in

the Applicant's Response Letter dated April 25, 2018 and **MORE** trucks and vehicles than anticipated and estimated in the Applicant's transportation impact analysis. Attached as **Attachment 7** is a chart showing approximately 219 vehicles enter and exit the Applicant's feedlot per day. An increase in 18,000 additional head of cattle will result in an increase in traffic on a road which is poorly maintained and never anticipated for such heavy and frequent use.

Moreover, the Applicant CANNOT feed 18,000 head of cattle with 4 (as the Applicant states) or even 8 (as the TIA used in its calculations) trucks a day. On average, a steer is going to consume more than 18 pounds of feed a day. 18 pounds multiplied by 18,000 head of cattle is 324,000 pounds of feed, or 162 tons of feed. I estimate three axle feed trucks have a capacity of 13 tons each, and will need to exit the mill located on the existing feedlot and drive to the Project site to feed the cattle and then return to the existing feedlot an average 12.5 times a day. That is 25 trips a day just for the feed truck alone. Trucks bring hay along Gonder Road, and enter the feedlot to be weighed, then exit the feedlot and leave the hay on the side of Gonder Road where it is stored until needed. These same trucks then again enter the feedlot to be weighed in order to determine the amount of hay delivered. Smaller trucks, hay retrievers are used daily to retrieve the hay stored on the side of Gonder Road. These small trucks exit the feedlot, collect the hay from the storage sites, then enter the feedlot to deliver the hay to the mill where the hay gets mixed for feed. Other feed ingredients, such as hay, corn, etc., also have to be delivered to the mill (some daily). ***The TIA also does NOT include trucks used for cattle transport, manure removal and transportation to the compost yard, or the transportation to the compost when it is sold and/or removed from the compost yard.*** **Attachment 8** is a chart showing the estimated traffic increase if the Applicant increases its operation by 18,000 cattle.

The TIA also does NOT take into account that the employees who will arrive at the existing feedlot then commute/travel to the Project site. As stated in the Dubose Design Group Revised Zone Change Application, "no new buildings will be constructed other than the cattle pens, raw water reservoir and retention pond. The additional employees will have access to required utilities provided within office buildings located across the road at the existing feedlot." This means employees will have to leave the Project site, travel to the current feedlot, and then return to the Project site throughout the day for meal and rest breaks. This may occur multiple times a day. Additionally, the employees working at the Project site will have to return at the end of the day to the main feedlot.

REVISED ZONE CHANGE APPLICATION

In the Dubose Design Group Revised Zone Change Application, under the section entitled Proposed Project Site for Expansion and Circulation, the primary entrance for the facility is described as being off Gonder Road, right across the street from the existing feedlot. This is IMPOSSIBLE. Directly across the street from the existing feedlot driveway is a Residence not owned or operated by the Applicant.

Moreover, the Revised Zone Change Application indicates the Applicant only owns/operates 2 feedlots currently. Appendix A to the Revised Zone Change Application only shows 2 feedlots currently owned/operated by the Applicant. However, this is INCORRECT. The Applicant now feeds cattle at **3** locations and has an approximate 46,000 load capacity. The third feedlot owned or operated by the Applicant is NOT included in either the Revised Zone Change Application or the Appendix A thereto.

PC ORIGINAL PKG ORIGINAL EEC PKG

ACTION REQUESTED

The Applicant's *revised* project description reduced the zone change to one 160-acre parcel with the alleged intention of adding up to 18,000 head of cattle on the project site and a proposed cattle pen area of approximately 45 acres within the 160-acre parcel. If the Applicant's proposed addition of 18,000 head of cattle can be held within cattle pens covering only 45 acres, then why does the Applicant need to re-zone the entire 160-acre parcel? If the Applicant's revised zone change application is approved, and 160 acres are re-zoned to A-3, it is reasonably foreseeable the Applicant will place up as much cattle on those 160 acres as possible, potentially up to or over 56,000 head of cattle. Although CEQA requires an analysis of the environmental effects of the entire project, including reasonably foreseeable future projects and expansion of an initial project, it is clear the neither the Initial Study nor any studies included therein, took into account the environmental effects of the total amount of cattle the Applicant could add to its Project site. Moreover, both the Transportation Impact Analysis and the Air Quality Study were based on entirely unrealistic figures and data provided by the Applicant and did not result in an accurate analysis of the total environmental effects that will be caused by the Applicant's project.

The preparation of an Environmental Impact Report is ***REQUIRED*** when conflicting evidence exists, with some substantial evidence indicating the project may have a significant effect on the environment and some indicating that it will not. *Communities for a Better Environment v. South Coast Air Quality Dist.*, 48 Cal.4th 310, 106 Cal.Rptr.3d 502, 226 P.3d 985 (2010); *Keep Our Mountains Quiet* at 730. If substantial evidence supports a fair argument that significant impacts or effects may occur from the proposed project, then an Environmental Impact Report is REQUIRED. *City of Arcadia v. State Water Resources Control Bd.*, 135 Cal.App.4th 1392, 1421, 38 Cal.Rptr.3d 373 (4th Dist. 2006)). In this case, there is substantial evidence in the record that the Applicant's project may have significant effects on the environment, and even though that may be contrary to the evidence put forth by the Applicant, an Environmental Impact Report is required to properly analyze the Project's environmental effects and minimize or remove those effects accordingly.

For the reasons set forth herein, I strongly urge the Environmental Evaluation Committee find that the Applicant's Project may have a significant effect on the environment, thereby requiring the preparation of an Environmental Impact Report.

Sincerely,

Bruce Smith
681 Marilyn Avenue
Brawley, CA 92227
(760) 344-6655
Smi6655@yahoo.com

PC ORIGINAL PKG ORIGINAL EEC PKG

ATTACHMENTS

PC ORIGINAL PKG

ORIGINAL EEC PKG

ROBERT BRUCE SMITH
681 MARILYN AVENUE
BRAWLEY, CA 92227
(760) 344-6655

MOIOLA BROS. CATTLE FEEDERS
PROPOSED ZONE CHANGE #17-0006 / CONDITIONAL USE PERMIT #17-0017
1594 GONDER ROAD, BRAWLEY, CALIFORNIA
(PROJECT LOCATION)

ADJACENT SMITH PROPERTY: 1593 EAST GONDER ROAD AND OXALIS 23

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 1

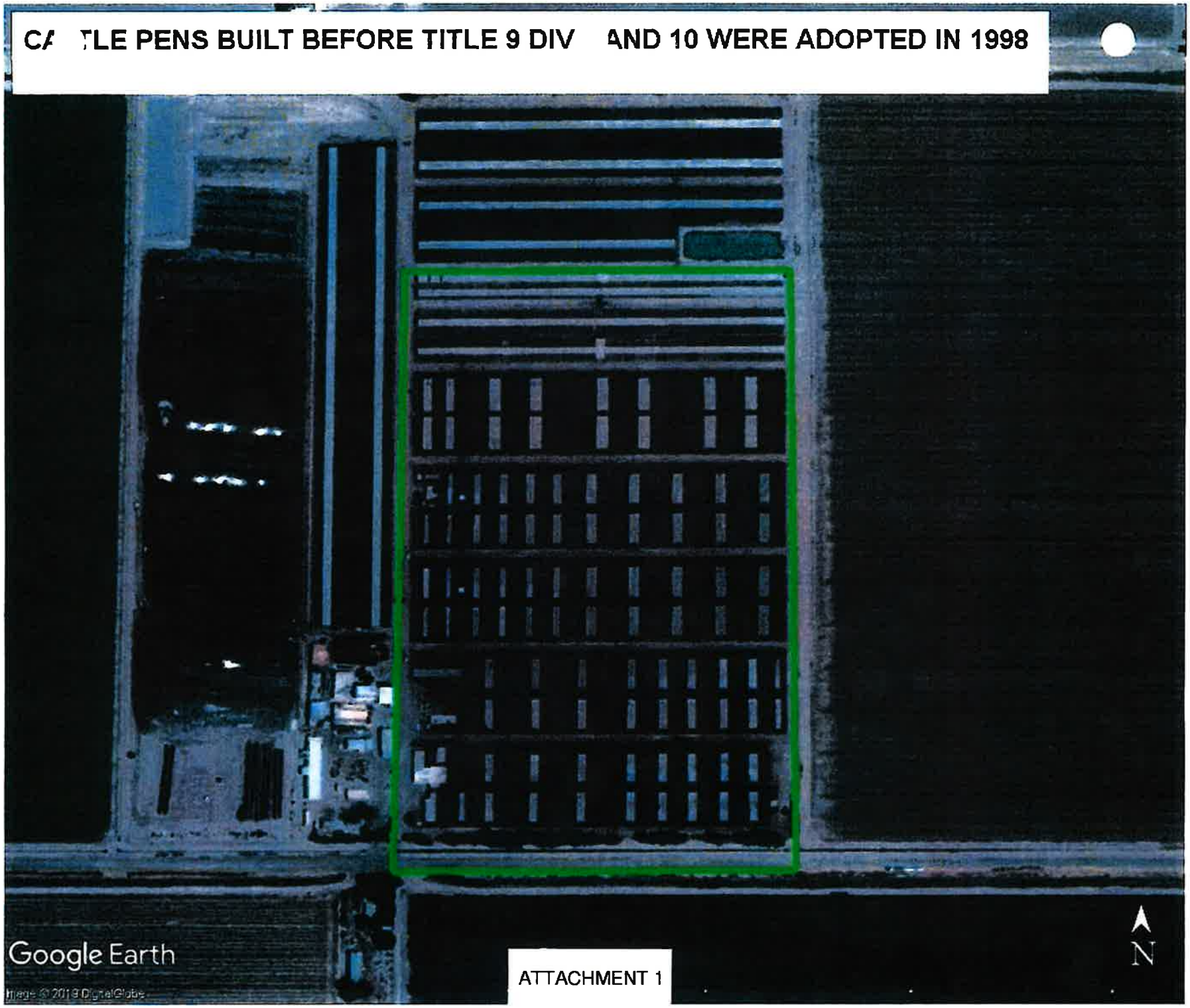
PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ATTACHMENT 1

ORIGINAL EEC PKG



ATTACHMENT 2

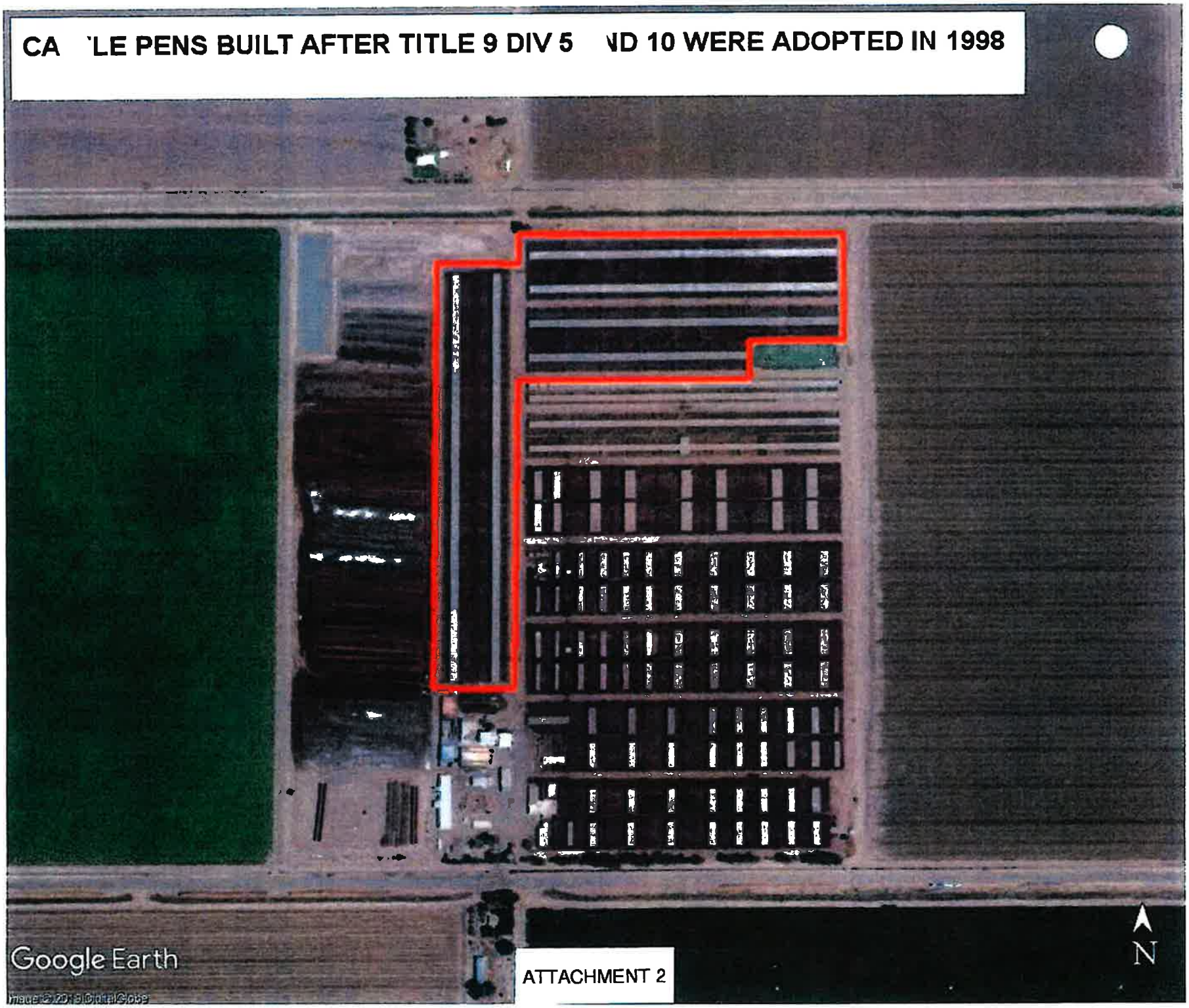
PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ATTACHMENT 2

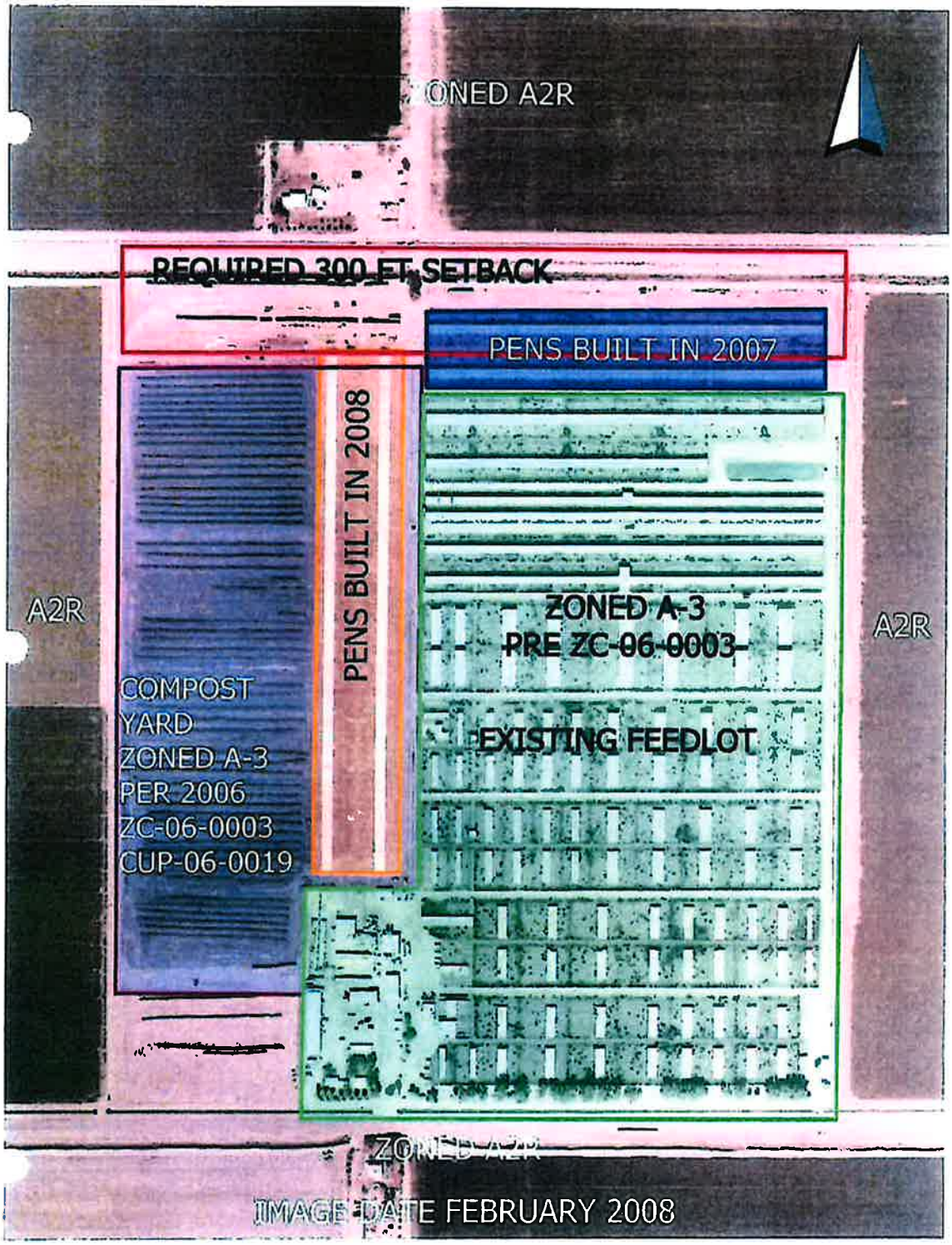
ORIGINAL EEC PKG



ATTACHMENT 3

PC ORIGINAL PKG

ORIGINAL EEC PKG



- AREA IN GREEN WAS ZONED A3 PRE 2006 ZC-06-0003 AND IS THE SITE OF THE EXISTING FEEDLOT.
- COMPOSTING AREA IN PURPLE WAS CHANGED FROM A2R TO A3 IN 2006 PER ZC-06-0003
- CATTLE PENS IN BLUE WERE BUILT IN 2007 AFTER TITLE 9 DIVISION 10 WAS ADOPTED IN 1998
- COVER 6.7 ACRES & HAVE 72,900 SQ. FT OF SHADE, WHICH IS IN EXCESS OF SECTION 91002.22 BUILDING PERMIT EXCEMPTION FOR SUN SHADES LESS THAN 2000 SQ. FT.
- A BUILDING PERMIT WAS REQUIRED.
- NO BUILDING PERMIT WAS ACCEPTED OR APPROVED.
- THE CATTLE PENS ARE BUILT ON PROPERTY ZONED A2R PER IMPERIAL CO. PRE ZC-06-0003 MAP-35.
- THE CATTLE PENS ARE BUILT ON IMPERIAL CO. REQUIRED 300 FT SET BACK FROM THE CENTERLINE OF ADJACENT STREET FOR ANY ANIMAL, LIVESTOCK PENS.

PC ORIGINAL PKG

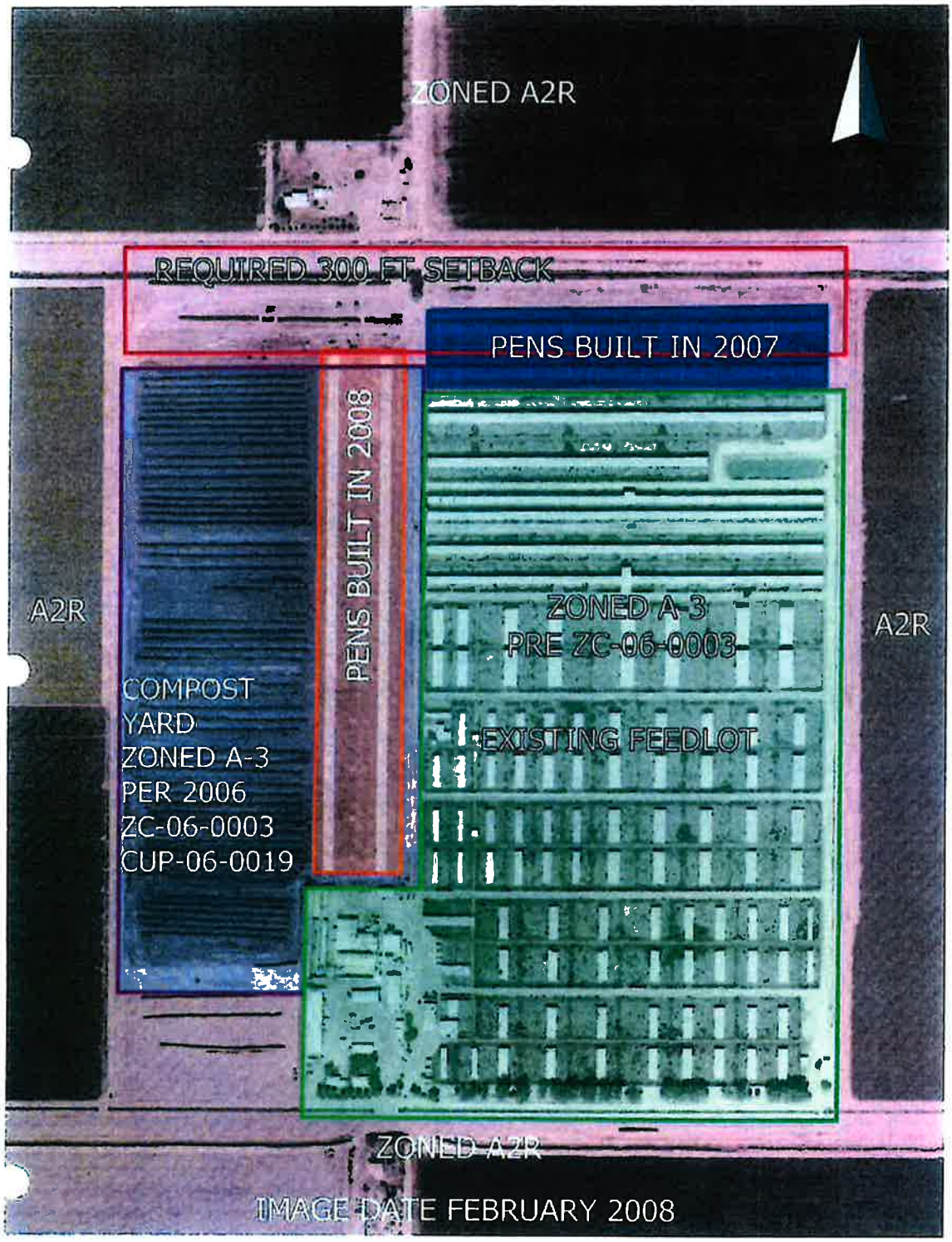
ATTACHMENT 3

ORIGINAL EEC PKG

ATTACHMENT 4

PC ORIGINAL PKG

ORIGINAL EEC PKG



- AREA IN PURPLE WAS CHANGED FROM A2R TO A3 IN 2006 PER ZC-06-0003
- CATTLE PENS IN ORANGE WERE BUILT IN 2008 AFTER TITLE 9 DIVISION 10 WAS ADOPTED IN 1998
- COVER 9.3 ACRES & HAVE 95,100 SQ. FT OF SHADE, WHICH IS IN EXCESS OF SECTION 91002.22 BUILDING PERMIT EXCEMPTION FOR SUN SHADES LESS THAN 2000 SQ. FT.
- A BUILDING PERMIT WAS REQUIRED.
- NO BUILDING PERMIT WAS ACCEPTED OR APPROVED.
- A PORTION OF THE CATTLE PENS ARE BUILT ON PROPERTY ZONED A2R PER IMPERIAL CO. ZC-06-0003.
- A PORTION OF THE CATTLE PENS ARE BUILT ON IMPERIAL CO. REQUIRED 300 FT SET BACK FROM THE CENTERLINE OF ADJACENT STREET FOR ANY ANIMAL, LIVESTOCK PENS.
- THE CATTLE PENS ARE BUILT ON PROPERTY RESTRICTED TO COMPOSTING BY CUP-06-0019.

PC ORIGINAL PKG

ATTACHMENT 4

ORIGINAL EEC PKG

ATTACHMENT 5

PC ORIGINAL PKG

ORIGINAL EEC PKG

MOIOLA BROTHERS FEEDLOT HISTORY

1967 MOIOLA FEEDLOT BEGAN OPERATIONS

1968 MOIOLA FEEDLOT CATTLE PENS OCCUPIED 30 ACRES. APROX PEN CAPACITY 7,500 HEAD.

1972 MOIOLA FEEDLOT CATTLE PENS OCCUPIED 48 ACRES. APROX PEN CAPACITY 12,000 HEAD.

1976 MOIOLA FEEDLOT CATTLE PENS OCCUPIED 54 ACRES. APROX PEN CAPACITY 13,500 HEAD.

1992 MOIOLA FEEDLOT CATTLE PENS OCCUPIED 58 ACRES. APROX PEN CAPACITY 14,500 HEAD.

1998 IMPERIAL COUNTY ADOPTED DIVISION 5 ZONING AREAS INCLUDING SET BACK REQUIREMENTS AND DIVISION 10 BUILDING ORDINANCES WERE ADOPTED.

?? MOIOLA BROTHERS FEED CATTLE AT THEIR 55 ACRE SATELLITE DEL CHARRO FACILITY. APROX PEN CAPACITY 13,500 HEAD.

2006-MAY MOIOLA FEEDLOT CATTLE PENS EXPANDED TO 66 ACRES. APROX PEN CAPACITY 16,500 HEAD. NO PERMITS WERE ISSUED OR REQUESTED. MOIOLA BROTHERS FED 30,000 HEAD ACCORDING TO MAY 1, 2005 ARTICLE IN BEEF MAGAZINE ON BRAWLET BEEF.

2006 NOV APN 041-020-018-000 WAS SUBDIVIDED CREATING APN 041-020-029-000 49.29 ACRES. A PORTION 37.27 ACRES WAS REZONED TO A-3, ZC 06-0003, AND ENTITLED WITH CUP 06-0019 FOR THE COMPOSTING OPERATION.

2007 MOIOLA FEEDLOT BUILT PENS NORTH OF THE EXISTING FEEDLOT AND A-3 ZONING ON LAND ZONED A2-R, AND WITHIN THE REQUIRED 300 FT. SETBACK, EXPANDING TO 72 ACRES. APROX PEN CAPACITY 18,000 HEAD. NO PERMITS WERE ISSUED OR REQUESTED.

2008 FEEDLOT BUILT PENS ON LAND ENTITLED AND CONTROLLED BY CUP 06-0019, EXPANDING TO 83 ACRES. APROX PEN CAPACITY 20,500 HEAD.

2014 MOIOLA BROTHERS COMPLETED EXPANSION ON DEL CHARRO TO 58 ACRES. . APROX PEN CAPACITY 14,500 HEAD.

2018 MOIOLA CATTLE FEEDERS PURCHASE THE 45 ACRE REATTA FEED LOT. APROX PEN CAPACITY 11,000 HEAD.

2019 MOIOLA CATTLE FEEDERS ARE FEEDING APROXIMATELY 46,000 HEAD OUT OF THE GONDER ROAD FACILITY. ADDING AN ADDITIONAL 18,000 HEAD WILL BRING THEIR CAPACITY TO 64,000 HEAD

ATTACHMENT 6

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ATTACHMENT 6

ORIGINAL EEC PKG



















ATTACHMENT 6 #1

PC ORIGINAL PKG



















ORIGINAL EEC PKG

ATTACHMENT 6 #2

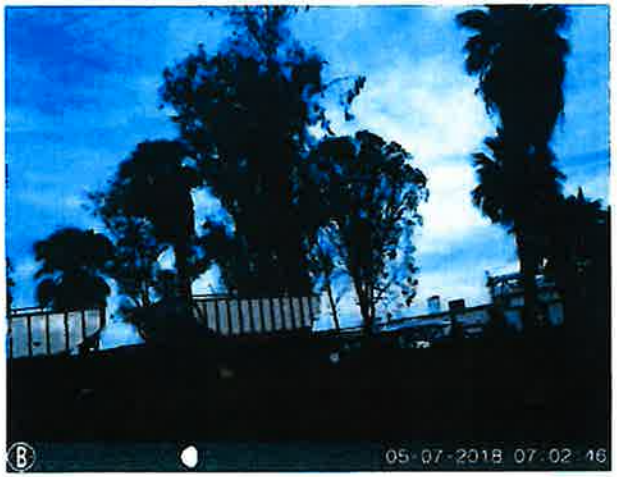
PC ORIGINAL PKG













ORIGINAL EEC PKG







ATTACHMENT 6 #3

PC ORIGINAL PKG



















ORIGINAL EEC PKG

ATTACHMENT 6 #4

PC ORIGINAL PKG















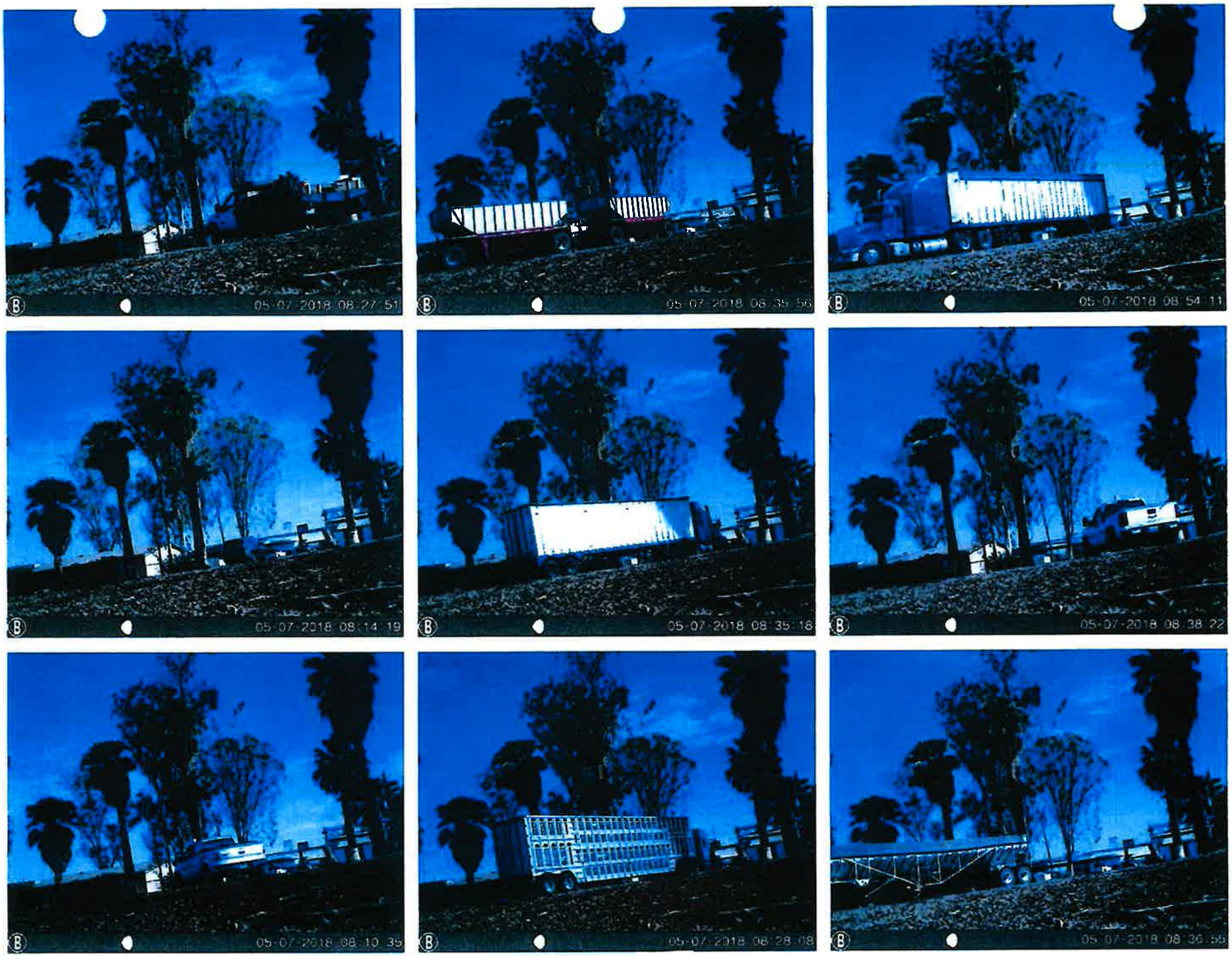




ORIGINAL EEC PKG

ATTACHMENT 6 #5

PC ORIGINAL PKG



ORIGINAL EEC PKG

ATTACHMENT 6 #6

PC ORIGINAL PKG



ORIGINAL EEC PKG

ATTACHMENT 6 #7

PC ORIGINAL PKG



















ORIGINAL EEC PKG

ATTACHMENT 6 #8

PC ORIGINAL PKG



ORIGINAL EEC PKG

ATTACHMENT 6 #9

PC ORIGINAL PKG













ORIGINAL EEC PKG







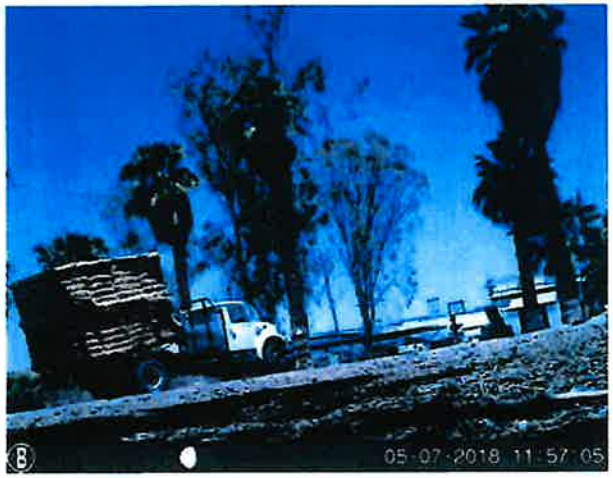
ATTACHMENT 6 #10

PC ORIGINAL PKG













ORIGINAL EEC PKG







ATTACHMENT 6 #11

PC ORIGINAL PKG



















ORIGINAL EEC PKG

ATTACHMENT 6 #12

PC ORIGINAL PKG



















ORIGINAL EEC PKG

ATTACHMENT 6 #13

PC ORIGINAL PKG



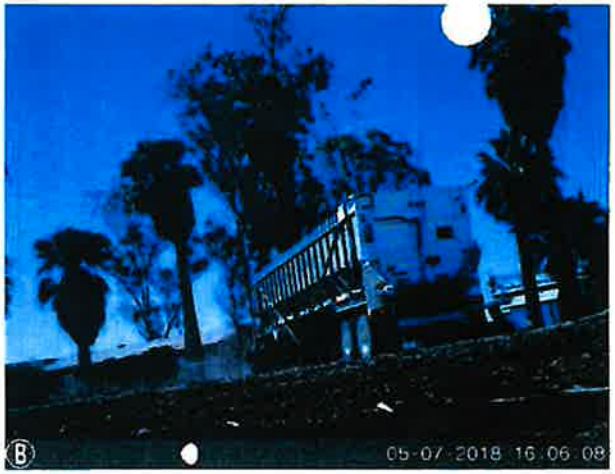
ORIGINAL EEC PKG

ATTACHMENT 6 #14

PC ORIGINAL PKG

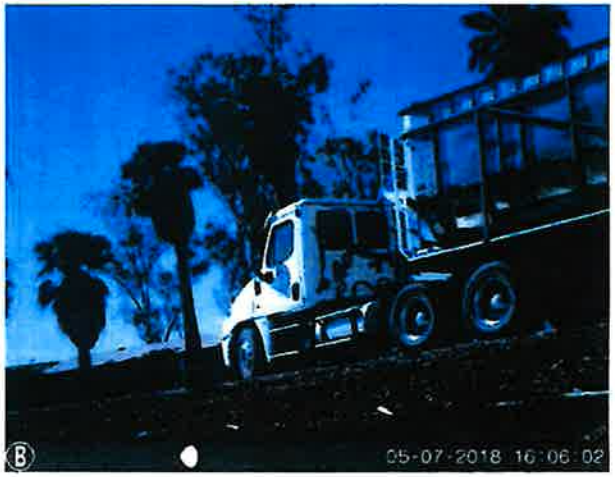




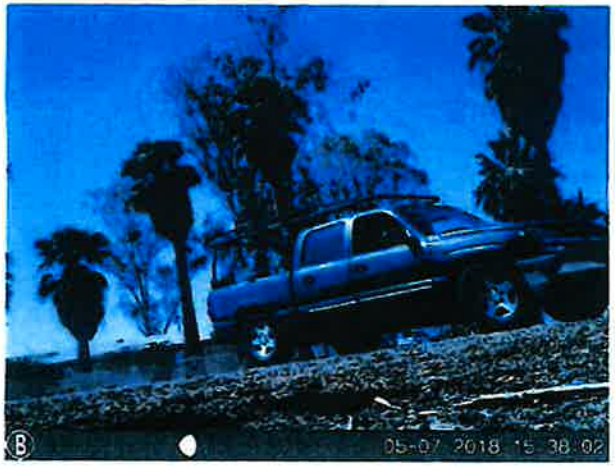








ORIGINAL EEC PKG







ATTACHMENT 6 #15

PC ORIGINAL PKG







ORIGINAL EEC PKG

ATTACHMENT 6 #16

ATTACHMENT 7

PC ORIGINAL PKG

ORIGINAL EEC PKG

VEHICLE TRAFFIC ENTERING AND EXITING MOIOLA BROTHERS FEEDLOT ON 5/7/2018

	TIME	DIRECTION	COLOR	MAKE	ENTITY	TYPE
1	?	Ingress	BLUE	Mitsubishi?	Employee	Small/Car
2	?	Ingress	Tan		Employee	Small/Car
3	?	Ingress	White	Ford F-150	MBCF	P/U
4	?	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
5	?	Egress	Purple	Kawasaki	MBCF	UTV
6	?	Egress	White	Ford F-350		P/U G/NECK STOCK TR
7	5:36:39	Egress	White	Freightliner	BULL/ENT	Drag Bottom
8	5:37:30	Egress	Orange	Freightliner	MBCF	Feed Truck
9	5:44:58	Ingress	White	Ford	F-150	Service P/U
10	5:45:31	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
11	5:45:58	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
12	?	Ingress	Orange	Freightliner	MBCF	Feed Truck
13	5:51:42	Egress	Orange	Freightliner	MBCF	Feed Truck
14	5:55:04	Ingress	Orange	Freightliner	MBCF	Feed Truck
15	?	Ingress	Silver	Ford F-150	MBCF	P/U
16	5:57:40	Egress	Silver	Ford F-150	MBCF	P/U
17	5:57:40	Ingress	White	Chevrolet	1500	P/U
18	6:02:57	Ingress	Brown	Freightliner	GBT	Bottom Dumps
19	6:14:40	Ingress	Silver	Ford F-150	MBCF	P/U
20	6:24:21	Egress	Orange	Freightliner	MBCF	Feed Truck
21	6:26:57	Ingress	Orange	Freightliner	MBCF	Feed Truck
22	6:29:23	Egress	White	Freightliner	BULL/ENT	Drag Bottom
23	6:32:58	Egress	White	Freightliner	BULL/ENT	Drag Bottom
24	6:33:12	Ingress	White	Peterbuilt	GBT	Bottom Dumps
25	6:52:20	Ingress	Orange	Freightliner	MBCF	Feed Truck
26	?	Egress	White	Chevrolet	1500	P/U
27	6:57:00	Ingress	White	Chevrolet	1500	P/U
28	6:58:11	Egress	Yellow		MBCF	Hay Retriever
29	6:59:00	Egress	Orange	Freightliner	MBCF	Feed Truck
30	7:02:46	Egress	Brown	Freightliner	GBT	Bottom Dumps
31	7:08:05	Ingress	Yellow		MBCF	Hay Retriever
32	7:13:49	Ingress	White	Freightliner	GBT	Drag Bottom
33	7:21:35	Ingress	White	Peterbuilt		Walking Bottom
34	?	Egress	Yellow		MBCF	Hay Retriever
35	7:24:54	Ingress	Yellow		MBCF	Hay Retriever
36	7:29:03	Ingress	Orange	Freightliner	MBCF	Feed Truck
37	7:33:24	Ingress	White	Toyota	Tundra	P/U
38	7:34:52	Egress	Orange	Freightliner	MBCF	Feed Truck
39	7:35:28	Egress	White	Toyota	Tundra	P/U
40	7:38:08	Ingress	Brown	Freightliner	GBT	Bottom Dumps
41	?	Egress	Yellow		MBCF	Hay Retriever
42	7:43:23	Ingress	Yellow		MBCF	Hay Retriever
43	7:43:43	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
44	7:49:44	Egress	White	Peterbuilt		Walking Bottom

ATTACHMENT 7

PC ORIGINAL PKG

ORIGINAL EEC PKG

VEHICLE TRAFFIC ENTERING AND EXITING MOIOLA BROTHERS FEEDLOT ON 5/7/2018

45	7:49:59	Egress	White	Freightliner	BULL/ENT	Drag Bottom
46	7:57:00	Ingress	White	Peterbuilt	GBT	Bottom Dumps
47	7:57:56	Egress	White	Ford F-350	MBCF	Flat Bed Service
48	7:57:59	Egress	Yellow	John Deere	MBCF	Skip Loader
49	7:59:11	Egress	White	Freightliner	MBCF	Water Truck
50	7:59:41	Ingress	White	Freightliner	MBCF	Water Truck
51	?	Egress	Yellow	International	MBCF	Hay Retriever
52	8:01:32	Ingress	Yellow	International	MBCF	Hay Retriever
53	8:07:50	Ingress	Orange	Freightliner	MBCF	Feed Truck
54	8:09:40	Egress				Bottom Dumps
55	8:09:45	Egress	White	Diamond		Drag Bottom
56	8:10:21	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
57	8:10:35	Ingress	Silver	Ford F-150	MBCF	P/U
58	8:14:17	Ingress	Silver	Toyota		SUV
59	8:27:51	Ingress	White	Ford F-350	MBCF	Flat Bed Service
60	?	Egress	White	Ford F-350	MBCF	Flat Bed Service
61	8:27:51	Ingress	SILVER/BLUE	Peterbuilt		Cattle Truck
62	8:35:13	Ingress	BLUE	Peterbuilt		Walking Bottom
63	8:35:56	Egress				Bottom Dumps
64	8:36:55	Egress				Drag Bottom
65	8:38:22	Ingress	White	Chevrolet	1500	P/U
66	8:54:06	Egress	BLUE	Peterbuilt		Walking Bottom
67	8:54:27	Egress	White	Ford	F-150	P/U
68	9:00:43	Egress	SILVER/BLUE	Peterbuilt		Cattle Truck
69	9:01:08	Egress	Orange	Freightliner	MBCF	Feed Truck
70	9:02:03	Ingress	Brown	Freightliner	GBT	Bottom Dumps
71	9:16:27	Ingress	Orange	Freightliner	MBCF	Feed Truck
72	9:20:58	Ingress	Red/Yellow	Freightliner	DEBOER	Cattle Truck
73	9:27:22	Ingress	White			Drag Bottom
74	9:28:44	Egress	Orange	Freightliner	MBCF	Feed Truck
75	9:35:09	Egress	Brown	Freightliner	GBT	Bottom Dumps
76	9:37:37	Ingress	White	Freightliner	GBT	Bottom Dumps
77	9:41:32	Egress	Orange	Freightliner	MBCF	Feed Truck
78	9:45:08	Ingress	Orange	Freightliner	MBCF	Feed Truck
79	9:49:28	Egress	Red/Yellow	Freightliner	DEBOER	Cattle Truck
80	9:51:11	Ingress				Drag Bottom
81	9:56:38	Egress	White	International	MBCF	Feed Truck
82	10:07:58	Egress			GBT	Bottom Dumps
83	10:16:37	Ingress	Orange	Freightliner	MBCF	Feed Truck
84	10:16:53	Ingress	White	Ford F-350	MBCF	Flat Bed Service
85	10:17:48	Ingress	Dark Slate	Ford F-250		P/U
86	10:17:53	Ingress	BLUE	Chevrolet		P/U
87	10:27:01	Ingress	White	Van	ALSCO	
88	?	Egress	White	Van	ALSCO	
89	10:27:38	Ingress	White	International	MBCF	Feed Truck

PC ORIGINAL PKG ORIGINAL EEC PKG

VEHICLE TRAFFIC ENTERING AND EXITING MOIOLA BROTHERS FEEDLOT ON 5/7/2018

90	10:29:05	Ingress	Brown	Freightliner	GBT	Bottom Dumps
91	10:31:46	Egress	Orange	Freightliner	MBCF	Feed Truck
92	10:58:03	Ingress	Orange	Freightliner	MBCF	Feed Truck
93	11:02:39	Egress	Brown	Freightliner	GBT	Bottom Dumps
94	11:05:20	Egress	Orange	Freightliner	MBCF	Feed Truck
95	11:09:21	Egress	Silver	Ford F-150	MBCF	P/U
96	11:10:52	Ingress	White		BULL/ENT	Drag Bottom
97	11:16:47	Ingress	White	Freightliner	GBT	Bottom Dumps
98	11:17:01	Egress	Dark Slate	Ford F-250		P/U
99	11:19:42	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
100	11:35:47	Egress	White		BULL/ENT	Drag Bottom
101	11:36:51	Ingress	Orange	Freightliner	MBCF	Feed Truck
102	11:40:27	Egress	White	International	MBCF	Hay Retriever
103	11:40:30	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
104	11:46:06	Egress	Orange	Freightliner	MBCF	Feed Truck
105	11:49:37	Egress			GBT	Bottom Dumps
106	11:57:05	Ingress	White	International	MBCF	Hay Retriever
107	11:59:33	Ingress	Brown	Freightliner	GBT	Bottom Dumps
108	12:05:06	Egress	White	International	MBCF	Hay Retriever
109	12:07:48	Egress			BULL/ENT	Drag Bottom
110	12:10:58	Ingress	Silver	Ford F-150	MBCF	P/U
111	12:13:24	Ingress	White	International	MBCF	Hay Retriever
112	12:21:21	Egress	Yellow	International	MBCF	Hay Retriever
113	12:25:50	Ingress	Orange	Freightliner	MBCF	Feed Truck
114	12:28:19	Ingress	Yellow	International	MBCF	Hay Retriever
115	12:29:37	Egress	White	Freightliner	BULL/ENT	Drag Bottom
116	12:34:13	Egress	Brown	Freightliner	GBT	Bottom Dumps
117	12:52:34	Ingress	White		BULL/ENT	Drag Bottom
118	12:59:34	Ingress	Purple	Kawasaki	MBCF	UTV
119	13:12:38	Ingress	White	Ford F-350		P/U G/NECK STOCK TR
120	13:14:22	Egress	Silver	Toyota		P/U
121	13:17:27	Egress			BULL/ENT	Drag Bottom
122	13:17:31	Egress	BLUE	Mitsubishi?	Employee	Small/Car
123	13:17:33	Egress	Tan		Employee	Small/Car
124	13:18:24	Ingress	BLUE	Freightliner		Tanker
125	13:19:23	Egress	Silver	Ford F-150	MBCF	P/U
126	13:28:28	Ingress	Brown	Freightliner	GBT	Bottom Dumps
127	13:30:36	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
128	13:42:39	Egress	BLUE	Chevrolet		P/U
129	13:57:10	Egress			BULL/ENT	Drag Bottom
130	14:01:47	Egress				Vacuum Truck
131	14:08:07	Egress			GBT	Bottom Dumps
132	14:08:37	Egress	Silver	Ford F-150	MBCF	P/U
133	14:08:52	Egress	BLUE	Freightliner		Tanker
134	14:19:26	Egress	Maroon	Chevrolet		P/U

PC ORIGINAL PKG

ORIGINAL EEC PKG

VEHICLE TRAFFIC ENTERING AND EXITING MOIOLA BROTHERS FEEDLOT ON 5/7/2018

135	14:35:26	Ingress	White		BULL/ENT	Drag Bottom
136	14:59:03	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
137	14:59:31	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
138	15:18:53	Ingress	White		BULL/ENT	Drag Bottom
139	15:31:30	Egress	White	Freightliner	BULL/ENT	Drag Bottom
140	15:33:19	Egress	White	Freightliner	BULL/ENT	Drag Bottom
141	15:38:02	Egress	BLUE	Chevrolet		P/U W/Rack
142	15:41:10	Egress	White	TranStar	BULL/ENT	Drag Bottom
143	15:42:58	Egress			BULL/ENT	Drag Bottom
144	15:45:14	Ingress	White	Ford F-350		P/U W/STOCK TR
145	15:47:08	Egress	White	Ford F-350		P/U W/STOCK TR
146	16:05:34	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
147	16:06:02	Ingress	White	Freightliner	BULL/ENT	Drag Bottom
148	16:41:12	Egress	White	Freightliner	BULL/ENT	Drag Bottom
149	16:41:38	Egress	White	Freightliner	BULL/ENT	Drag Bottom
150	18:24:20	Egress	White	Ford F-150	MBCF	P/U

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 8

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ATTACHMENT 8

ORIGINAL EEC PKG

ESTIMATED ADDITIONAL TRAFFIC OF PROPOSED PROJECT USING APPLICANTS CATTLE NUMBERS

CATTLE	HEAD X	WEIGHT LBS	= LBS	DIV/2000 LBS	= TONS	DIV/25 TONS	= TRUCKS PER YEAR	DIV/365 DAYS	= TRUCKS PER DAY	DAILY TRIPS	
										INGRESS	EGRESS
FEEDERS 300 LBS	18,000	300	5,400,000	2,000	2,700	25	108	365	0.30	0.30	0.30
FAT CATTLE 1395 LBS	18,000	1395	25,110,000	2,000	12,555	25	502.2	365	1.38	1.38	1.38
FEED PRODUCTS 6 LB FEED/GAIN RATIO	**HEAD X**	**FGR**	***GAIN**	**= LBS**	**DIV/2000 LBS**	**= TONS**	**DIV/25 TONS**	**= TRUCKS PER YEAR**	**DIV/365 DAYS**	**= TRUCKS PER DAY**	**DAILY TRIPS**
										INGRESS	**EGRESS**
FEED PRODUCTS	18,000	6	1095	118,260,000	2,000	59,130	25	2365.2	365	6.48	6.48	6.48
100% OF FEED TRANSPORTED TO NEW YARD IN FEED TRUCK	18,000	6	1095	118,260,000	2,000	59,130	13	4,548	365	12.46	12.46	12.46
HAY RETRIEVED FROM OUTSIDE MAIN YARD	18,000	1.5	1000	27,000,000	2,000	13,500	5	2,700	365	7.40	7.40	7.40
MANURE 30%X59 LBS /DAY 1000 LB STEER [1]	**HEAD X**	**LBS DAY**	**X 365**	**= LBS**	**DIV/2000 LBS**	**= TONS**	**DIV/25 TONS**	**= TRUCKS PER YEAR**	**DIV/365 DAYS**	**= TRUCKS PER DAY**	**DAILY TRIPS**	
											INGRESS	**EGRESS**
MANURE TRANSPORTED FROM NEW YARD TO COMPOST YARD	18,000	15	365	98,550,000	2,000	49,275	25	1,971	365	5.40	5.40	5.40
COMPOST= 50% OF MANURE	18,000	7.5	365	49,275,000	2,000	24,638	25	986	365	2.70	2.70	2.70

THESE ESTIMATES WERE GENERATED USING A CONSERVATIVE NUMBER OF 6 LBS FEED/GAIN RATIOS AND MANURE GENERATION OF 18 LBS DAILY ON AVERAGE WITH A 85% MANURE RECOVERY RATE. ALL FEED FOR THESE PROPOSED ADDITIONAL CATTLE MUST BE DELIVERED TO THE FEED MILL(MAIN YARD). FEED, MEN AND EQUIPMENT FOR THE NEW PENS MUST THEN BE TRANSPORTED FROM MAIN YARD TO THE NEW YARD. HAY DELIVERED AND THEN STORED OUTSIDE MAIN YARD, MUST BE PICKED UP BY A HAY RETRIEVER AND THEN DELIVERED TO FEED MILL AS NEEDED 5 TON AT A TIME. THERE ARE MANY MORE VEHICLES AND EQUIPMENT NOT LISTED ENTERING AND EXITING THE FEEDLOT ON A DAILY BASIS, INCLUDING: CARCASS PICKUP, FUEL DELIVERY, SERVICE PEOPLE, PARTS AND SUPPLY DELIVERY, EQUIPMENT DELIVERY, CATTLE OWNERS, COMMODITY DEALERS, ECT.

[1] DRY MANURE PRODUCTION WAS ESTIMATED AT 30% OF 59 LBS PER DAY WET PER 1000 LB STEER. AN AVERAGE STEER WEIGHT OF 846 LBS

ADDITIONAL TRUCK INGRESS/EGRESS	36.11	36.11
TOTAL ADDITIONAL TRUCK TRAFFIC	72.22	
MISC	**DAILY TRIPS**	
	INGRESS	**EGRESS**
UPS	1	1
USPS	1	
PERSONS: 5 ADDITIONAL EMPLOYEES		
EMPLOYEES TO/FROM WORK	5	5
EMPLOYEES TO/FROM NEW YARD	2	2
EMPLOYEES TO/FROM REST BREAK	4	4
EMPLOYEES TO LUNCH	2	2
EMPLOYEES TO RESTROOM	2	2
TOTAL ADDITIONAL INGRESS/EGRESS	53.11	52.11
TOTAL ADDITIONAL DAILY TRAFFIC	105	

VER 2019-1

Ronald M Smith and Karen D Smith
1196 Chalupnik Road
Brawley, California 92227

RECEIVED
FEB 11 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

February 10, 2019

Planning & Development Services Dept., County of Imperial
940 Main Street
El Centro, California 92243

RE: Moiola Bros. Cattle Feeders
ZC #17-0006/CUP #17-0017
AP #041-090-004 & 041-020-028

Staff Contact: Diana Robinson, Planner II

As a property owner of adjacent farm ground near the proposed project referenced above, we are concerned with the negative impact this will impose on our land value, crops and the already deteriorated condition of Gonder Road from heavy traffic.

We currently experience the impact of dust drift from the existing feedlot that covers our crops and damages production. This drift also eliminates our option to grow certain crops, such as organic crops. It will further impact our land and rent values, reducing their value because of the reduction of suitable crop production. The proposed project will only add to the current problems. Also, Gonder Road shows major damage from traffic and this will increase with the added expected traffic of heavy trucks moving cattle and feed. The current travel on Gonder Road is less then desirable.

At this time, we are opposed to any added expansion of the existing feedlot that will negatively impact our crops.

Sincerely,

Ron Smith

Karen Smith

PC ORIGINAL PKG

ORIGINAL EEC PKG

LINSCOTT LAW & GREENSPAN engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego, CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

January 30, 2019

Diana Robinson, Planner 3
Imperial County Department
Of Planning & Development Services

LLG Reference: 3-18-2922

Subject: **Moila Brothers Cattle Feeders**
County of Imperial, CA

Dear Ms. Robinson:

Linscott, Law & Greenspan, Engineers (LLG) has assessed the potential impacts of the project during the construction phase of the project. Based on discussions with the client, it is projected that the construction phase will last approximately 1,000 days. It is expected that a total of 6 employees will work on the site during construction. As part of the construction, no heavy trucks will be needed on most days with at most 1 truck per day in certain circumstances. The amount of daily traffic during construction is less than the daily fluctuation in traffic along Gonder Road and State Route 115.

Based on the description of the construction phase, no significant impacts are expected.

Please call me with any questions.

Thank you.

John Boarman, P.E.
Principal
California Registration: C50033

JB:wcs
cc: File

RECEIVED
JAN 30 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Philip M. Linscott, PE (1924-2000)
William A. Law, PE (1921-2018)
Jack M. Greenspan, PE (Ret.)
Paul W. Wilkinson, PE (Ret.)
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

An LG2WB Company Founded 1966

PC ORIGINAL PKG

ORIGINAL EEC PKG

COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

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

Follow Us:

www.facebook.com/ImperialCountyDPW/

https://twitter.com/CountyDpw/

Public Works works for the Public

ICDPW

January 11, 2019

RECEIVED
JAN 11 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Attention: Diana Robinson, Planner II

SUBJECT: **ZC 17-0006/ IS 17-0026 Moiola Brothers Cattle Feeders Ltd**; located east of intersection of State HWY 115 and Gonder Rd. APN 041-090-004

Dear Mr. Minnick:

This letter is in response to your copy of ZC 17-0006 / IS 17-0026 submitted on 11/28/2018 for the above-mentioned ZC 17-0006 / IS 17-0026. The project proposes a zone change in order to allow the expansion of their existing feedlot.

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

1. Gonder Road is classified as Minor Collector – Local Collector, two (2) lanes, requiring seventy feet (70) of right of way, being thirty five (35) feet from existing centerline. It is required that sufficient right of way be provided to meet this road classification. As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).

2. Nolan Road is classified as Local County – two (2) lanes, requiring sixty feet (60) of right of way, being thirty (30) feet from existing centerline. It is required that sufficient right of way be provided to meet this road classification. As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).

3. The applicant shall furnish a Drainage and Grading Plan/Study to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. The Plan/Study shall be prepared per the Engineering Design Guidelines Manual for the Preparation and checking of Street Improvement, Drainage, and Grading Plans within Imperial County and submitted to the Department of Public Works for review and approval. The applicant shall implement the approved plan. Employment of the appropriate Best Management Practices (BMPs) shall be included on the plan.

PC ORIGINAL PKG

ORIGINAL EEC PKG

4. The applicant for encroachment permits, grading plans, and/or improvement plans is responsible for researching, protecting and preserving survey monuments per the Professional Land Surveyor's Act (8771 (b)). This shall include a copy of the referenced survey map and tie card(s) (if applicable) for all monuments that may be impacted by the project whether it be on-site of off-site.

5. At time of development, if required, by Section 8762(b) of the Professional Land Surveyors Act, a record of survey shall be filed with the County Recorder of Imperial County.

6. Street improvements shall be required in conjunction with, but not limited to, any construction, grading, or related work, including the construction of structures, buildings, or major additions thereto, on property located adjacent to any county street or on property utilizing any county street for ingress and egress, except that such improvements may be deferred as described in Section 12.10.040 of this chapter for residential property (Per Imperial County Code of Ordinances, Chapter 12.10.020). The street improvements required shall be a commercial type driveway per Imperial County Standards and a secondary emergency access driveway as approved by this Department. The secondary emergency access driveway shall be constructed of asphalt concrete or as approved by this Department.

7. No building permit for any structure or building or major addition to a building or structure shall be issued until the improvements required by Section 12.10.010 of this chapter have been installed. In addition, no building permit shall be issued until there has been compliance with Chapter 12.12 of this title and the requirement that an encroachment permit be obtained (Per Imperial County Code of Ordinances, Chapter 12.10.030).

8. Any activity and/or work within Imperial County right-of-way shall be completed under an encroachment permit issued by this Department (Per Imperial County Code of Ordinances, Chapter 12.12). Any activity and/or work may include, but not be limited to, the installation of temporary traffic control devices, construction of access driveways, etc.

9. The transportation impact analysis was completed assuming an increase of 5 employees and 4 trucks per day, yielding a total of 10 employees and 8 trucks for both exiting operations and the proposed project.

    a. The combined traffic generation for both the existing operations and proposed project shall not exceed 20 trips per day for passenger vehicles (10 employees) and 16 trips per day for heavy vehicles (8 trucks).

INFORMATIVE:

PC ORIGINAL PKG ORIGINAL EEC PKG

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

- All solid and hazardous waste shall be disposed of in approved solid waste disposal sites in accordance with existing County, State and Federal regulations (Per Imperial County Code of Ordinances, Chapter 8.72).

- All on-site traffic area shall be hard surfaced to provide all weather access for fire protection vehicles. The surfacing shall meet the Department of Public Works and Fire/OES Standards as well as those of the Air Pollution Control District (APCD) (Per Imperial County Code of Ordinances, Chapter 12.10.020 A).

- The project may require a National Pollutant Discharge Elimination System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior county approval of onsite grading plan (40 CFR 122.28).

- A Transportation Permit may be required from road agency(s) having jurisdiction over the haul route(s) for any hauls of heavy equipment and large vehicles which impose greater then legal loads on riding surfaces, including bridges. (Per Imperial County Code of Ordinances, Chapter 10.12.020).

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

Respectfully,

John A. Gay, P.E.
Director of Public Works

ag

PC ORIGINAL PKG ORIGINAL EEC PKG

DUBOSE DESIGN GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

PLANNING • CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

1/10/2019

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

RE: COMPLIMENTARY INFORMATION- ZONE CHANGE 17-0006/Initial Study 17-0026

Dear Mr. Minnick,

On 11/20/2018, Moiola Bros. Cattle Feeders re-submitted a Zone Change Application for a 160-acre parcel located just south/east of their existing composting operations. Moiola Bros. intentions are to expand their current operations to include this 160-acre parcel so that they may construct a cattle stockyard that will house 18,000 head of cattle.

During the Environmental Evaluation Committee (EEC) meeting held on 02/15/2018, the original project which included an additional parcel (APN: 041-020-028) located to the west of the existing composting facility, received an appeal letter from a concern citizen and nearby property owner, Mr. Bruce Smith. Our client, John Moiola of Moiola Bros. Cattle Feeders responded to Mr. Smith's concerns through written correspondence by way of a Response to Comment Letter titled "**Re: Response to Mr. Bruce Smith Appeal of Environmental Evaluation Committee's decision**" (attached is a copy of said letter). In his response, Mr. Moiola referenced a Mosquito Abatement Plan (second page, last sentence of Section D) and a Current Leafy Green Products Handler Marketing Agreement (second page, Section D Number 2). Per email correspondence with Diana Robinson (Lead Planner) dated 01/07/2019, a request was made to clarify that the Current Leafy Green Products Handler Marketing Agreement was still 400 feet and identify which department had requested a Mosquito Abatement Plan.

As of 01/10/2019, the Current Leafy Green Products Handler Marketing Agreement is 1200 feet and the Mosquito Abatement Plan request was made by the Department of Environmental Health of the Imperial County Public Health Department.

Annette Leon,
Vice President, DuBose Design Group

PC ORIGINAL PKG

ORIGINAL EEC PKG

150 SOUTH NINTH STREET
EL CENTRO, CA 92243-2850

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

AIR POLLUTION CONTROL DISTRICT

December 11, 2018

RECEIVED
DEC 11 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

SUBJECT: Request for Zone Change (17-0006/IS 17-0026) for Proposed Expansion of an Existing Feedlot Facility by Moiola Bros. Cattle Feeders Ltd.

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") would like to thank you for the opportunity to review the request by Moiola Bros. Cattle Feeders Ltd. for proposed Zone Change (ZC) (17-0006) and its associated Initial Study (IS) (17-0026) that would allow for an expansion of an existing feedlot operation at 1594 Gonder Road in Brawley, California. The existing feedlot has an approximate cattle head count of 20,000 and includes a composting facility. The proposed expansion would add an additional 18,000 head of cattle. The applicant is seeking a Zone Change for APN 041-090-004 from A2R (General Agricultural/Rural Zone) to A3 (heavy Agriculture) to allow for the proposed expansion which will be located approximately 100 feet away across Gonder Road from the existing feedlot. The proposed expansion will be of similar operation to the existing feedlot but will not include composting activities. If approved, the expanded feedlot and existing feedlots would accommodate a total of 38,000 head of cattle.

Although the Air District generally agrees with the Air Quality Analysis included in the Initial Study, there are a few minor points of clarification that may benefit the applicant. First, Imperial County is subject to periodic high winds that can impact downstream sensitive receptors. To mitigate any impacts from high winds, the analysis may wish to consider options as discussed in the Air District's *High Wind Exceptional Event Fugitive Dust Mitigation Plan*, which was developed to mitigate impacts from high winds in Imperial County. The document can be accessed at:http://www.co.imperial.ca.us/AirPollution/PublicNotices/announcements/PDFs/NOAMitigationPlan/20180917FinalHighWindExceptionalEventsMitigationPlan.pdf).

PC ORIGINAL PKG
ORIGINAL EEC PKG

Secondly, the Air District would like to point out that there are two attainment standards for $PM_{2.5}$. One is the 24-hour Standard, and the other is the Annual Standard. Imperial County is currently in "Moderate" Non-attainment for both. The County is in the process of requesting the designation of "Attainment" for PM_{10} from its current status of Serious Non-attainment.

On a third point of clarification, the Air District generally agrees with the statement regarding the project's Tier 1 status (4.2.1 of the Air Quality and Greenhouse Emissions Study). However, this discussion is generally meant to mitigate fugitive dust (PM_{10}).
The only item of note that the Air District did not find in the analysis was a discussion of cumulative impacts. This is important because ammonia is regarded as a precursor to $PM_{2.5}$.

According to the Air District's records, the applicant currently has a current permit on file. However, the applicant will need to contact the Engineering and Permitting Division of the Air District for the modification of the permit. Air District Rules and Regulations can be found on our website at www.co.imperial.ca.us/AirPollution under the "Planning" tab. The ICAPCD office can be reached at (442) 265-1800.

Sincerely,

Curtis Blondell

Curtis Blondell
Environmental Coordinator

PC ORIGINAL PKG

ORIGINAL EEC PKG

IID

A century of service.

www.iid.com

Since 1911

December 3, 2018

Ms. Diana Robinson
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Moiola Bros. Cattle Feeders Project (Revised); ZC #17-0006 and IS #17-0026

Dear Ms. Robinson:

On November 21, 2018, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a revised request for agency comments on Zone Change #17-0006 and Initial Study #17-0026. The applicant, Moiola Bros. Cattle Feeders, proposes to apply for a building permit for additional cattle pens at the southeast corner of SR 115 and Griffin Road and north of Gonder Road, 6.5 miles southeast of Brawley, CA.

The Imperial Irrigation District has reviewed the information and found that the comments provided in the September 29, 2018 district letter (see attached letter) continue to apply.

This current letter supersedes the November 26, 2018 version to reflect the revised project description.

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

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

PC ORIGINAL PKG ORIGINAL EEC PKG

IID

A century of service.

www.iid.com

Since 1911

September 29, 2017

Ms. Diana Robinson
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Moiola Bros. Cattle Feeders Project ZC #17-0006, CUP #17-0017 and IS #17-0026

Dear Ms. Robinson:

On September 20, 2017, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Zone Change #17-0006, Conditional Use Permit #17-0017 and Initial Study #17-0026. The applicant, Moiola Bros. Cattle Feeders, proposes to apply for a building permit for additional cattle pens and for a composting area at the southeast corner of SR 115 and Griffin Road and north of Gonder Road, 6.5 miles southeast of Brawley, CA.

The IID has reviewed the applications and has the following comments:

1. IID water facilities that could be impacted with the composting operations sited on the south field, APN 047-090-004-000, are the Orange Lateral, Orange Drain and Oxalis. The rezoned north field, APN 041-020-028-000, to be used for a feedlot, may impact the Ohmar Lateral, Orange Lateral and Ohmar Drain water facilities.

2. No offsite drainage discharge is allowed into IID drains from cattle yards and feedlots. This includes existing and proposed expansion tailwater pipes and tile lines.

3. To insure there are no impacts to IID facilities, applicant should submit Imperial County approved grading/drainage and fencing plans to IID Water Department Engineering Services for review and comment prior to CUP finalization. IID WDES can be contacted at (760) 339-9265 for further information on this matter.

4. To verify that the proposed operations will manage storm water runoff, applicant should submit the project's Storm Water Pollution Prevention Plan to IID Water Department Engineering Services prior to CUP finalization.

5. 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.

PC ORIGINAL PKG

ORIGINAL EEC PKG

6. 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; requires an encroachment permit, or encroachment agreement (depending on the circumstances). The permit application and its instructions are available at the website http://www.iid.com/home/showdocument?id=271. Additional information regarding encroachment permits or agreements can be provided by the IID Real Estate Section, which can be contacted at (760) 339-9239.

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

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

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Vicken Kasarjian – Manager, Energy Dept.
Charles Allegranza – Manager, Energy Dept., Operations
Jamie Asbury – Deputy Manager, Energy Dept., Operations
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Carlos Vasquez - Planning and Engineering Manager, Energy Dept.
Jesse Montaño – Transmission, Planning and Engineering Oversight
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Michael P. Kemp – Superintendent, Real Estate & Environmental Compliance
Harold Walk Jr. – Supervisor, Real Estate
Randy Gray – ROW Agent, Real Estate
Jessica Lovecchio – Environmental Project Mgr. Sr , Water Dept.

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment A.
Revised Zone Change Application
Dated November 21, 2018

PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE DESIGN GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Moiola Bros. Feedlot

Client: Moiola Brothers Cattle Feeders Ltd

Planner: DuBose Design Group, Inc.

Location: Located east of the intersection of State HWY 115 and Gonder Rd., approximately 3,000 feet from intersection

Parcel Size: 160 +/- Acres

APN: 041-090-004

Date: 11/21/2018

Proposed Activities:

The Moiola Bros. Cattle Feeders Ltd ("applicant") proposes a Zone Change of their property from A2R (General Agricultural/Rural Zone) to A3 (Heavy Agriculture) in order to allow the expansion of their existing feedlot on APN: 041-090-004. The proposed expansion will be located across from one of their existing feedlots on Gonder Rd, which is approximately 100 feet away. The applicant simply wants to expand their current operations across the road in order to accommodate an additional 18,000 head of cattle. This proposed expansion of their feedlot will be of similar operation to their existing feedlot, however, the proposed expansion will not include a composting facility. When approved, the parcel that the expansion will utilize is located between two existing feedlots owned/operated by the applicant, see **Appendix A** for visual representation.

Project Background:

On July 28, 2017 the applicants submitted to the County of Imperial for a Zone Change from A-2 to A-3 of parcels located on APNs: 041-090-004 & 041-020-028. The applicant's intentions were to file for a Zone Change for both of the APNS and to additionally file a Conditional Use Permit

PC ORIGINAL PKG

ORIGINAL EEC PKG

(CUP) on APN: 041-090-004. Under further analysis, the County of Imperial determined that some environmental studies were needed consisting of a Traffic Study and an Air Study (please see **Attachment A**).

Proposed Project Site for Expansion and Circulation:

The entire APN: 041-090-004 is currently situated on approximately 160 +/- acres of land located within the County of Imperial, about 4 miles north of the City of Holtville, see **Appendix B**. Currently, the project site is zoned A2R (General Agricultural/Rural Zone), as seen in **Appendix C**. When the project is approved, the cattle pens will be located within the 160 +/- acre parcel. The applicant will adhere to all the relevant zoning regulations and restrictions including the correct amount of set-backs required for a facility of this type.

The primary entrance for the facility will be off of Gonder Rd, east of the intersection of State HWY 115 and Gonder Rd. The primary entrance will be located right across the street from the existing feedlot and will be designed to receive automobiles for employees and business-related traffic.

Traffic activity will include employees, visitors as well as feeding and delivery trucks. As a result of the project, the number of employees is expected to increase by an additional five (5) and trucks by an additional four (4) per day. However, to be consistent with the traffic and air studies it assumed that an additional ten (10) employees and eight (8) trucks will be added, conservatively. The hours of traffic operation are generally from 6 AM– 4 PM for 7 days a week, so the vast majority of the operations do not impact peak traffic periods (please see **Attachment A** for Traffic Report).

Site Plan:

As previously discussed under "*Project Background*", the applicants had submitted a Zone Change application which included a site plan that has been revised, see **Appendix D**. As you can see, a portion of the original site plan is intentionally highlighted red. That portion is being removed from this revised application.

PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Construction Activities:

Construction related activities associated with this project will consist of the building of cattle pens that will be used to house an additional 18,000 head of cattle. Additionally, the proposed feedlot will require the construction of new raw water reservoir and retention pond.

Utilities:

Potable water will continue to be brought in by the applicant to supply the potable water tanks at the existing offices. No new buildings will be constructed other than the cattle pens, raw water reservoir and retention pond. The additional employees will have access to required utilities provided within office buildings located across the road at the existing feedlot. Applicant will adhere to all Imperial County land use and zoning regulations required for this location.

Jurisdictions:

1) County of Imperial

Applications:

1) Zone Change
2) Site Plan

Planned Studies:

1) Traffic Study- Linscott, Law & Greenspan
2) Air Quality Study- UltraSystems

PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Appendix A

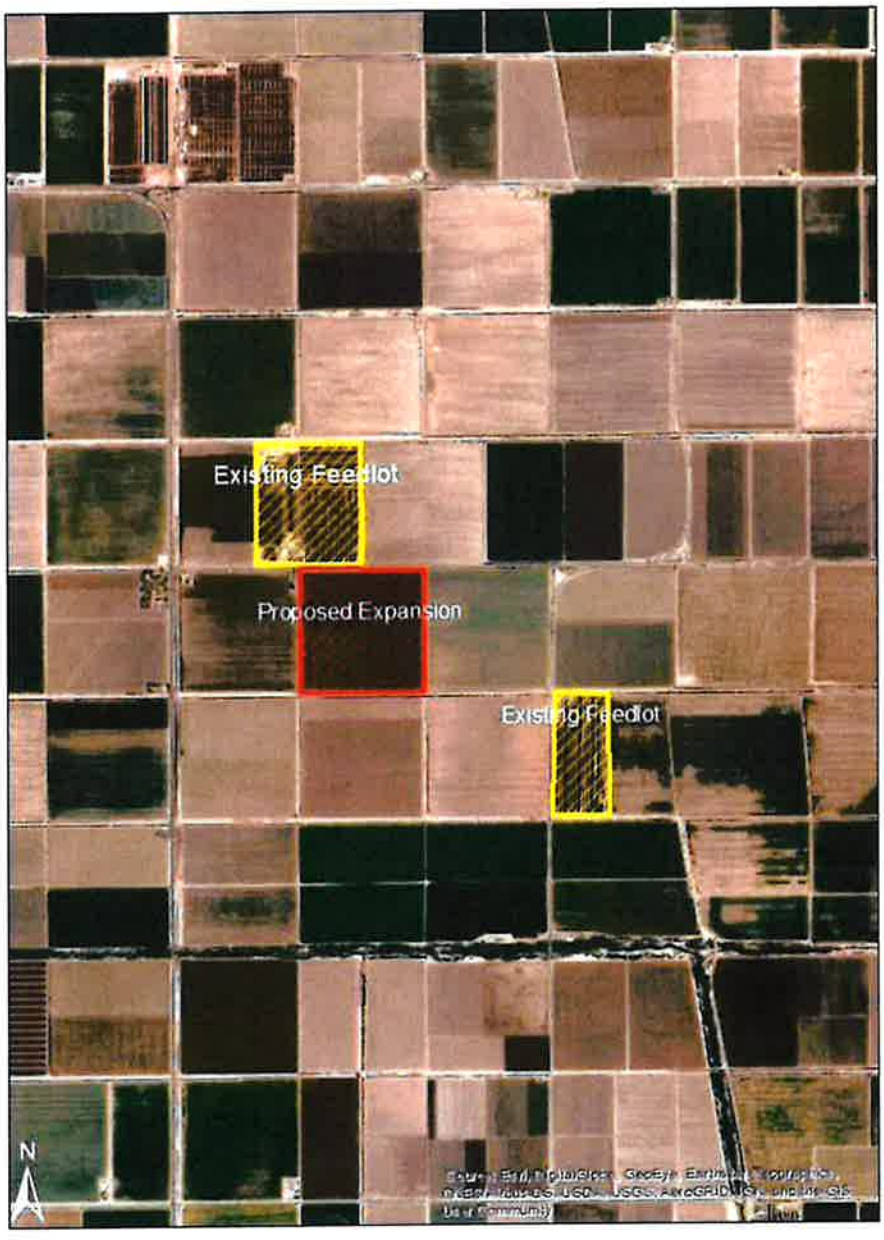
PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Moiola Bros.- Feedlot Locations



PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Appendix B

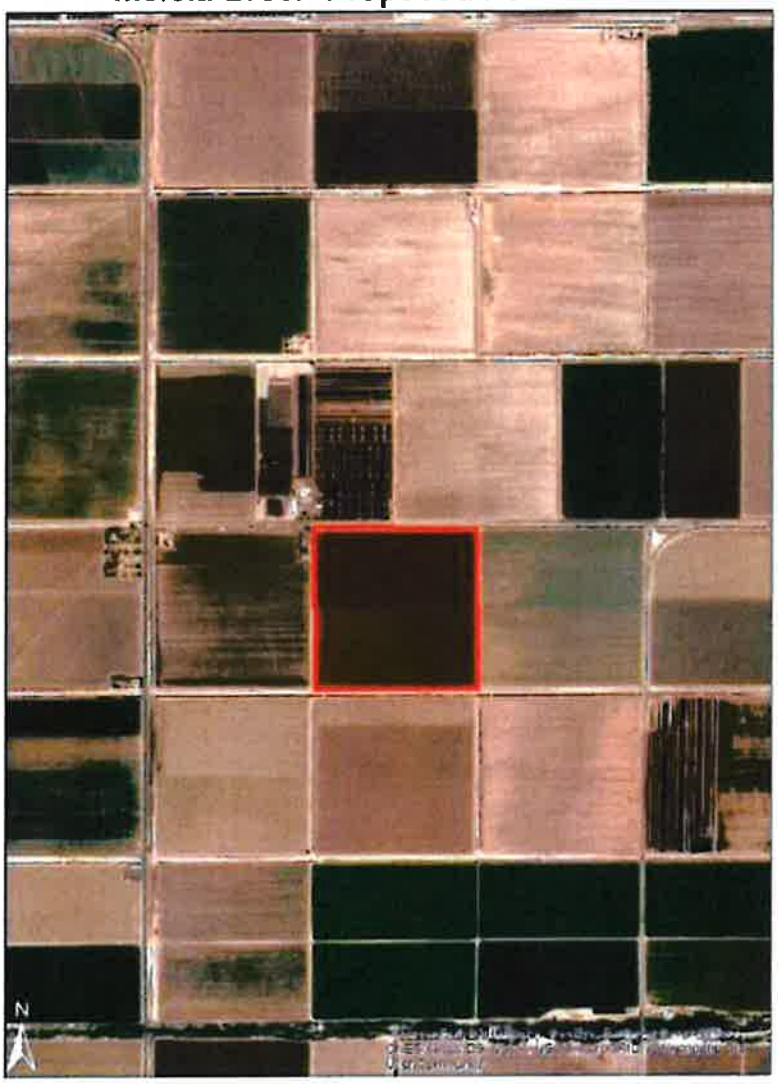
PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Moiola Bros.- Proposed Feedlot Site



PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

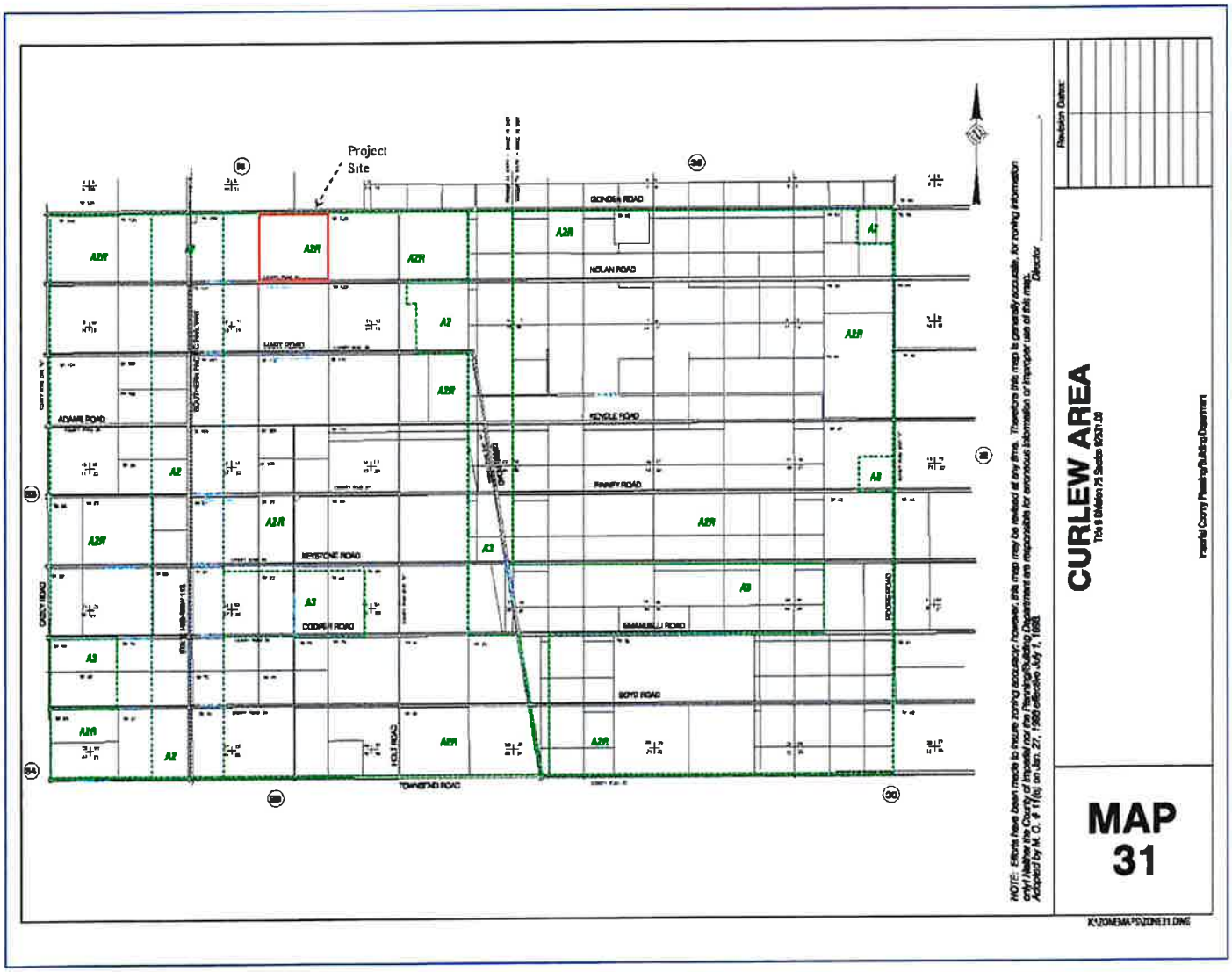
Appendix C

PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com



PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE
DESIGN
GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Appendix D

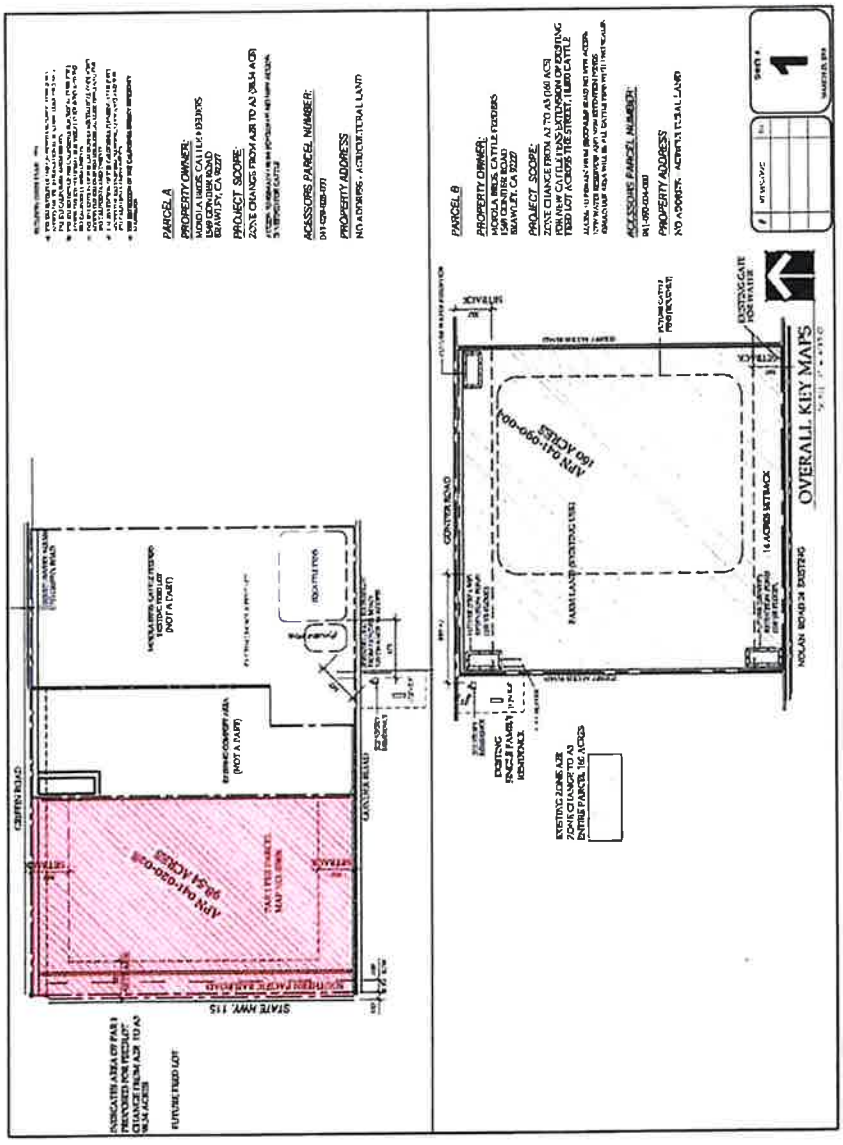
PC ORIGINAL PKG

ORIGINAL EEC PKG

DUBOSE DESIGN GROUP

email@dubosedesigngroup.com
dubosedesigngroup.com

Exhibit "B"
Revised Site Plan



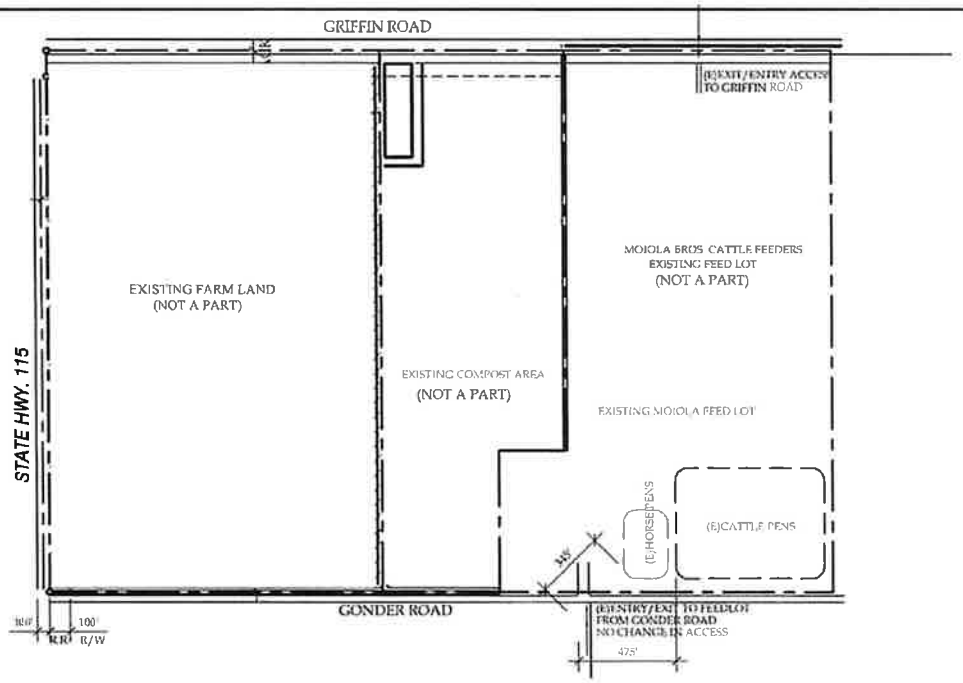
PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



BUILDING CODE YEAR: 2015

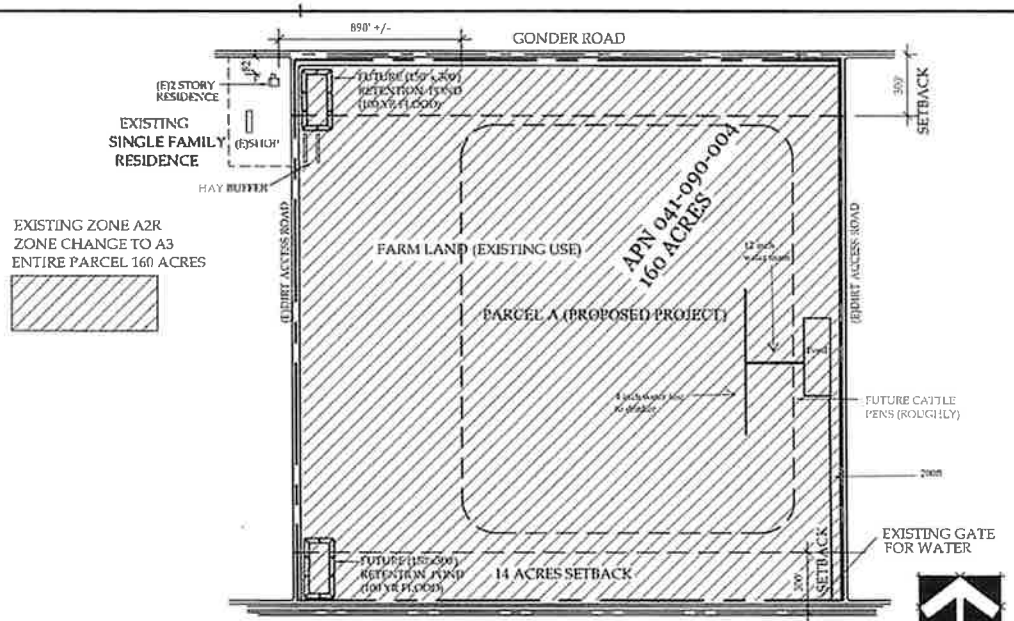
a) THE 2015 EDITION OF THE CALIFORNIA BUILDING CODE (CBC) ADOPTS THE 2012 INTERNATIONAL BUILDING CODE (IBC) AND THE 2015 CALIFORNIA AMENDMENTS

b) THE 2015 EDITION OF THE CALIFORNIA ELECTRICAL CODE (CEC) ADOPTS THE 2011 NATIONAL ELECTRICAL CODE (NEC) AND THE 2012 CALIFORNIA AMENDMENTS

c) THE 2015 EDITION OF THE CALIFORNIA MECHANICAL CODE (CMC) ADOPTS THE 2012 UNIFORM MECHANICAL CODE (UMC) AND THE 2012 CALIFORNIA AMENDMENTS

d) THE 2015 EDITION OF THE CALIFORNIA PLUMBING CODE (CPC) ADOPTS THE 2012 UNIFORM PLUMBING CODE (UPC) AND THE 2012 CALIFORNIA AMENDMENTS

e) THE 2015 EDITION OF THE CALIFORNIA ENERGY EFFICIENCY STANDARDS



OVERALL KEY MAPS

SCALE: 1" = 400'-0"

PARCEL A

PROPERTY OWNER:

MOIOLA BROS. CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:

ZONE CHANGE FROM A2 TO A3 (160 ACS)
FOR NEW CATTLE PENS EXTENSION OF EXISTING FEED LOT ACROSS THE STREET, 18,000 CATTLE

ACCESS TO REMAIN FROM (E)GONDER ROAD NO NEW ACCESS
NEW WATER RESERVOIR AND NEW RETENTION PONDS
REMAINDER AREA WILL BE ALL CATTLE PENS WITH TWO SCALES

ACESSORS PARCEL NUMBER:

041-090-004-000

PROPERTY ADDRESS

NO ADDRESS - AGRICULTURAL LAND

CATTLE PEN SIZE

45 +/- ACRES

#	REVISIONS	BY:

SHEET #: 1

MARCH 25, 2018

Attachment B.
Transportation Impact Analysis
Prepared by Linscott Law & Greenspan
dated August 13, 2018

PC ORIGINAL PKG

ORIGINAL EEC PKG

LINSCOTT LAW & GREENSPAN engineers

TRANSPORTATION IMPACT ANALYSIS

MOIOLA BROTHERS CATTLE FEEDERS

County of Imperial, California
August 13, 2018

LLG Ref. 3-18-2922

Prepared by:
Jose Nunez
Transportation Planner II

Under the Supervision of:
John A. Boarman
Principal

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego, CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

PC ORIGINAL PKG

ORIGINAL EEC PKG

TABLE OF CONTENTS

SECTION			PAGE
Appendices			ii
List of Figures			iii
List of Tables			iv
1.0	**Introduction**		5
2.0	**Project Description**		6
	2.1	Project Location	6
	2.2	Project Description	6
3.0	**Existing Conditions**		9
	3.1	Existing Street Network	9
	3.2	Existing Traffic Volumes	9
4.0	**Analysis Approach and Methodology**		12
	4.1	Unsignalized Intersections	12
	4.2	Street Segments	14
5.0	**Significance Criteria**		16
6.0	**Analysis of Existing Conditions**		17
	6.1	Peak Hour Intersection Levels of Service	17
	6.2	Daily Street Segment Levels of Service	18
7.0	**Trip Generation/Distribution/Assignment**		19
	7.1	Trip Generation	19
	7.2	Trip Distribution	20
	7.3	Trip Assignment	20
8.0	**Cumulative Projects and Analysis Results**		27
	8.1	Existing + Project Analysis	27
		8.1.1 Intersection Operations	27
		8.1.2 Segment Analysis	27
	8.2	Existing + Project + Cumulative Analysis	27
		8.2.1 Intersection Analysis	27
		8.2.2 Segment Analysis	27
9.0	**Project Access**		31

PC ORIGINAL PKG

ORIGINAL EEC PKG

10.0 Conclusions & Recommendations 32

APPENDICES

APPENDIX

A. Intersection Count Sheets & Caltrans Traffic Volumes

B. Peak Hour Intersection Analysis Worksheets

PC ORIGINAL PKG

ORIGINAL EEC PKG

LIST OF FIGURES

SECTION—FIGURE #		PAGE
Figure 2–1	Vicinity Map	7
Figure 2–2	Project Area Map	8
Figure 3–1	Existing Conditions Diagram	10
Figure 3–2	Existing Traffic Volumes	11
Figure 7–1	Project Distribution – Truck Trips	21
Figure 7–2	Project Distribution – Employee Trips	22
Figure 7–3	Project Traffic Volumes – Truck Trips	23
Figure 7–4	Project Traffic Volumes – Employee Trips	24
Figure 7–5	Project Traffic Volumes – Total Trips	25
Figure 7–6	Existing + Total Project Traffic Volumes	26
Figure 8–1	Existing + Project + Cumulative Traffic Volumes	30

PC ORIGINAL PKG

ORIGINAL EEC PKG

LIST OF TABLES

SECTION—TABLE #	PAGE
Table 3–1 Existing Traffic Volumes	9
Table 4–1 Intersection Level of Service Descriptions	13
Table 4–2 Intersection LOS & Delay Ranges	14
Table 4–3 Imperial County Standard Street Classification Average Daily Vehicle Trips	15
Table 5–1 Traffic Impact Significant Thresholds	16
Table 6–1 Existing Intersection Operations	17
Table 6–2 Existing Street Segment Operations	18
Table 7–1 Trip Generation	19
Table 8–1 Near-Term Intersection Operations	28
Table 8–2 Near-Term Street Segment Operations	29

PC ORIGINAL PKG

ORIGINAL EEC PKG

1.0 INTRODUCTION

The following traffic impact analysis has been prepared to determine the potential traffic impacts to the local circulation system related to the proposed expansion of the current cattle feeding operation to add 18,000 cattle. The site is located on Gonder Road, east of SR-115 in Imperial County.

The number of employees is expected to increase by five (5) and four (4) more trucks per day are proposed as a result of the project. *For the purpose of this report and to be conservative, it was assumed that 10 new employees and 8 additional trucks would access the site.*

The project is located within the County of Imperial, California. This report includes the following sections:

- Project Description
- Existing Conditions Description
- Analysis Approach and Methodology
- Significance Criteria
- Analysis of Existing Conditions
- Trip Generation / Distribution / Assignment
- Cumulative Projects and Analysis Results
- Project Access discussion
- Conclusions and Recommendations

PC ORIGINAL PKG
ORIGINAL EEC PKG

2.0 PROJECT DESCRIPTION

2.1 Project Location

The Project site is located in the unincorporated area of Imperial County. The site is located on Gonder Road, east of SR-115 in Imperial County.

Figure 2–1 depicts the project vicinity. ***Figure 2–2*** shows a more detailed project area map.

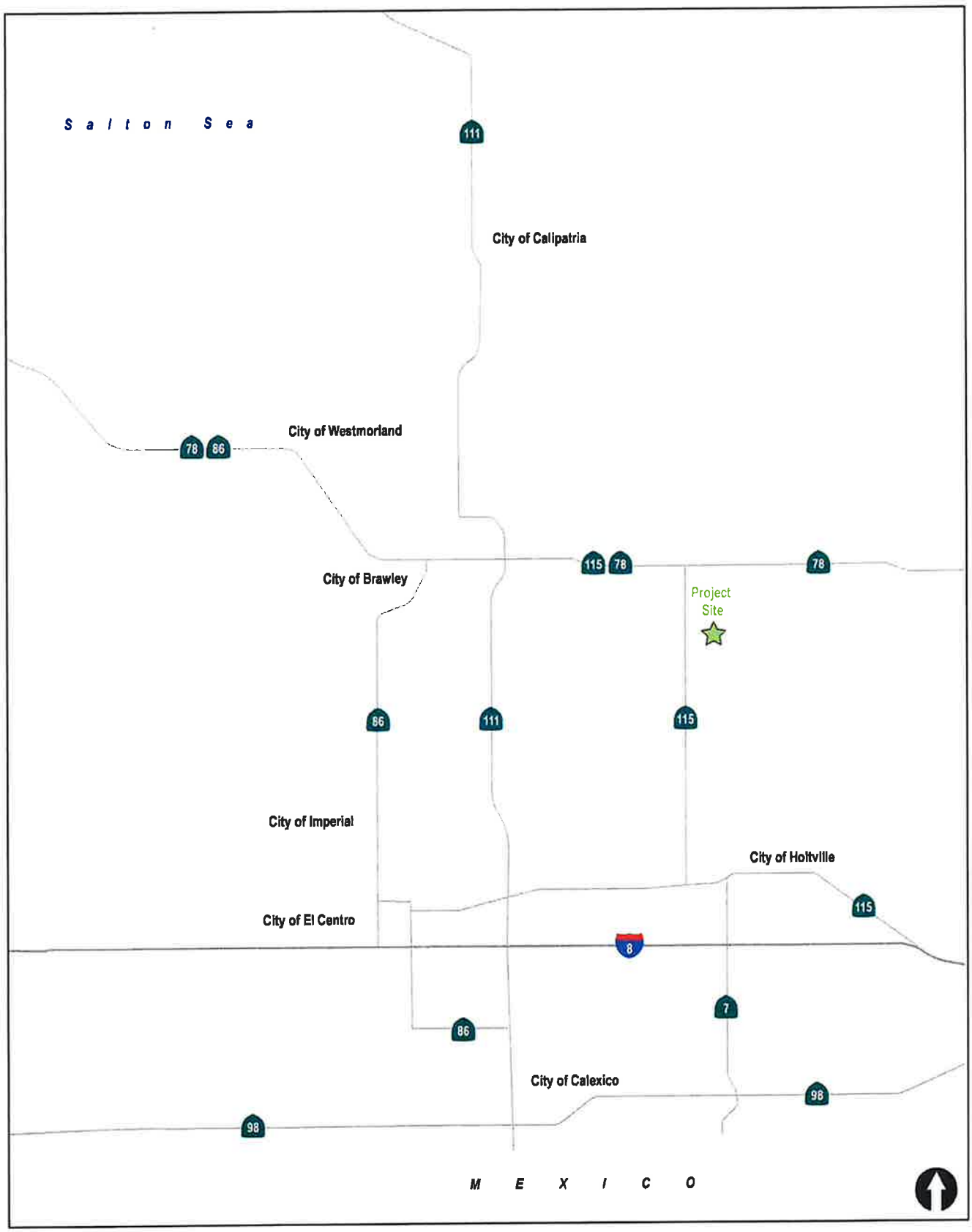
2.2 Project Description

The project is an expansion of the current cattle feeding operation to add 18,000 cattle. The site is located on Gonder Road, east of SR 115 in Imperial County. The hours of operation are from 6 AM – 4 PM for 7 days a week, so the vast majority of the operations do not impact peak traffic periods.

The number of employees is expected to increase by five (5) and four (4) more trucks per day are expected as a result of the project.

Site access is provided via a driveway on Gonder Road.

PC ORIGINAL PKG
ORIGINAL EEC PKG



N:\2922\Figures
Date: 08/08/18

Figure 2-1

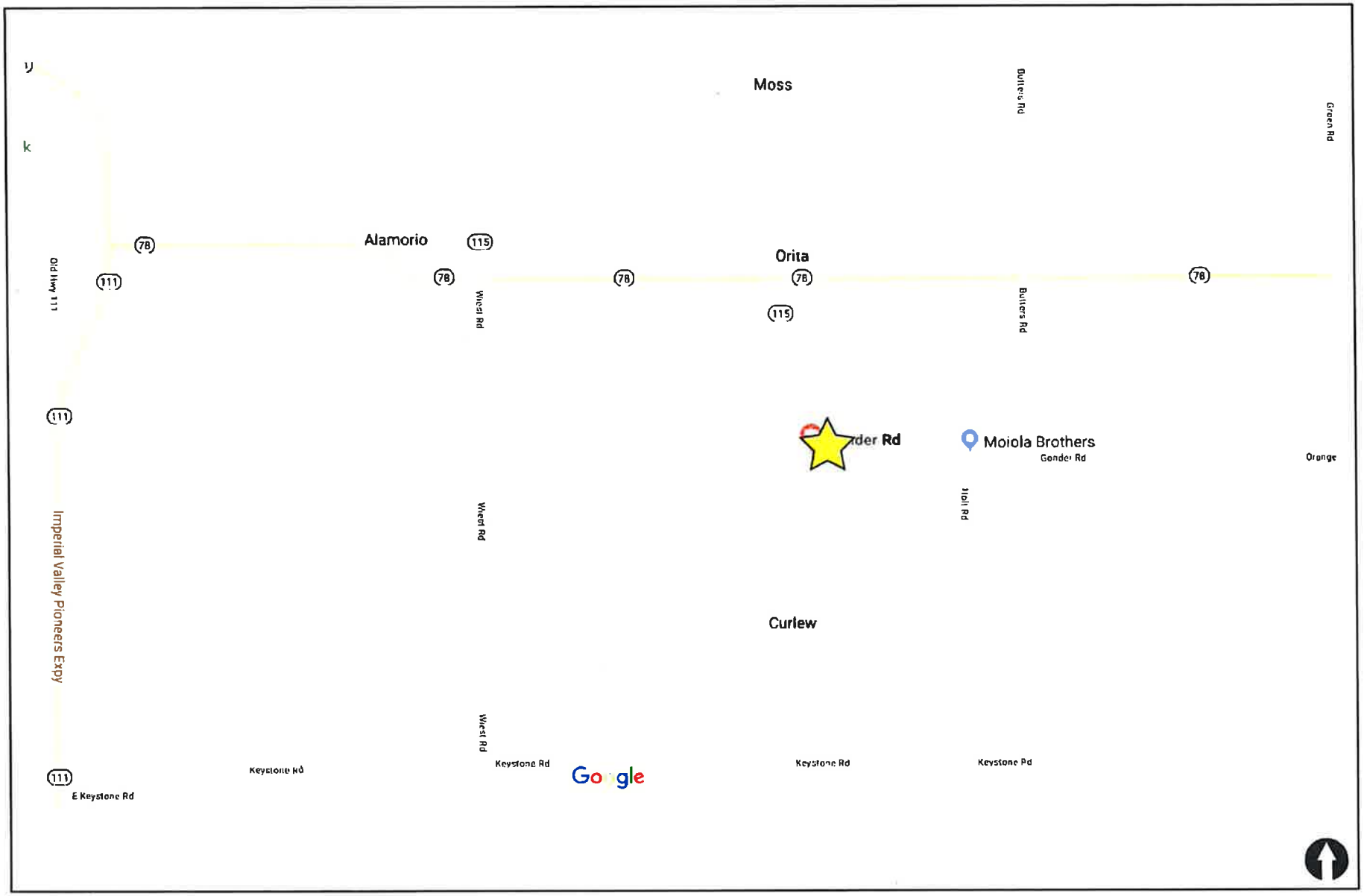
Vicinity Map

MOIOLO BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/08/18

Figure 2-2

Project Area Map

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

3.0 EXISTING CONDITIONS

3.1 Existing Street Network

Following is a brief description of the street segments within the project area. ***Figure 3–1*** illustrates the existing conditions, including the lane geometry, for the key intersections in the study area.

State Route 115 (SR-115) is classified as a State Highway in the Imperial County Circulation Element. SR-115 is a north-south facility located to the west of the project site. In the vicinity of the project, SR-115 is a two-lane undivided roadway. No bike lanes or bus stops are provided and curbside parking is prohibited.

Gonder Road is a classified as a minor collector in the Imperial County Circulation Element. Gonder Road is an East-West facility located adjacent to the project site. In the vicinity of the project, Gonder Road is a two lane undivided roadway. No bike lanes or bus stops are provided.

3.2 Existing Traffic Volumes

Average daily traffic (ADT) volumes were conducted along Gonder Road and at the project driveway. Volumes along SR-115 were obtained from the Caltrans Traffic Census Program for Year 2016, the latest available as of the date of this report. To be conservative, a 10% growth was applied to update the counts to Year 2018 conditions. AM and PM peak hour intersection turning movement volume counts was conducted at the SR-115/Gonder Road and Project driveway/Gonder Road intersections in July, 2018. ***Table 3–1*** summarizes the segment ADT volumes on all the study area segments.

Figure 3–2 depicts the existing traffic volumes on both an ADT and peak hour basis. ***Appendix A*** contains the manual intersection count sheets and latest Caltrans traffic volumes.

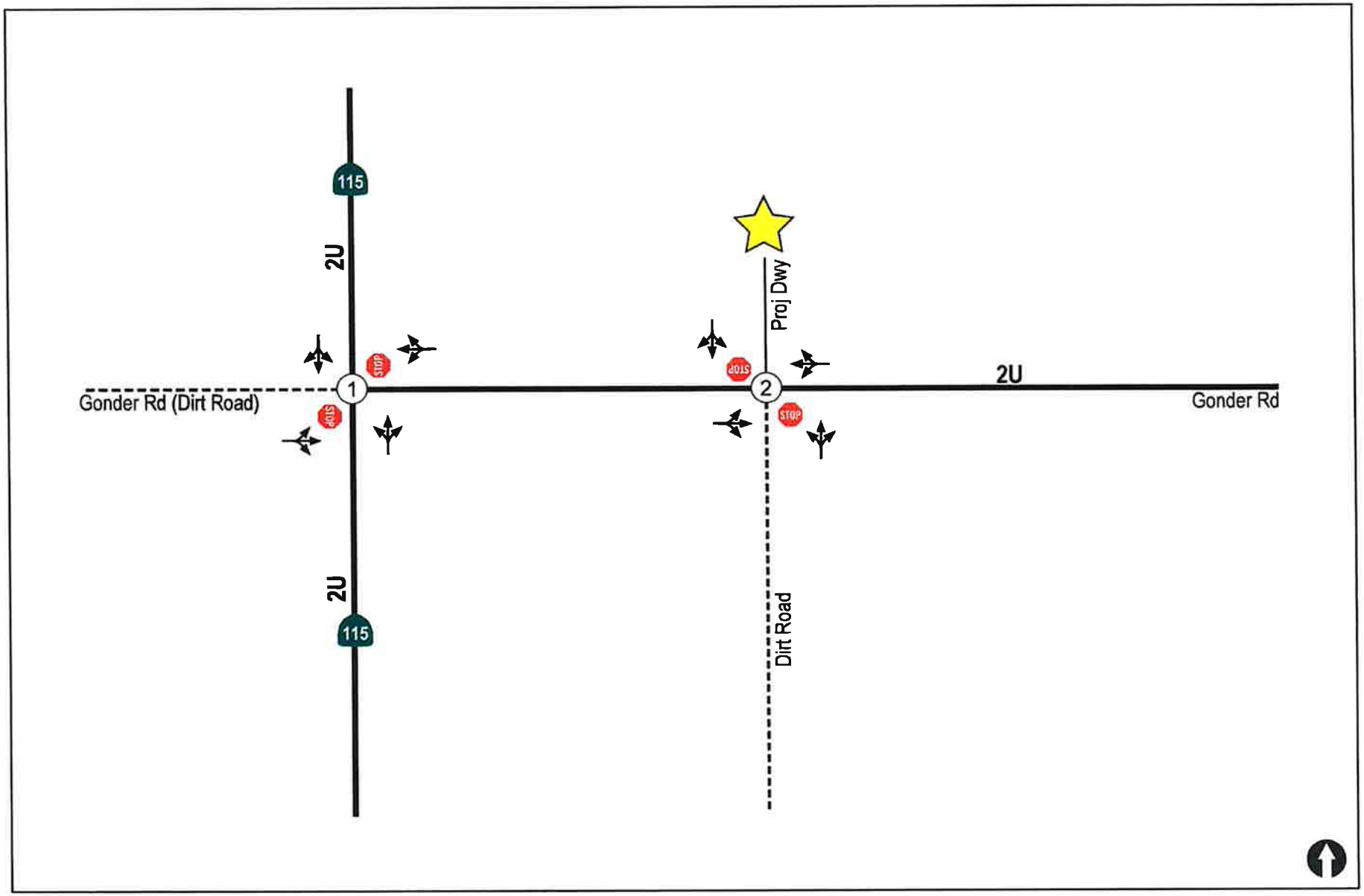
TABLE 3–1
EXISTING TRAFFIC VOLUMES

Street Segment	Source	2018 ADT [a]
SR-115		
North of Gonder Road	Caltrans	2,370[c]
South of Gonder Road	Caltrans	3,960[c]
Gonder Road		
SR-115 to Project Driveway	LLG	330
East of Project Driveway	LLG	330

Footnotes:
a. Average Daily Traffic Volume counted in 2016. A 10% growth factor was applied.

PC ORIGINAL PKG
ORIGINAL EEC PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

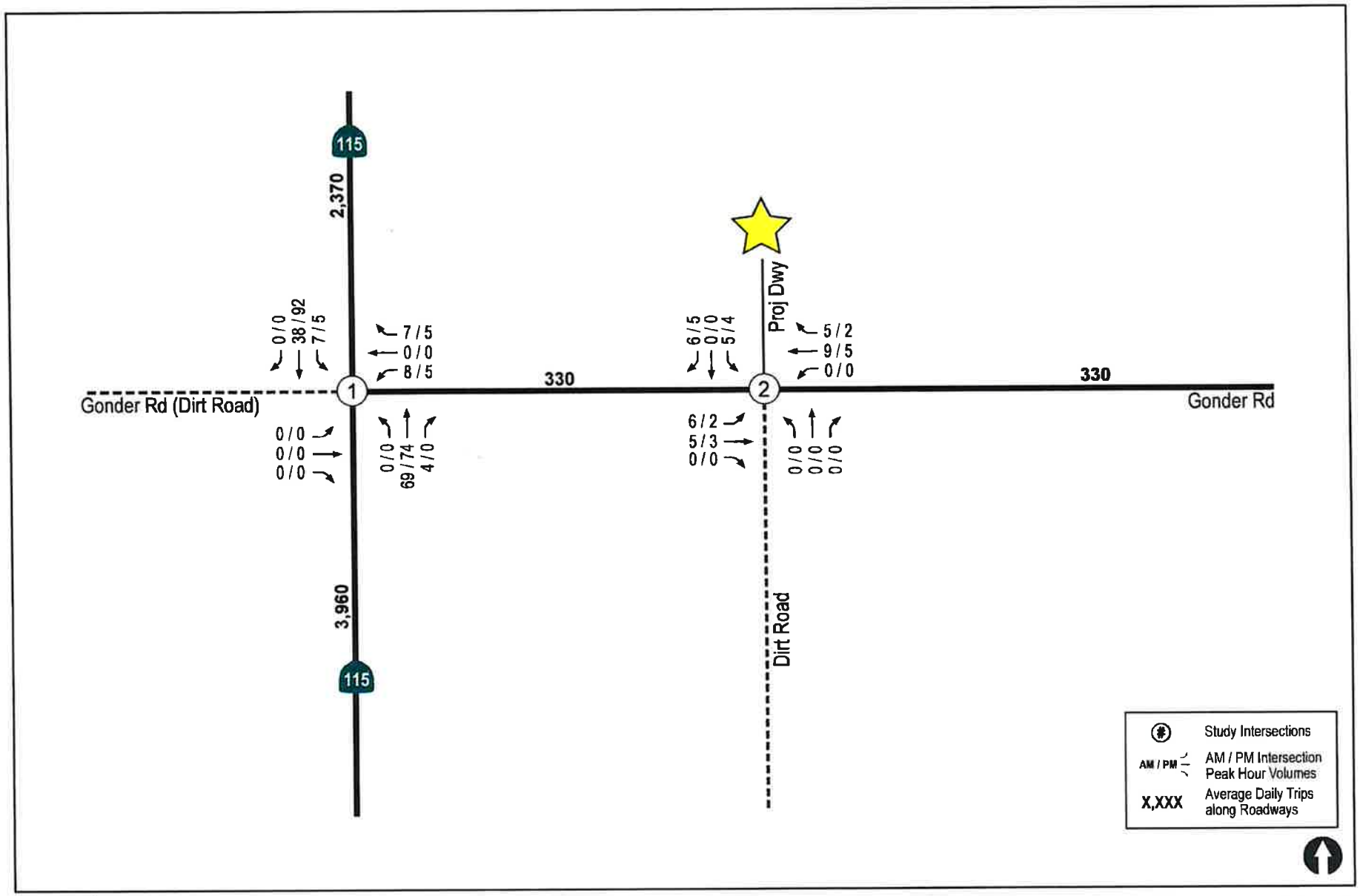
Figure 3-1

Existing Conditions Diagram

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

Figure 3-2

Existing Traffic Volumes

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

4.0 ANALYSIS APPROACH AND METHODOLOGY

Based on the anticipated distribution/assignment of project traffic, the intersections included in the study area are listed below.

Intersections

1. SR-115 / Gonder Road
2. Gonder Road / Project Driveway

Segments

SR-115: North of Gonder Road;
SR-115: South of Gonder Road; and
Gonder Road: Between SR-115 and Project Driveway
Gonder Road: East of Project Driveway

The number of employees is expected to increase by five (5) and four (4) more trucks per day are proposed as a result of the project. *For the purpose of this report and to be conservative, it was assumed that 10 new employees and 8 additional trucks would access the site.*

The following three scenarios were analyzed.

- *Existing*
- *Existing + Project*
- *Existing + Project + Cumulative*

The operations of the project area intersections and segments are characterized using the concept of "Level of Service" (LOS). LOS is the term used to denote the different operating conditions which occur on a given roadway segment under various traffic volume loads. It is a qualitative measure used to describe a quantitative analysis taking into account factors such as roadway geometries, signal phasing, speed, travel delay, freedom to maneuver, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A through F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is reported differently for signalized and unsignalized intersections, as well as for roadway segments.

Table 4–1 summaries the description for each level of service.

Table 4-2 summarizes the delay in seconds per vehicle associated with each level of service.

4.1 Unsignalized Intersections

All study area intersections are unsignalized, and level of service is determined by the computed or measured control delay and is defined for each minor movement. Level of service is not defined for the intersection as a whole.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Level of Service F exists when there are insufficient gaps of suitable size to allow a side street demand to safely cross through a major street traffic stream. This level of service is generally evident from extremely long control delays experienced by side-street traffic and by queuing on the minor-street approaches. The method, however, is based on a constant critical gap size; that is, the critical gap remains constant no matter how long the side-street motorist waits.

LOS F may also appear in the form of side-street vehicles selecting smaller-than-usual gaps. In such cases, safety may be a problem, and some disruption to the major traffic stream may result. It is important to note that LOS F may not always result in long queues but may result in adjustments to normal gap acceptance behavior, which are more difficult to observe in the field than queuing.

Appendix B contains the peak hour intersection worksheets.

TABLE 4–1
INTERSECTION LEVEL OF SERVICE DESCRIPTIONS

Level of Service	Description
A	Occurs when progression is extremely favorable and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
B	Generally occurs with good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.
C	Generally results when there is fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear in this level. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.
D	Generally results in noticeable congestion. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	Considered to be the limit of acceptable delay. These high delay values generally indicate poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.
F	Considered to be unacceptable to most drivers. This condition often occurs with over saturation i.e. when arrival flow rates exceed the capacity of the intersection. It may also occur at high volume-to-capacity ratios below 1.00 with many individual cycle failures. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

PC ORIGINAL PKG
ORIGINAL EEC PKG

TABLE 4–2
INTERSECTION LOS & DELAY RANGES

LOS	Delay (seconds/vehicle)	
	Signalized Intersections	Unsignalized Intersections
A	≤ 10.0	≤ 10.0
B	10.1 to 20.0	10.1 to 15.0
C	20.1 to 35.0	15.1 to 25.0
D	35.1 to 55.0	25.1 to 35.0
E	55.1 to 80.0	35.1 to 50.0
F	≥ 80.1	≥ 50.1

Source: 2010 Highway Capacity Manual

4.2 Street Segments

Street segments were analyzed based upon the comparison of ADT to the County of Imperial *Roadway Classifications, Levels of Service (LOS) and Average Daily Traffic (ADT)* table (see ***Table 4–3*** below). *Table 4–3* provides segment capacities for different street classifications, based on traffic volumes and roadway characteristics. Segment analysis is a comparison of ADT volumes and an approximate daily capacity on the subject roadway.

PC ORIGINAL PKG
ORIGINAL EEC PKG

TABLE 4–3
IMPERIAL COUNTY STANDARD STREET CLASSIFICATION AVERAGE DAILY VEHICLE TRIPS

Road		Level of Service W/ADT*				
Class	**X-Section**	**A**	**B**	**C**	**D**	**E**
Expressway	128 / 210	30,000	42,000	60,000	70,000	80,000
Prime Arterial	106 / 136	22,200	37,000	44,600	50,000	57,000
Minor Arterial	82 / 102	14,800	24,700	29,600	33,400	37,000
Major Collector (Collector)	64 / 84	13,700	22,800	27,400	30,800	34,200
Minor Collector (Local Collector)	40 / 70	1,900	4,100	7,100	10,900	16,200
Residential Street	40 / 60	*	*	< 1,500	*	*
Residential Cul-de-Sac / Loop Street	40/60	*	*	< 1,500	*	*
Industrial Collector	76 / 96	5,000	10,000	14,000	17,000	20,000
Industrial Local Street	44 / 64	2,500	5,000	7,000	8,500	10,000

* Levels of service are not applied to residential streets since their primary purpose is to serve abutting lots, not carry through traffic. Levels of service normally apply to roads carrying through traffic between major trip generators and attractors.

PC ORIGINAL PKG
ORIGINAL EEC PKG

5.0 SIGNIFICANCE CRITERIA

The County of Imperial does not have published significance criteria. However, the County General Plan does state that the LOS goal for intersections and roadway segments is to operate at LOS C or better. Therefore, if an intersection or segment degrades from LOS C or better to LOS D or worse with the addition of project traffic, the impact is considered significant. If the location operates at LOS D or worse with and without project traffic, the impact is considered significant if the project causes the intersection delta to increase by more than two (2) seconds, or the volume to capacity (V/C) ratio to increase by more than 0.02.

A project is considered to have a significant impact if the new project traffic decreases the operations of surrounding roadways by a defined threshold. The defined thresholds for roadway segments and intersections are defined in ***Table 5–1*** below. If the project exceeds the thresholds in ***Table 5–1***, then the project may be considered to have a significant project impact. A feasible mitigation measure will need to be identified to return the impact within the thresholds (pre-project + allowable increase) or the impact will be considered significant and unmitigated.

TABLE 5–1
TRAFFIC IMPACT SIGNIFICANT THRESHOLDS

Level of Service with Project [a]	Allowable Increase Due to Project Impacts [b]					
	Freeways		Roadway Segments		Intersections	Ramp Metering
	V/C	Speed (mph)	V/C	Speed (mph)	Delay (sec.)	Delay (min.)
D, E & F *(or ramp meter delays above 15 minutes)*	0.01	1	0.02	1	2	2[c]

Footnotes:

a. All level of service measurements are based upon HCM procedures for peak-hour conditions. However, V/C ratios for Roadway Segments may be estimated on an ADT/24-hour traffic volume basis (using Table 4-3 or a similar LOS chart for each jurisdiction). The acceptable LOS for freeways, roadways, and intersections is generally "D" ("C" for undeveloped or not densely developed locations per jurisdiction definitions). For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

b. If a proposed project's traffic causes the values shown in the table to be exceeded, the impacts are deemed to be significant. These impact changes may be measured from appropriate computer programs or expanded manual spreadsheets. The project applicant shall then identify feasible mitigations (within the Traffic Impact Study [TIS] report) that will maintain the traffic facility at an acceptable LOS. If the LOS with the proposed project becomes unacceptable (see note a above), or if the project adds a significant amount of peak hour trips to cause any traffic queues to exceed on- or off-ramp storage capacities, the project applicant shall be responsible for mitigating significant impact changes.

c. The allowable increase in delay at a ramp meter with more than 15 minutes of delay and freeway LOS E is 2 minutes and at LOS F is 1 minute.

General Notes:

1. V/C = Volume to Capacity Ratio
2. Speed = Arterial speed measured in miles per hour
3. Delay = Average stopped delay per vehicle measured in seconds for intersections, or minutes for ramp meters.
4. LOS = Level of Service

PC ORIGINAL PKG
ORIGINAL EEC PKG

6.0 ANALYSIS OF EXISTING CONDITIONS

6.1 Peak Hour Intersection Levels of Service

The project study area is located in a rural setting and both intersections are unsignalized. As seen in ***Table 6–1,*** both study area intersections are calculated to currently operate at LOS A during both the AM and PM peak hours.

Appendix B contains the peak hour intersection analysis worksheets.

TABLE 6–1
EXISTING INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	Existing	
			Delay[a]	LOS[b]
1. SR-115 / Gonder Road	TWSC	AM	9.1	A
		PM	9.2	A
2. Gonder Road / Project Driveway	TWSC	AM	8.6	A
		PM	8.5	A

Footnotes:
a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported).

UNSIGNALIZED

DELAY/LOS THRESHOLDS

Delay	LOS
0.0 < 10.0	A
10.1 to 15.0	B
15.1 to 25.0	C
25.1 to 35.0	D
35.1 to 50.0	E
> 50.1	F

PC ORIGINAL PKG
ORIGINAL EEC PKG

6.2 Daily Street Segment Levels of Service

As described above, the project study area is located in a rural setting and all segments are two-lane facilities. As seen in ***Table 6–2***, all study area segments are calculated to currently operate at LOS B or better on a daily basis.

TABLE 6–2
EXISTING STREET SEGMENT OPERATIONS

Street Segment	Capacity (LOS E) [a]	ADT [b]	LOS [c]	V/C [d]
SR-115				
North of Gonder Road	16,200	2,370	B	0.146
South of Gonder Road	16,200	3,960	B	0.244
Gonder Road				
SR-115 to Project Driveway	16,200	330	A	0.020
East of Project Driveway	16,200	330	A	0.020

Footnotes:

a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
b. Average Daily Traffic volumes
c. Level of Service
d. Volume / Capacity ratio.

PC ORIGINAL PKG
ORIGINAL EEC PKG

7.0 TRIP GENERATION/DISTRIBUTION/ASSIGNMENT

7.1 Trip Generation

Project traffic generation is based on site-specific trip generating characteristics provided by the applicant. The Project would expand operations at the current project site. Based on discussions with the applicant, it is expected that 4 additional trucks per day would ingress and egress the site per day. To be conservative, the analysis assumes an additional 8 trucks.

In addition to trucks, the applicant will have 5 new employees at the site to run operations. The majority of the new worker trips are expected to arrive/depart during the AM/PM peak hours. To be conservative, 10 new workers were assumed.

Based on the information obtained from the applicant, the Total Project would generate a maximum of 20 ADT by passenger vehicles. It would also generate 48 equivalent ADT from trucks, with 6 inbound and 6 outbound trips during the AM and PM peak hours. A passenger car equivalence factor (PCE) of 3.0 is applied to these trucks trips for the purposes of the analysis to account for the reduced performance characteristics (stopping, starting, maneuvering, etc.) of heavy vehicles in the traffic flow. ***Table 7–1*** is a summary of the Project traffic generating.

TABLE 7–1
TRIP GENERATION

Use	Quantity	PCE*	Daily Trips		AM Peak Hour		PM Peak Hour	
			Rate	ADT[a]	Volume		Volume	
					In	Out	In	Out
Heavy Veh (trucks)[b]	8	3.0	2.0 / vehicle[d]	48	6	1	1	6
Employees[c]	10	1.0	2.0 / vehicle[d]	20	8	1	1	8
Subtotal				***68***	***14***	***2***	***2***	***14***

Footnotes:

a. ADT – Average daily traffic.
b. Trucks assumed to arrive/leave the site evenly throughout the day's work shift (6AM – 5PM).
c. 80% of employee trips are assumed to enter and 80% to exit the site during the peak periods.
d. Employees and trucks enter and exit each day and therefore a factor of 2.0 was applied.
* PCE Factor of 3.0 utilized for truck trips.

PC ORIGINAL PKG
ORIGINAL EEC PKG

7.2 Trip Distribution

Regional trip distribution for truck traffic was based on discussions with the applicant. Based on these discussions, 90% of truck traffic would come from the north and south principally utilizing SR-115. The remaining truck traffic (10%) would come from the east utilizing Gonder Road. ***Figure 7–1*** shows the distribution of truck traffic in the study area.

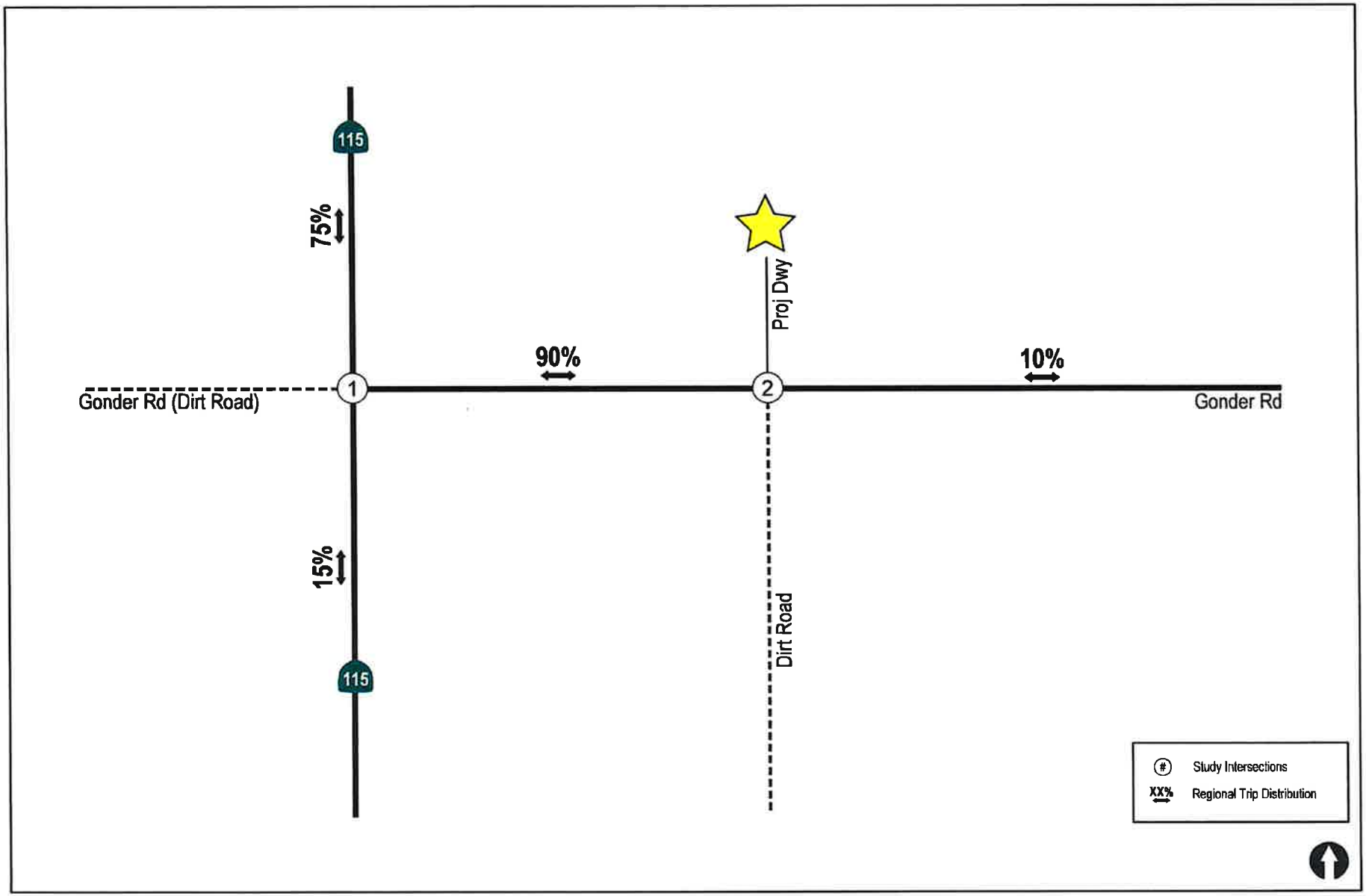
It is anticipated that the majority of new workers will be from the proximate local population centers of Calipatria, Brawley, and El Centro. ***Figure 7–2*** shows the distribution of employee passenger car traffic. The majority of employee traffic (65%) would come from the north and south utilizing SR-115 with a lesser amount of 35% from the east utilizing Gonder Road.

7.3 Trip Assignment

The Project trip generation values shown in ***Table 7–1*** were multiplied by the related truck and employee distribution percentages shown on *Figures 7–1* and *7–2*, respectively. The Project truck traffic assignment is shown on ***Figure 7–3*** and ***Figure 7–4*** shows the Project employee traffic assignment. ***Figure 7–5*** depicts the Total Project traffic assignment. ***Figure 7–6*** depicts the Existing + Total Project traffic assignment.

PC ORIGINAL PKG
ORIGINAL EEC PKG

PC ORIGINAL PKG



N:\2922\Figures
Date: 08/10/18

Figure 7-1

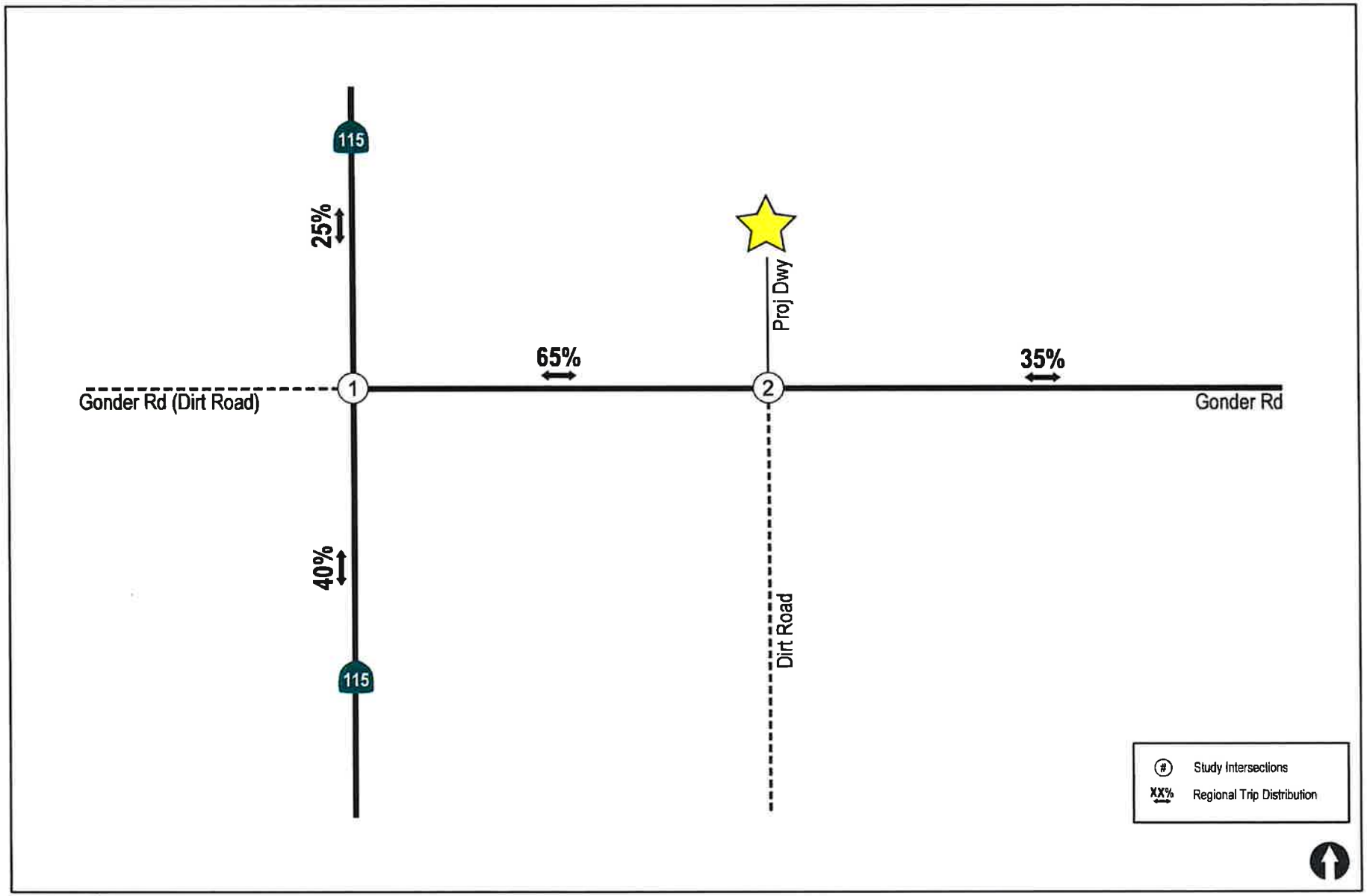
Project Traffic Distribution

Truck Trips

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

Figure 7-2

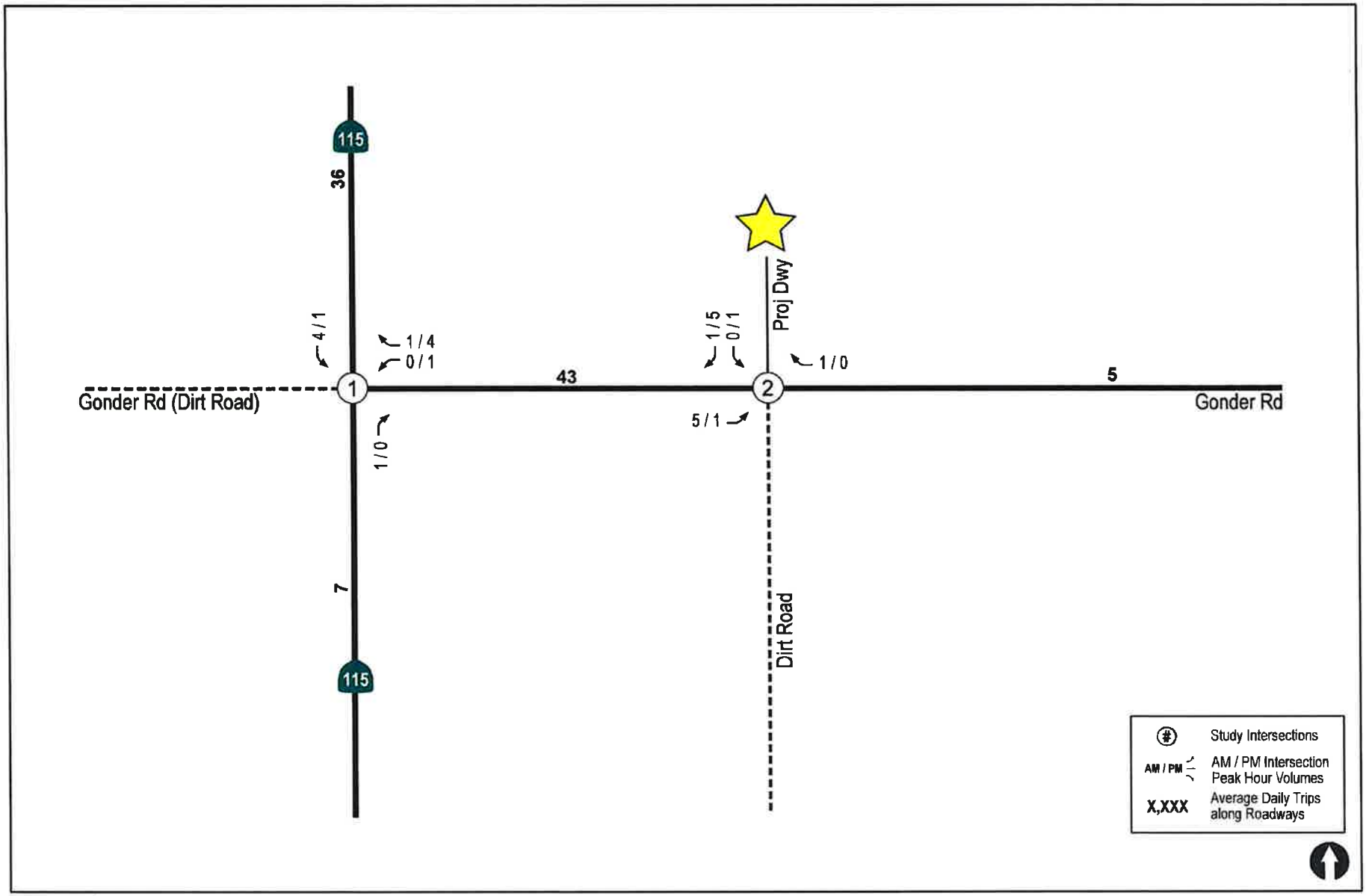
Project Traffic Distribution

Employee Trips

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

PC ORIGINAL PKG



ORIGINAL EEC PKG

LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

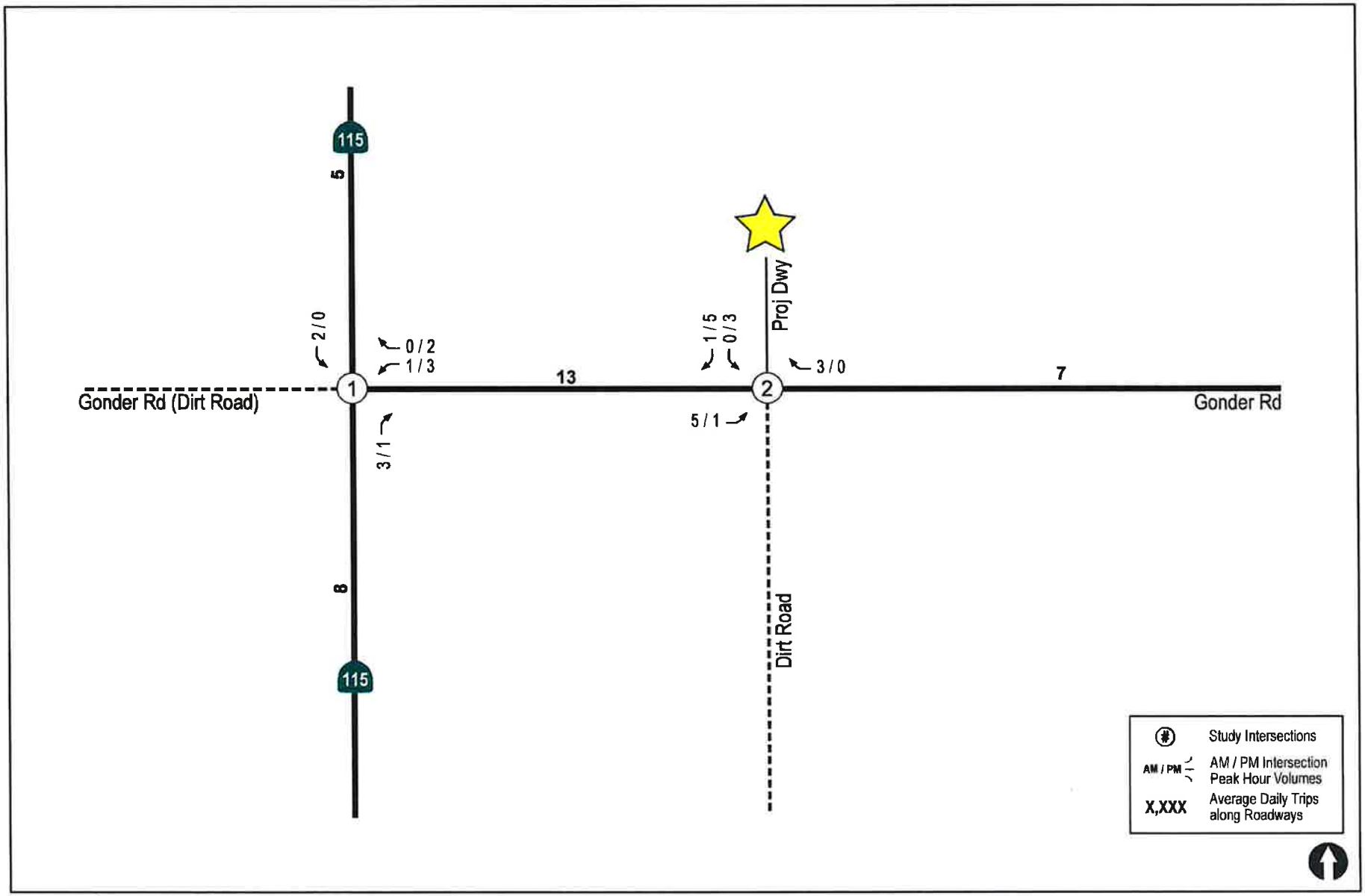
Figure 7-3

Project Traffic Volumes

Truck Trips

MOIOLA BROTHERS CATTLE FEEDERS

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN ENGINEERS

N:\2922\Figures
Date: 08/10/18

Figure 7-4

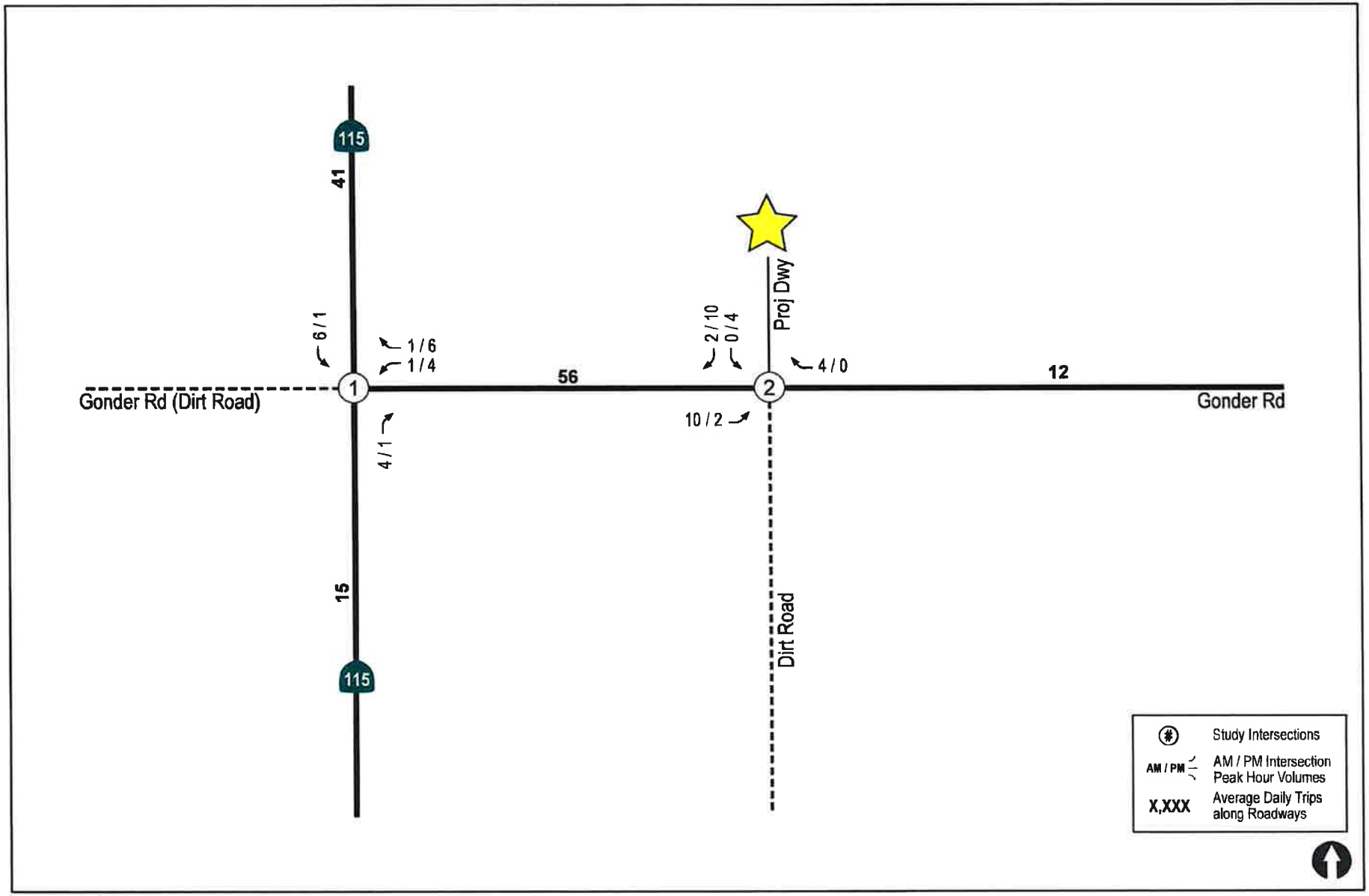
Project Traffic Volumes

Employee Trips

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

PC ORIGINAL PKG



LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

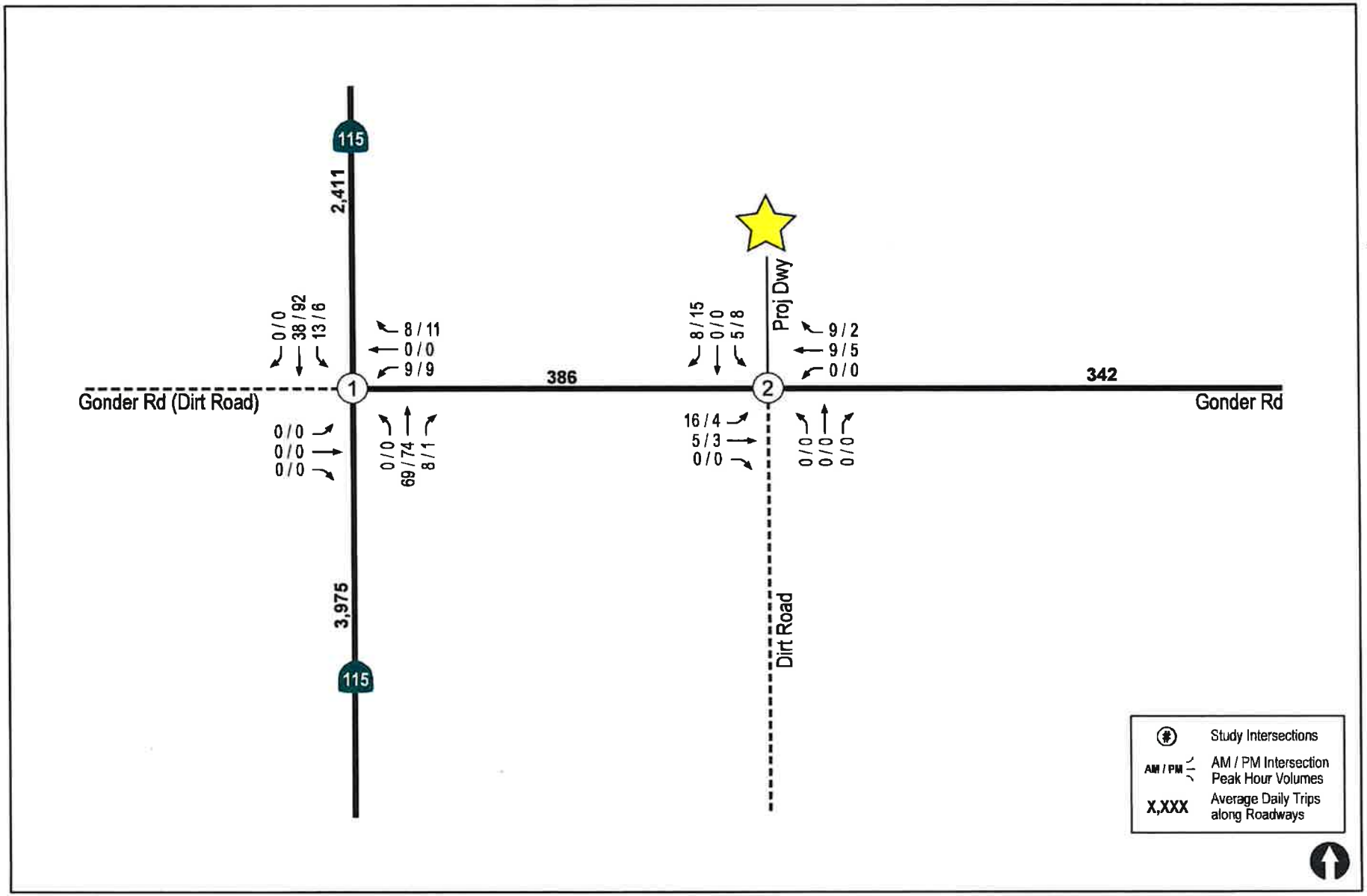
Figure 7-5

Total Project Traffic Volumes

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

PC ORIGINAL PKG



N:\2922\Figures
Date: 08/10/18

Figure 7-6

Existing + Total Project Traffic Volumes

MOIOLA BROTHERS CATTLE FEEDERS

ORIGINAL EEC PKG

8.0 CUMULATIVE PROJECTS AND ANALYSIS RESULTS

There are no significant planned projects in the area adjacent to the project site that may add traffic to the surrounding roadways. Therefore to account for any unforeseen increase in traffic, a 20% growth factor was applied to the existing traffic volumes to account for cumulative traffic.

Figure 8–1 depicts the Existing + Total Project + Cumulative growth.

8.1 Existing + Project Analysis

8.1.1 *Intersection Operations*

Table 8–1 summarizes the intersection operations throughout the project study area with the addition of project traffic. ***Table 8–1*** shows that all of the intersections in the study area are calculated to operate at LOS A during the AM and PM peak hours.

8.1.2 *Segment Analysis*

Table 8–2 summarizes the street segment operations throughout the project study area with the addition of project traffic. ***Table 8–2*** shows that all of the street segments in the study area are forecasted to operate at LOS B or better on a daily basis.

8.2 Existing + Project + Cumulative Analysis

8.2.1 *Intersection Analysis*

Table 8–1 summarizes the intersection operations throughout the project study area with the addition of cumulative growth. ***Table 8–1*** shows that all of the intersections in the study area are calculated to continue to operate at LOS A during the AM and PM peak hours.

8.2.2 *Segment Analysis*

Table 8–2 summarizes the street segment operations throughout the project study area with the addition of cumulative growth. ***Table 8–2*** shows that all of the street segments in the study area are forecasted to continue to operate at LOS C or better on a daily basis.

PC ORIGINAL PKG
ORIGINAL EEC PKG

TABLE 8-1
NEAR-TERM INTERSECTION OPERATIONS

Intersection	Control Type	Peak Hour	Existing + Project		Existing + Project + Cumulative		Significant?
			Delay [a]	LOS [b]	Delay	LOS	
1. SR-115 / Gonder Road	TWSC[C]	AM	9.2	A	9.3	A	No
		PM	9.3	A	9.5	A	No
2. SR-115 / Project Driveway	TWSC	AM	8.6	A	8.7	A	No
		PM	8.6	A	8.6	A	No

Footnotes:

a. Average delay expressed in seconds per vehicle.
b. Level of Service.
c. TWSC – Two-Way Stop Controlled intersection (Minor street turn delay is reported); WB=Westbound; SB=Southbound.

UNSIGNALIZED

Delay	LOS
0.0 ≤ 10.0	A
10.1 to 15.0	B
15.1 to 25.0	C
25.1 to 35.0	D
35.1 to 50.0	E
≥ 50.1	F

PC ORIGINAL PKG
ORIGINAL EEC PKG

PC ORIGINAL PKG

TABLE 8–2
NEAR-TERM STREET SEGMENT OPERATIONS

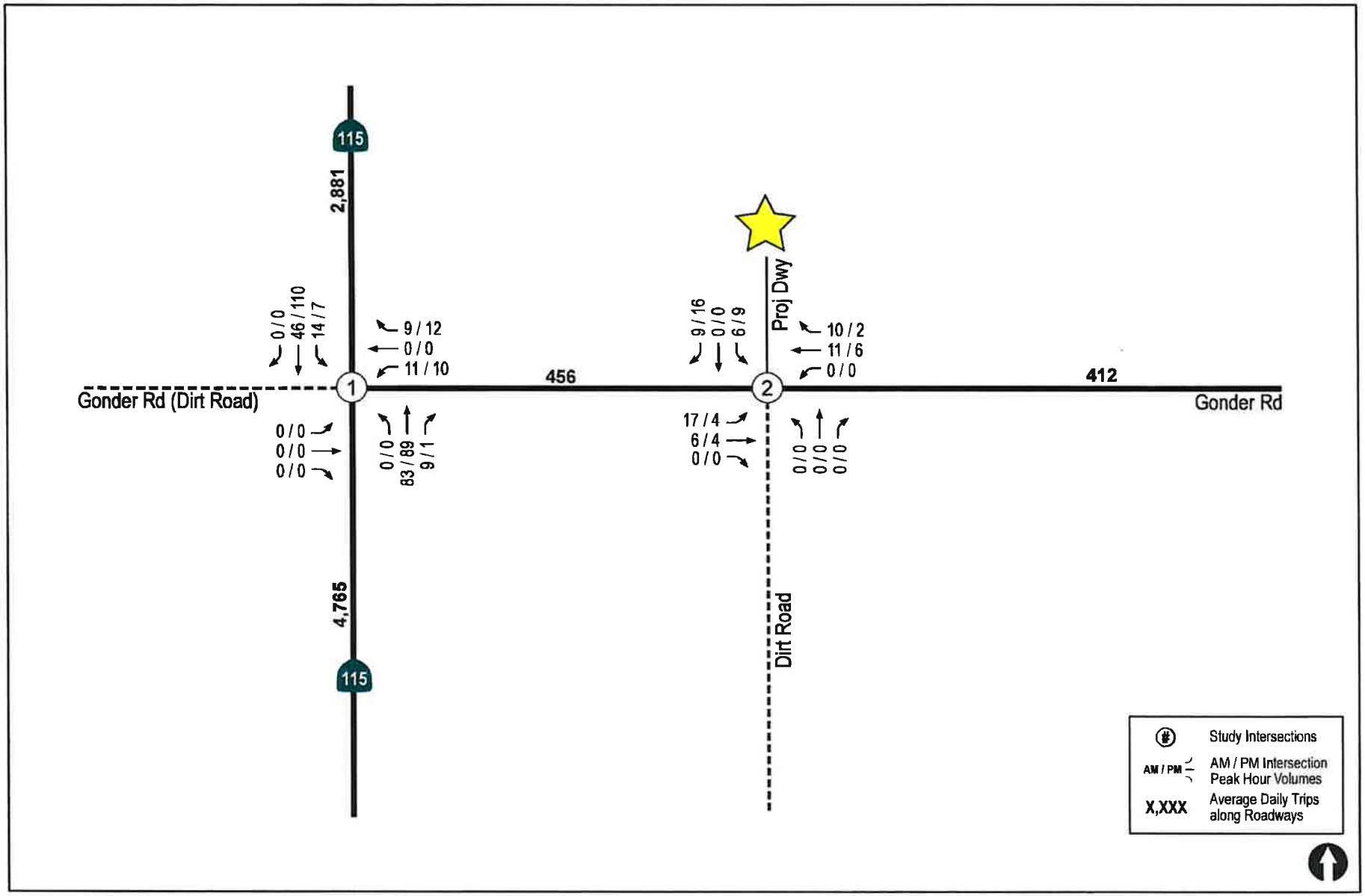
Street Segment	Existing Capacity (LOS E)[a]	Existing + Project			Existing + Project + Cumulative		
		ADT[b]	LOS[c]	V/C[d]	ADT	LOS	V/C[e]
SR-115							
North of Gonder Road	16,200	2,411	B	0.149	2,881	A	0.178
South of Gonder Road	16,200	3,975	B	0.245	4,765	C	0.294
Gonder Road							
SR-115 to Project Driveway	16,200	386	A	0.023	456	A	0.028
East of Project Driveway	16,200	342	A	0.021	412	A	0.025

Footnotes:

a. Roadway capacity corresponding to Level of Service E from Imperial County Standard Street Classification, Average Daily Vehicle Trips table.
b. Average Daily Traffic volumes
c. Level of Service
d. Volume / Capacity ratio.
e. Increase in V/C due to cumulative growth.

ORIGINAL EEC PKG

PC ORIGINAL PKG



ORIGINAL EEC PKG

LINSCOTT LAW & GREENSPAN engineers

N:\2922\Figures
Date: 08/10/18

Figure 8-1

Existing + Project + Cumulative Growth Traffic Volumes

MOIOLA BROTHERS CATTLE FEEDERS

9.0 PROJECT ACCESS

Project traffic will utilize the existing project driveway along the north side of Gonder Road. Based on the location of the driveway, the relatively low amount of project trips, and the very low traffic volumes along Gonder Road, the driveway should perform adequately.

PC ORIGINAL PKG
ORIGINAL EEC PKG

10.0 CONCLUSIONS & RECOMMENDATIONS

The capacity analyses performed for the key roadway segments and unsignalized intersections indicate that ***no significant impacts would occur*** during the daily operations of the project.

No traffic related mitigation measures are necessary.

PC ORIGINAL PKG
ORIGINAL EEC PKG

LINSCOTT LAW & GREENSPAN engineers

TECHNICAL APPENDICES

MOIOLA BROTHERS CATTLE FEEDERS

County of Imperial, California
August 13, 2018

LLG Ref. 3-18-2922

Linscott, Law & Greenspan, Engineers
4542 Ruffner Street
Suite 100
San Diego, CA 92111
858.300.8800 T
858.300.8810 F
www.llgengineers.com

PC ORIGINAL PKG

ORIGINAL EEC PKG

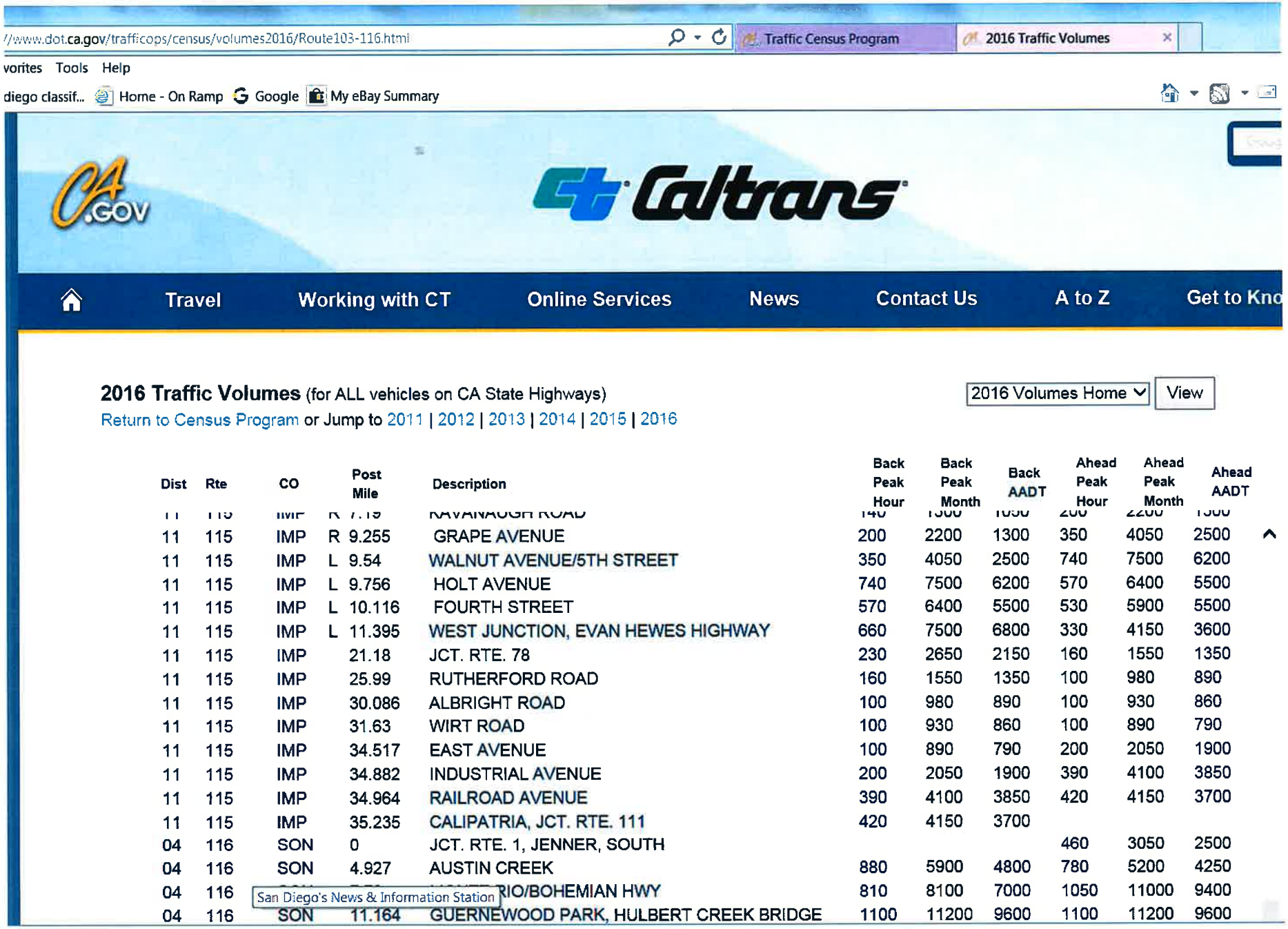
APPENDIX A

INTERSECTION AND SEGMENT MANUAL COUNT SHEETS

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG



//www.dot.ca.gov/trafficops/census/volumes2016/Route103-116.html

Traffic Census Program | 2016 Traffic Volumes

vorites Tools Help

diego classif... Home - On Ramp Google My eBay Summary

Caltrans

Travel | Working with CT | Online Services | News | Contact Us | A to Z | Get to Kno

2016 Traffic Volumes (for ALL vehicles on CA State Highways)

2016 Volumes Home | View

Return to Census Program or Jump to 2011 | 2012 | 2013 | 2014 | 2015 | 2016

Dist	Rte	CO		Post Mile	Description	Back Peak Hour	Back Peak Month	Back AADT	Ahead Peak Hour	Ahead Peak Month	Ahead AADT
11	115	IMP	R	9.255	GRAPE AVENUE	200	2200	1300	350	4050	2500
11	115	IMP	L	9.54	WALNUT AVENUE/5TH STREET	350	4050	2500	740	7500	6200
11	115	IMP	L	9.756	HOLT AVENUE	740	7500	6200	570	6400	5500
11	115	IMP	L	10.116	FOURTH STREET	570	6400	5500	530	5900	5500
11	115	IMP	L	11.395	WEST JUNCTION, EVAN HEWES HIGHWAY	660	7500	6800	330	4150	3600
11	115	IMP		21.18	JCT. RTE. 78	230	2650	2150	160	1550	1350
11	115	IMP		25.99	RUTHERFORD ROAD	160	1550	1350	100	980	890
11	115	IMP		30.086	ALBRIGHT ROAD	100	980	890	100	930	860
11	115	IMP		31.63	WIRT ROAD	100	930	860	100	890	790
11	115	IMP		34.517	EAST AVENUE	100	890	790	200	2050	1900
11	115	IMP		34.882	INDUSTRIAL AVENUE	200	2050	1900	390	4100	3850
11	115	IMP		34.964	RAILROAD AVENUE	390	4100	3850	420	4150	3700
11	115	IMP		35.235	CALIPATRIA, JCT. RTE. 111	420	4150	3700			
04	116	SON		0	JCT. RTE. 1, JENNER, SOUTH				460	3050	2500
04	116	SON		4.927	AUSTIN CREEK	880	5900	4800	780	5200	4250
04	116				RIO/BOHEMIAN HWY	810	8100	7000	1050	11000	9400
04	116	SON		11.164	GUERNEWOOD PARK, HULBERT CREEK BRIDGE	1100	11200	9600	1100	11200	9600

San Diego's News & Information Station

ORIGINAL EEC PKG

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **#02 Gonder Road between SR-115 & Project Driveway**

Date: **Thursday, July 19, 2018** Total Daily Volume: **324** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	14	2	10	22	30	26	18	19	26	31	20	17	17	15	15	17	9	4	7	1	1	2
0	0	3	1	2	4	7	7	4	5	8	10	9	2	5	4	4	5	0	1	3	0	0	0
0	0	3	1	3	6	7	6	2	4	3	10	3	6	4	3	3	4	1	0	1	0	0	1
0	1	4	0	3	5	8	8	5	5	6	3	2	6	4	4	3	5	6	2	1	1	1	0
0	0	4	0	2	7	8	5	7	5	9	8	6	3	4	4	5	3	2	1	2	0	0	1

Date: **Thursday, July 19, 2018** Total Daily Volume: **146** Description: **Eastbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	13	1	7	16	10	11	7	9	11	12	6	6	8	5	5	7	2	0	6	0	1	2
0	0	3	0	2	2	3	3	1	1	5	4	1	0	3	1	1	3	0	0	2	0	0	0
0	0	3	1	3	6	2	2	1	1	2	6	0	2	0	1	1	1	0	0	1	0	0	1
0	1	4	0	0	3	3	3	2	3	1	0	0	2	2	2	1	1	2	0	1	0	1	0
0	0	3	0	2	5	2	3	3	4	3	2	5	2	3	1	2	2	0	0	2	0	0	1

Date: **Thursday, July 19, 2018** Total Daily Volume: **178** Description: **Westbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	0	1	1	3	6	20	15	11	10	15	19	14	11	9	10	10	10	7	4	1	1	0	0
0	0	0	1	0	2	4	4	3	4	3	6	8	2	2	3	3	2	0	1	1	0	0	0
0	0	0	0	0	0	5	4	1	3	1	4	3	4	4	2	2	3	1	0	0	0	0	0
0	0	0	0	3	2	5	5	3	2	5	3	2	4	2	2	2	4	4	2	0	1	0	0
0	0	1	0	0	2	6	2	4	1	6	6	1	1	1	3	3	1	2	1	0	0	0	0

Report Generated by "Count Data" all rights reserved

ORIGINAL EEC PKG

PC ORIGINAL PKG

Linscott, Law & Greenspan, Engineers

4542 Ruffner Street, Suite 100, San Diego, CA 92111

Average Daily Traffic

Location: **#01 Project Driveway @ Gonder Road**

Date: **Thursday, July 19, 2018** Total Daily Volume: **431** Description: **Total Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	15	13	26	22	25	22	47	44	44	31	26	30	15	13	7	11	24	13	1	0	1	0
0	0	3	4	4	3	2	4	4	13	17	8	8	6	4	6	2	1	5	1	0	0	0	0
0	0	0	1	11	9	10	6	12	7	7	8	2	11	2	1	3	4	13	9	1	0	0	0
0	1	7	0	5	4	7	4	11	11	6	6	2	6	7	6	1	1	4	2	0	0	1	0
0	0	5	8	6	6	6	8	20	13	14	9	14	7	2	0	1	5	2	1	0	0	0	0

Date: **Thursday, July 19, 2018** Total Daily Volume: **214** Description: **IN Northbound Volume**

0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	1	14	5	12	10	9	11	26	27	18	11	13	14	9	4	4	7	15	3	0	0	1	0
0	0	2	1	4	1	2	2	3	5	9	4	2	0	1	1	1	1	4	0	0	0	0	0
0	0	0	1	3	4	4	4	8	6	3	4	0	7	0	1	3	0	9	3	0	0	0	0
0	1	7	0	1	2	1	1	5	8	5	0	0	4	6	2	0	1	0	0	0	0	1	0
0	0	5	3	4	3	2	4	10	8	1	3	11	3	2	0	0	5	2	0	0	0	0	0

Date: **Thursday, July 19, 2018** Total Daily Volume: **217** Description: **OUT Southbound Volume**

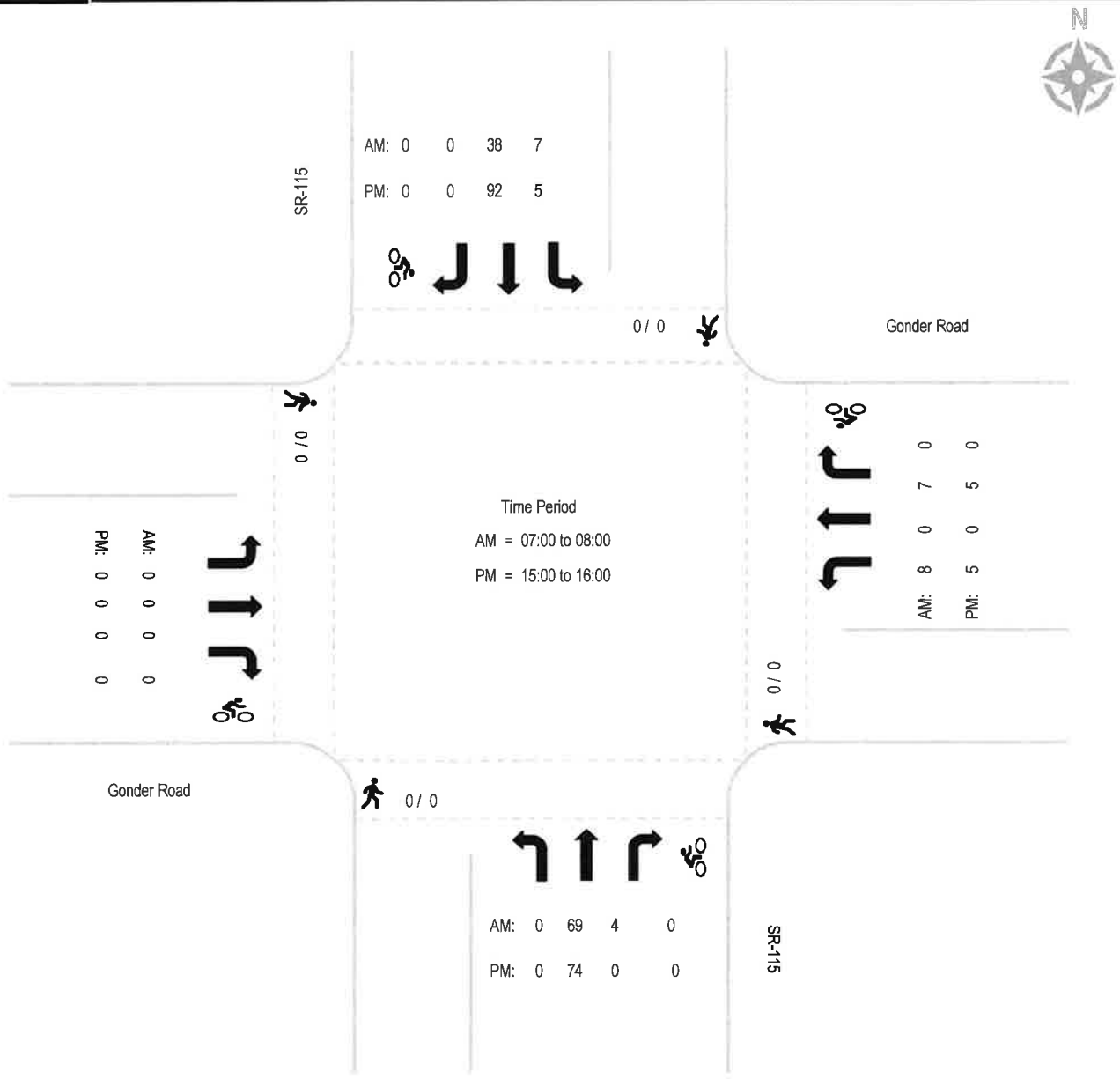
0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
0	0	1	8	14	12	16	11	21	17	26	20	13	16	6	9	3	4	9	10	1	0	0	0
0	0	1	3	0	2	0	2	1	8	8	4	6	6	3	5	1	0	1	1	0	0	0	0
0	0	0	0	8	5	6	2	4	1	4	4	2	4	2	0	0	4	4	6	1	0	0	0
0	0	0	0	4	2	6	3	6	3	1	6	2	2	1	4	1	0	4	2	0	0	0	0
0	0	0	5	2	3	4	4	10	5	13	6	3	4	0	0	1	0	0	1	0	0	0	0

Report Generated by "Count Data" all rights reserved

ORIGINAL EEC PKG

Intersection Turning Movement - Peak Hour Summary

Location:	#01	File Name:	ITM-18-106-01
Intersection:	SR-115 & Gonder Road	Project:	LLG Ref. 3-18-2922
Date of Count:	Thursday, July 19, 2018		Calipatria



PC ORIGINAL PKG

ORIGINAL EEC PKG

APPENDIX B

INTERSECTION ANALYSIS WORKSHEETS

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	8	0	7	0	69	4	7	38	0
Future Vol, veh/h	0	0	0	8	0	7	0	69	4	7	38	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	9	0	8	0	75	4	8	41	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	138	136	41	134	134	77	41	0	0	79	0	0
Stage 1	57	57	-	77	77	-	-	-	-	-	-	-
Stage 2	81	79	-	57	57	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	833	755	1030	838	757	984	1568	-	-	1519	-	-
Stage 1	955	847	-	932	831	-	-	-	-	-	-	-
Stage 2	927	829	-	955	847	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	823	751	1030	835	753	984	1568	-	-	1519	-	-
Mov Cap-2 Maneuver	823	751	-	835	753	-	-	-	-	-	-	-
Stage 1	955	843	-	932	831	-	-	-	-	-	-	-
Stage 2	920	829	-	950	843	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.1	0	1.1
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1568	-	-	-	898	1519	-	-
HCM Lane V/C Ratio	-	-	-	-	0.018	0.005	-	-
HCM Control Delay (s)	0	-	-	0	9.1	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	3.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	6	5	0	0	9	5	0	0	0	5	0	6
Future Vol, veh/h	6	5	0	0	9	5	0	0	0	5	0	6
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	7	5	0	0	10	5	0	0	0	5	0	7

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	15	0	0	5	0	0	40	34	5	32	32	18
Stage 1	-	-	-	-	-	-	19	19	-	13	13	-
Stage 2	-	-	-	-	-	-	21	15	-	19	19	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1603	-	-	1616	-	-	964	859	1078	976	861	1061
Stage 1	-	-	-	-	-	-	1000	880	-	1007	885	-
Stage 2	-	-	-	-	-	-	998	883	-	1000	880	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1603	-	-	1616	-	-	951	856	1078	973	858	1056
Mov Cap-2 Maneuver	-	-	-	-	-	-	951	856	-	973	858	-
Stage 1	-	-	-	-	-	-	996	876	-	1003	885	-
Stage 2	-	-	-	-	-	-	987	883	-	996	876	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	4	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1603	-	-	1616	-	-	1017
HCM Lane V/C Ratio	-	0.004	-	-	-	-	-	0.012
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	0.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	5	0	5	0	74	0	5	92	0
Future Vol, veh/h	0	0	0	5	0	5	0	74	0	5	92	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	5	0	5	0	80	0	5	100	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	193	190	100	190	190	80	100	0	0	80	0	0
Stage 1	110	110	-	80	80	-	-	-	-	-	-	-
Stage 2	83	80	-	110	110	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	767	705	956	770	705	980	1493	-	-	1518	-	-
Stage 1	895	804	-	929	828	-	-	-	-	-	-	-
Stage 2	925	828	-	895	804	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	761	703	956	768	703	980	1493	-	-	1518	-	-
Mov Cap-2 Maneuver	761	703	-	768	703	-	-	-	-	-	-	-
Stage 1	895	802	-	929	828	-	-	-	-	-	-	-
Stage 2	920	828	-	892	802	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.2	0	0.4
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1493	-	-	-	861	1518	-	-
HCM Lane V/C Ratio	-	-	-	-	0.013	0.004	-	-
HCM Control Delay (s)	0	-	-	0	9.2	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0	0	-	-

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	4.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	2	3	0	0	5	2	0	0	0	4	0	5
Future Vol, veh/h	2	3	0	0	5	2	0	0	0	4	0	5
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	2	3	0	0	5	2	0	0	0	4	0	5

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	7	0	0	3	0	0	21	14	3	13	13	11
Stage 1	-	-	-	-	-	-	7	7	-	6	6	-
Stage 2	-	-	-	-	-	-	14	7	-	7	7	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1614	-	-	1619	-	-	992	880	1081	1004	881	1070
Stage 1	-	-	-	-	-	-	1015	890	-	1016	891	-
Stage 2	-	-	-	-	-	-	1006	890	-	1015	890	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1614	-	-	1619	-	-	981	879	1081	1003	880	1065
Mov Cap-2 Maneuver	-	-	-	-	-	-	981	879	-	1003	880	-
Stage 1	-	-	-	-	-	-	1014	889	-	1015	891	-
Stage 2	-	-	-	-	-	-	996	890	-	1014	889	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	2.9	0	0	8.5
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1614	-	-	1619	-	-	1037
HCM Lane V/C Ratio	-	0.001	-	-	-	-	-	0.009
HCM Control Delay (s)	0	7.2	0	-	0	-	-	8.5
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	1.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	9	0	8	0	69	8	13	38	0
Future Vol, veh/h	0	0	0	9	0	8	0	69	8	13	38	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	10	0	9	0	75	9	14	41	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	153	153	41	149	149	80	41	0	0	84	0	0
Stage 1	69	69	-	80	80	-	-	-	-	-	-	-
Stage 2	84	84	-	69	69	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	814	739	1030	819	743	980	1568	-	-	1513	-	-
Stage 1	941	837	-	929	828	-	-	-	-	-	-	-
Stage 2	924	825	-	941	837	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	801	732	1030	813	736	980	1568	-	-	1513	-	-
Mov Cap-2 Maneuver	801	732	-	813	736	-	-	-	-	-	-	-
Stage 1	941	829	-	929	828	-	-	-	-	-	-	-
Stage 2	916	825	-	933	829	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.2	0	1.9
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1568	-	-	-	884	1513	-	-
HCM Lane V/C Ratio	-	-	-	-	0.021	0.009	-	-
HCM Control Delay (s)	0	-	-	0	9.2	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	4.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	16	5	0	0	9	9	0	0	0	5	0	8
Future Vol, veh/h	16	5	0	0	9	9	0	0	0	5	0	8
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	5	0	0	10	10	0	0	0	5	0	9

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	20	0	0	5	0	0	64	59	5	54	54	20
Stage 1	-	-	-	-	-	-	39	39	-	15	15	-
Stage 2	-	-	-	-	-	-	25	20	-	39	39	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1596	-	-	1616	-	-	930	832	1078	944	837	1058
Stage 1	-	-	-	-	-	-	976	862	-	1005	883	-
Stage 2	-	-	-	-	-	-	993	879	-	976	862	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1596	-	-	1616	-	-	910	823	1078	936	828	1053
Mov Cap-2 Maneuver	-	-	-	-	-	-	910	823	-	936	828	-
Stage 1	-	-	-	-	-	-	965	853	-	994	883	-
Stage 2	-	-	-	-	-	-	980	879	-	965	853	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	5.5	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1596	-	-	1616	-	-	1005
HCM Lane V/C Ratio	-	0.011	-	-	-	-	-	0.014
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	1.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	9	0	11	0	74	1	6	92	0
Future Vol, veh/h	0	0	0	9	0	11	0	74	1	6	92	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	10	0	12	0	80	1	7	100	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	201	195	100	195	195	81	100	0	0	81	0	0
Stage 1	114	114	-	81	81	-	-	-	-	-	-	-
Stage 2	87	81	-	114	114	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	757	700	956	764	700	979	1493	-	-	1517	-	-
Stage 1	891	801	-	927	828	-	-	-	-	-	-	-
Stage 2	921	828	-	891	801	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	745	697	956	761	697	979	1493	-	-	1517	-	-
Mov Cap-2 Maneuver	745	697	-	761	697	-	-	-	-	-	-	-
Stage 1	891	797	-	927	828	-	-	-	-	-	-	-
Stage 2	910	828	-	887	797	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.3	0	0.5
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1493	-	-	-	867	1517	-	-
HCM Lane V/C Ratio	-	-	-	-	0.025	0.004	-	-
HCM Control Delay (s)	0	-	-	0	9.3	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	6.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	16	5	0	0	5	2	0	0	0	8	0	15
Future Vol, veh/h	16	5	0	0	5	2	0	0	0	8	0	15
Conflicting Peds, #/hr	0	0	0	5	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	5	0	0	5	2	0	0	0	9	0	16

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	7	0	0	10	0	0	63	51	10	45	50	11
Stage 1	-	-	-	-	-	-	44	44	-	6	6	-
Stage 2	-	-	-	-	-	-	19	7	-	39	44	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1614	-	-	1610	-	-	932	840	1071	957	841	1070
Stage 1	-	-	-	-	-	-	970	858	-	1016	891	-
Stage 2	-	-	-	-	-	-	1000	890	-	976	858	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1614	-	-	1602	-	-	901	827	1066	949	828	1065
Mov Cap-2 Maneuver	-	-	-	-	-	-	901	827	-	949	828	-
Stage 1	-	-	-	-	-	-	954	844	-	1005	891	-
Stage 2	-	-	-	-	-	-	980	890	-	965	844	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	5.5	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1614	-	-	1602	-	-	1022
HCM Lane V/C Ratio	-	0.011	-	-	-	-	-	0.024
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	1.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	11	0	9	0	83	9	14	46	0
Future Vol, veh/h	0	0	0	11	0	9	0	83	9	14	46	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	12	0	10	0	90	10	15	50	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	180	180	50	175	175	95	50	0	0	100	0	0
Stage 1	80	80	-	95	95	-	-	-	-	-	-	-
Stage 2	100	100	-	80	80	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	782	714	1018	788	718	962	1557	-	-	1493	-	-
Stage 1	929	828	-	912	816	-	-	-	-	-	-	-
Stage 2	906	812	-	929	828	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	768	707	1018	782	711	962	1557	-	-	1493	-	-
Mov Cap-2 Maneuver	768	707	-	782	711	-	-	-	-	-	-	-
Stage 1	929	820	-	912	816	-	-	-	-	-	-	-
Stage 2	897	812	-	920	820	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.3	0	1.7
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1557	-	-	-	854	1493	-	-
HCM Lane V/C Ratio	-	-	-	-	0.025	0.01	-	-
HCM Control Delay (s)	0	-	-	0	9.3	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	4.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	17	6	0	0	11	10	0	0	0	6	0	9
Future Vol, veh/h	17	6	0	0	11	10	0	0	0	6	0	9
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	18	7	0	0	12	11	0	0	0	7	0	10

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	23	0	0	7	0	0	71	66	7	61	61	23
Stage 1	-	-	-	-	-	-	43	43	-	18	18	-
Stage 2	-	-	-	-	-	-	28	23	-	43	43	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1592	-	-	1614	-	-	920	825	1075	934	830	1054
Stage 1	-	-	-	-	-	-	971	859	-	1001	880	-
Stage 2	-	-	-	-	-	-	989	876	-	971	859	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1592	-	-	1614	-	-	900	816	1075	927	821	1049
Mov Cap-2 Maneuver	-	-	-	-	-	-	900	816	-	927	821	-
Stage 1	-	-	-	-	-	-	960	850	-	990	880	-
Stage 2	-	-	-	-	-	-	975	876	-	960	850	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	5.4	0	0	8.7
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1592	-	-	1614	-	-	997
HCM Lane V/C Ratio	-	0.012	-	-	-	-	-	0.016
HCM Control Delay (s)	0	7.3	0	-	0	-	-	8.7
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	1.1

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	0	0	0	10	0	12	0	89	1	7	110	0
Future Vol, veh/h	0	0	0	10	0	12	0	89	1	7	110	0
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	11	0	13	0	97	1	8	120	0

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	240	234	120	234	234	98	120	0	0	98	0	0
Stage 1	136	136	-	98	98	-	-	-	-	-	-	-
Stage 2	104	98	-	136	136	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	714	666	931	721	666	958	1468	-	-	1495	-	-
Stage 1	867	784	-	908	814	-	-	-	-	-	-	-
Stage 2	902	814	-	867	784	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	701	662	931	717	662	958	1468	-	-	1495	-	-
Mov Cap-2 Maneuver	701	662	-	717	662	-	-	-	-	-	-	-
Stage 1	867	779	-	908	814	-	-	-	-	-	-	-
Stage 2	890	814	-	862	779	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	9.5	0	0.4
HCM LOS	A	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1468	-	-	-	831	1495	-	-
HCM Lane V/C Ratio	-	-	-	-	0.029	0.005	-	-
HCM Control Delay (s)	0	-	-	0	9.5	7.4	0	-
HCM Lane LOS	A	-	-	A	A	A	A	-
HCM 95th %tile Q(veh)	0	-	-	-	0.1	0	-	-

PC ORIGINAL PKG

ORIGINAL EEC PKG

Intersection	
Int Delay, s/veh	5.9

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	4	4	0	0	6	2	0	0	0	9	0	16
Future Vol, veh/h	4	4	0	0	6	2	0	0	0	9	0	16
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	5
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	4	0	0	7	2	0	0	0	10	0	17

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	9	0	0	4	0	0	34	21	4	20	20	13
Stage 1	-	-	-	-	-	-	12	12	-	8	8	-
Stage 2	-	-	-	-	-	-	22	9	-	12	12	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1611	-	-	1618	-	-	973	873	1080	993	874	1067
Stage 1	-	-	-	-	-	-	1009	886	-	1013	889	-
Stage 2	-	-	-	-	-	-	996	888	-	1009	886	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1611	-	-	1618	-	-	951	871	1080	991	872	1062
Mov Cap-2 Maneuver	-	-	-	-	-	-	951	871	-	991	872	-
Stage 1	-	-	-	-	-	-	1007	884	-	1011	889	-
Stage 2	-	-	-	-	-	-	975	888	-	1007	884	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	3.6	0	0	8.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1611	-	-	1618	-	-	1035
HCM Lane V/C Ratio	-	0.003	-	-	-	-	-	0.026
HCM Control Delay (s)	0	7.2	0	-	0	-	-	8.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment C.

Air Quality and Greenhouse Gas Emission Study (Revised) prepared by UltraSystems dated January 2019

PC ORIGINAL PKG

ORIGINAL EEC PKG

AIR QUALITY AND GREENHOUSE GAS EMISSIONS STUDY
FOR
MOIOLA BROTHERS CATTLE FEEDLOT

Prepared for:

DuBose Design Group
1065 State Street
El Centro, California 92243

Prepared By:



UltraSystems Environmental
16431 Scientific Way
Irvine, California 92618-4355

Job No. 6088

January 2019

PC ORIGINAL PKG

ORIGINAL EEC PKG

This analysis was prepared in accordance with § 15063(d)(3) and Appendix G of the State CEQA Guidelines to determine the potential significant air quality effects on the physical environment that could result from the implementation of the project.

Report Preparers:

Name & Title: MICHAEL ROGOZEN, Senior Principal Engineer

Signature: _____ Date: January 30, 2019

Name & Title: JOE O'BANNON, Staff Engineer

Signature: _____ Date: January 30, 2019

Name & Title: MIKE LINDSAY, Air and Noise Scientist

Signature: _____ Date: January 30, 2019

PC ORIGINAL PKG
ORIGINAL EEC PKG

TABLE OF CONTENTS

1.0 Introduction 1

2.0 Project Description 4

3.0 Existing Conditions 4
- 3.1 Existing Sensitive Land Uses 4
- 3.2 Regional Climate/Meteorology 4
  - 3.2.1 Temperature and Precipitation 6
  - 3.2.2 Humidity 6
  - 3.2.3 Wind 6
  - 3.2.4 Inversions 6
- 3.3 Regulatory Setting 7
  - 3.3.1 Air Pollutants of Concern 7
  - 3.3.2 Ammonia 10
  - 3.3.3 Applicable Regulations 10
  - 3.3.4 Air Quality Plans 11
  - 3.3.5 Local Regulations 14
- 3.4 Regional Air Quality 14
- 3.5 Local Air Quality 16

4.0 Air Quality Impacts Analysis 17
- 4.1 CEQA Impact Review Criteria 17
- 4.2 Imperial County APCD Thresholds of Significance 18
  - 4.2.1 Construction Impacts 18
  - 4.2.2 Operational Impacts 18
- 4.3 CO "Hotspots" Thresholds 19
- 4.4 Methodology 19
- 4.5 Air Quality Impacts 19
  - 4.5.1 Short-Term Impacts 19
  - 4.5.2 Long-Term Impacts 20
  - 4.5.3 Sensitive Receptors 22
  - 4.5.4 Objectionable Odors 22
  - 4.5.5 Conformity with Air Quality Management Plan 22
  - 4.5.6 Cumulative Impacts of Ammonia Emissions 22

5.0 Greenhouse Gas Emissions Analysis 23
- 5.1 Climate Change and Greenhouse Gases 23
- 5.2 Regulatory Background 24
  - 5.2.1 Federal Climate Change Regulation 24
  - 5.2.2 California Climate Change Regulation 25
  - 5.2.3 Local Significance Thresholds 27
- 5.3 Project Greenhouse Gas Emissions Inventory 27
  - 5.3.1 Mobile Source Emissions 27
  - 5.3.2 Enteric Emissions 28
  - 5.3.3 Emissions from Manure Management 28
  - 5.3.4 Total Unmitigated Greenhouse Gas Emissions 28
- 5.4 Impact Analysis 29
  - 5.4.1 Increase in Greenhouse Gas Emissions 29

PC ORIGINAL PKG

ORIGINAL EEC PKG

5.4.2 Compliance with Greenhouse Gas Reduction Plans 30

6.0 Mitigation Measures 30
6.1 Standard Mitigation Measures for Construction 30
6.2 Mitigation for Criteria Pollutant Impacts 30
6.3 Mitigation for Climate Change Impacts 30

LIST OF TABLES

Table 3.3-1 - Ambient Air Quality Standards for Criteria Air Pollutants 8
Table 3.4-1 - Federal and State Attainment Status for Imperial County 15
Table 3.5-1 - Ambient Criteria Pollutant Concentration Data for Project Vicinity 17
Table 4.2-1 - Thresholds of Significance for Project Operations 18
Table 4.5-1 - Daily Project Operational Emissions (Unmitigated) 20
Table 4.5-2 - Daily Project Operational Emissions (Mitigated) 21
Table 5.3-1 - Unmitigated Annual GHG Emissions 2018 and Beyond (Emissions in tonnes) 28

LIST OF FIGURES

Figure 1.0-1 - Regional Location 2
Figure 1.0-2 - Vicinity Map 3
Figure 3.1-1 - Sensitive Receptors in Project Area 5

ATTACHMENTS

Attachment 1 - Emission Calculation Details
Attachment 2 - Standard Mitigation Measures for Construction Equipment and Fugitive PM_{10}

PC ORIGINAL PKG

ORIGINAL EEC PKG

1.0 INTRODUCTION

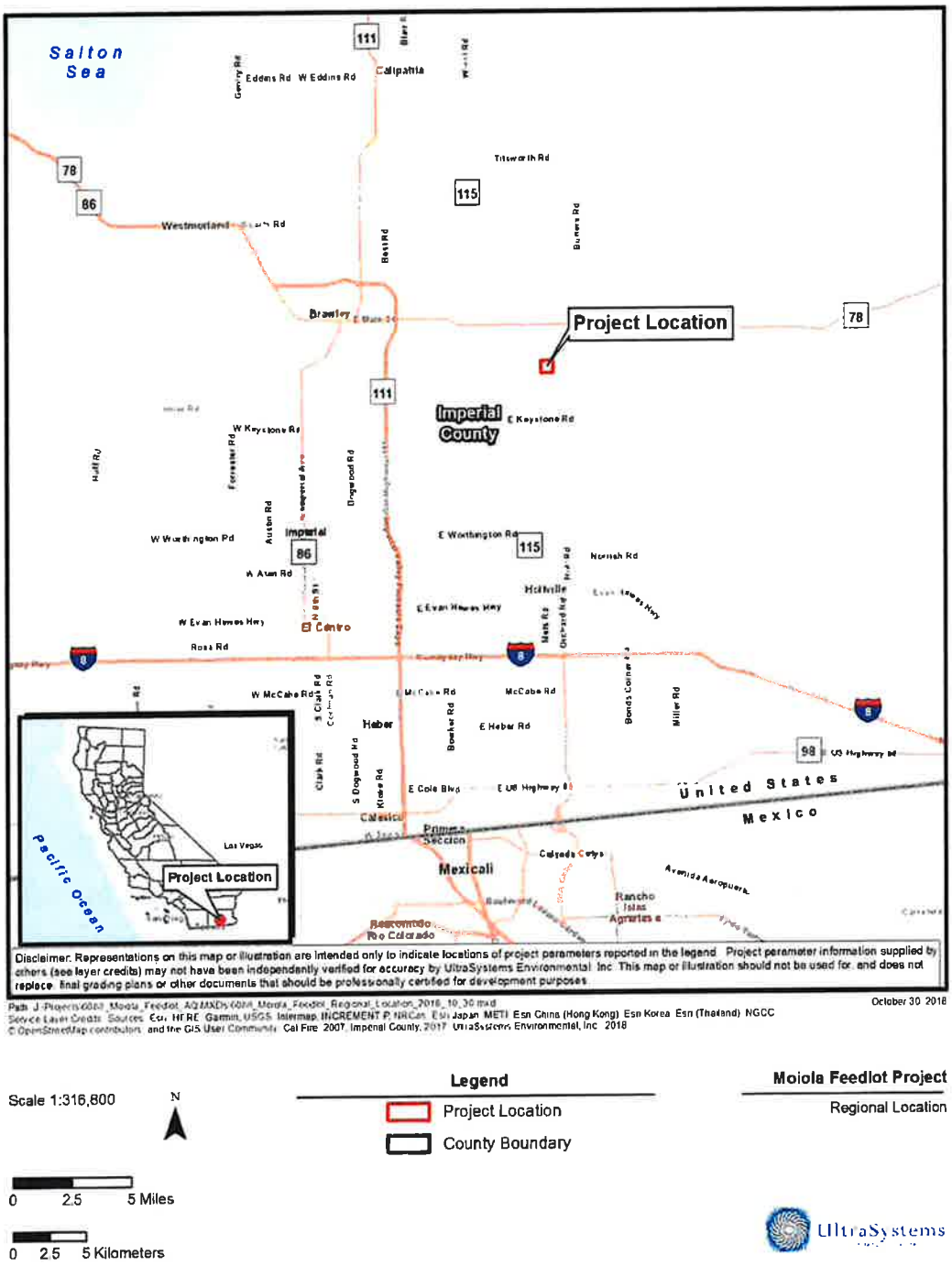
Moiola Brothers Cattle Feeders Ltd, the applicant, operates a cattle feedlot and composting facility located north of Gonder Road, 0.5 mile east of Highway 115, about four miles north of the city of Holtville and approximately eight miles east-southeast of the city of Brawley, California, in Imperial County. The existing facility has a cattle headcount of 20,000. The project proposes to expand these operations on a 160-acre site about 100 feet to the south, across Gonder Road (APN# 041-090-004). The new feedlot will house an additional 18,000 head of cattle. Operations at the proposed feedlot will be similar to those of the existing feedlot, except that the proposed expansion will not include a composting facility. The regional location of the proposed expansion is shown in **Figure 1.0-1**. The site and vicinity are shown in **Figure 1.0-2**.

This air quality analysis was conducted within the context of the California Environmental Quality Act (CEQA, California Public Resources Code §§ 21000 et seq.). The methodology follows the CEQA Air Quality Handbook[1] prepared by the Imperial County Air Pollution Control District (ICAPCD) for quantification of emissions and evaluation of potential impacts on air resources.

1 CEQA Air Quality Handbook: Guidelines for the Implementation of the California Air Quality Act of 1970 as amended. Imperial County Air Pollution Control District. Final - December 12, 2017.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Figure 1.0-1
REGIONAL LOCATION



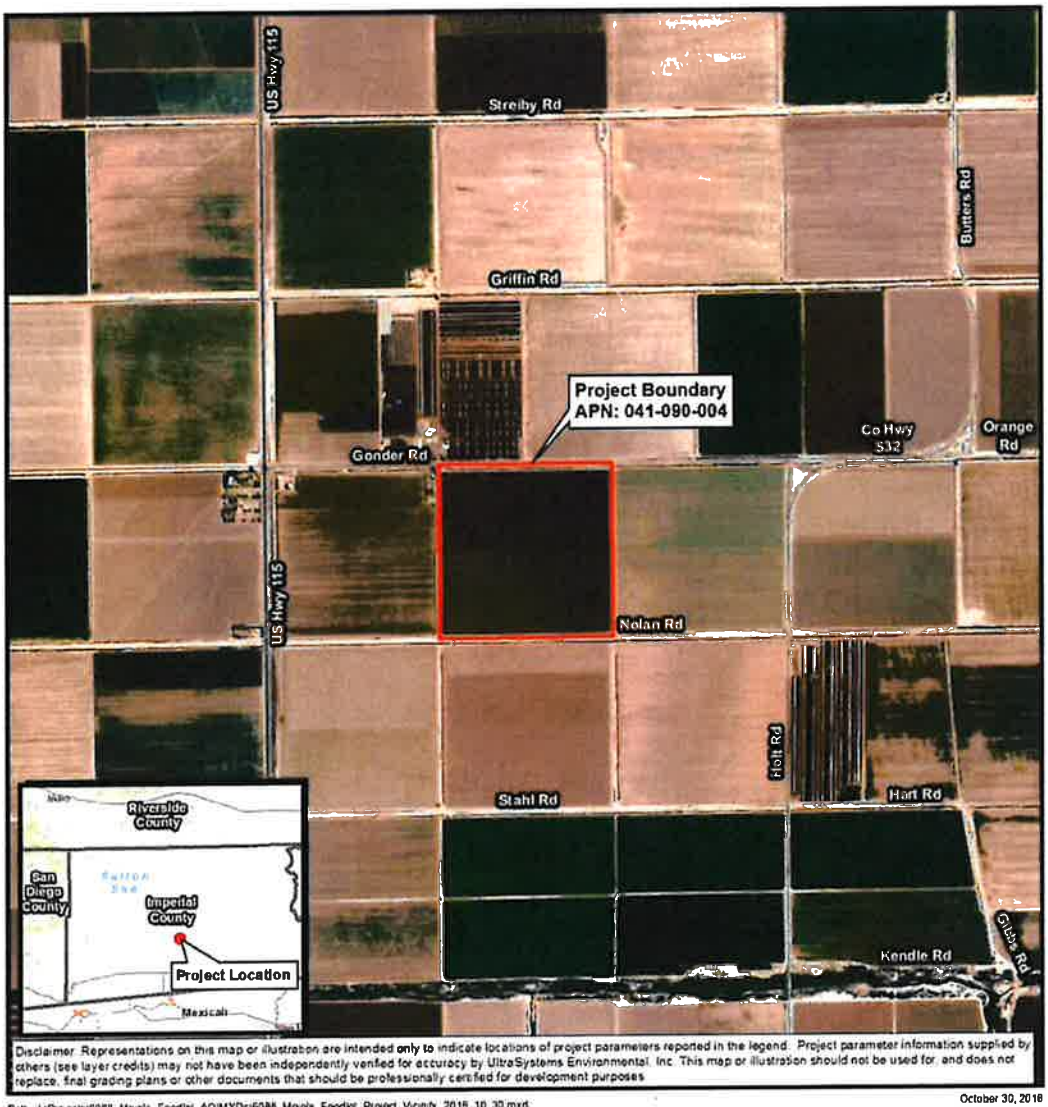
Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

October 30, 2018

PC ORIGINAL PKG

ORIGINAL EEC PKG

Figure 1.0-2
VICINITY MAP



PC ORIGINAL PKG
ORIGINAL EEC PKG

2.0 PROJECT DESCRIPTION

At present, the applicant operates a 20,000-head capacity feedlot and composting facility located to the north of Gonder Road. The applicant is proposing to expand this operation to a parcel across Gonder Road to the south to accommodate an additional 18,000 head. The expansion area would not include a composting facility. The primary entrance to the proposed facility will be located right across the street from the existing feedlot and will be designed to receive automobiles for employees and business-related traffic. Traffic activity will include employees, visitors, and feed and cattle transport trucks. According to the traffic study prepared for the project, the number of employees is expected to increase by ten, and trucks by an additional eight per day.[2]

3.0 EXISTING CONDITIONS

The project site is located in an unincorporated area of Imperial County, which is in the Salton Sea Air Basin (SSAB). The SSAB includes the Imperial Valley and the central part of Riverside County, including the Coachella Valley. The Imperial Valley is bordered by the Salton Sea to the north, the Anza-Borrego Desert State Park to the west, the Chocolate Mountains to the northeast, and the U.S./Mexican Border to the south. The proposed site is located approximately eight miles east-southeast of the city of Brawley.

3.1 Existing Sensitive Land Uses

The project site is surrounded mostly by cultivated agricultural fields. Six residential structures are located within one mile of the proposed project, the nearest being adjacent to the northwest corner of the project. (See **Figure 3.1-1**.)

3.2 Regional Climate/Meteorology

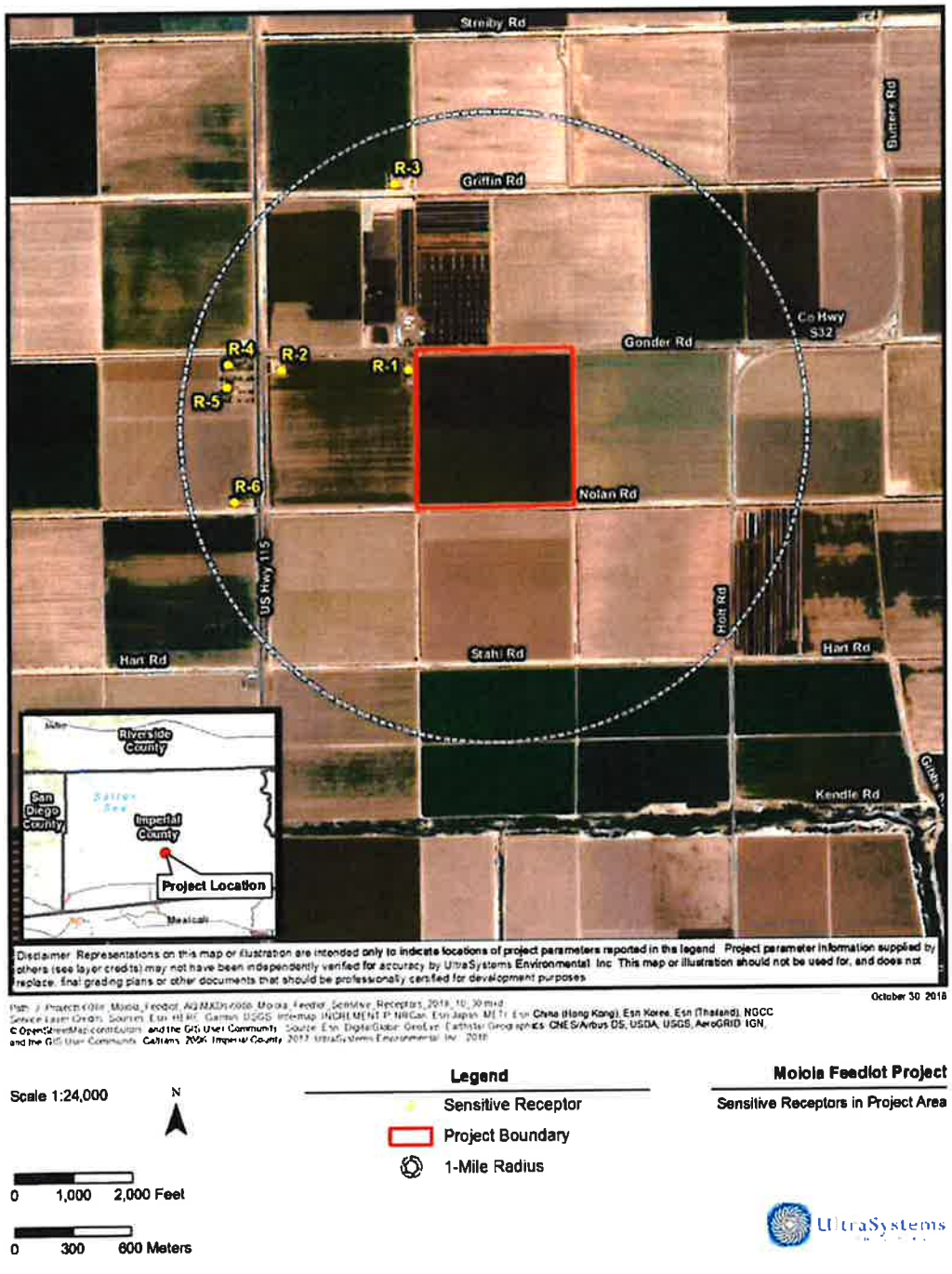
Meteorology is the study of weather and climate. Weather refers to the state of the atmosphere at a given time and place regarding temperature, air pressure, humidity, cloudiness, and precipitation. The term "weather" refers to conditions over short periods; conditions over prolonged periods, generally at least 30 to 50 years, are referred to as climate. Climate, in a narrow sense, is usually defined as the "average weather," or more rigorously as the statistical description in terms of the mean and variability of relevant quantities over a period ranging from months to thousands or millions of years. These quantities are most often surface variables such as temperature, precipitation, and wind.

Climatic conditions in Imperial County are governed by the large-scale sinking and warming of air in the semi-permanent tropical high-pressure center of the Pacific Ocean. The high-pressure ridge blocks out most mid-latitude storms except in winter when the high is weakest and farthest south. The coastal mountains prevent the intrusion of any cool, damp air found in California coastal environs. Because of the weakened storms and barrier, Imperial County experiences clear skies, extremely hot summers, mild winters, and little rainfall. The flat terrain of the valley and the strong temperature differentials created by intense solar heating produce moderate winds and deep thermal convection.

2 Nuñez, J., Transportation Impact Analysis. Moiola Brothers Cattle Feeders. County of Imperial, California. Linscott, Law & Greenspan Engineers, San Diego, CA. LLG Ref 3-18-2922, August 13, 2018.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Figure 3.1-1
SENSITIVE RECEPTORS IN PROJECT AREA



PC ORIGINAL PKG

ORIGINAL EEC PKG

The subsiding air, protective mountains, and distance from the ocean all combine to limit precipitation severely. Rainfall is highly variable with precipitation from a single heavy storm sometimes exceeding the entire annual total during a later drought condition.

Imperial County enjoys a year-round climate characterized by a temperate fall, winter, and spring and a harsh summer. Humidity often combines with the valley's normal elevated temperatures to produce a moist, tropical atmosphere that frequently seems hotter than the thermometer suggests. The sun shines, on the average, more in Imperial County that anywhere else in the United States.

3.2.1 Temperature and Precipitation

The nearest National Weather Service Cooperative Observer Program weather station to the project is in Brawley near Mulberry Elementary School, approximately 8.2 miles west-northwest of the project. At the Brawley[3] station, average recorded rainfall during the period of record (1910 to 2007) measured 2.65 inches, with 72% of precipitation occurring between October and March and 47% in just December, January, and February. Monthly average maximum temperatures at this station vary annually by 38.2 degrees Fahrenheit (°F): 107.6°F at the hottest to 69.4°F at the coldest and monthly average minimum temperatures vary by 36.9°F annually; i.e., from 38.9°F to 75.8°F. In fact, this station shows that the months of June, July, August, and September have monthly maximum temperatures greater than 100°F.

3.2.2 Humidity

Humidity in Imperial County is typically low throughout the year, ranging from 28% in summer to 52% in winter. The large daily oscillation of temperature produces a corresponding large variation in the relative humidity. Nocturnal humidity rises to 50-60% but drops to about 10% during the day. Summer weather patterns are dominated by intense heat-induced low-pressure areas that form over the interior desert.

3.2.3 Wind

The wind direction follows two general patterns. The first occurs from fall through spring, where prevailing winds are from the west and northwest. Most of these winds originate in the Los Angeles Basin. The second pattern consists of occasional periods of high winds. Wind speeds exceeding 31 miles per hour (mph) occur most frequently in April and May. On an annual basis, high winds, those exceeding 31 mph, are observed 0.6 percent of the time, while speeds of less than 6.8 mph account for more than half of the observed winds. Wind statistics indicate that prevailing winds are from the west-northwest through southwest; however, a secondary flow pattern from the southeast is also evident.

3.2.4 Inversions

Air pollutant concentrations are primarily determined by the amount of pollutant emissions in an area and the degree to which these pollutants are dispersed in the atmosphere. The stability of the atmosphere is one of the key factors affecting pollutant dispersion. Atmospheric stability regulates the amount of vertical and horizontal air exchange, or mixing, that can occur within a given air basin.

3 Western U.S. Climate Historical Summaries. Western Regional Climate Center. http://www.wrcc.dri.edu/Climsum.html. Accessed October 2018.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Horizontal mixing is a result of winds, as discussed above, but vertical mixing also affects the degree of stability in the atmosphere. An interruption of vertical mixing is called an inversion.

In the atmosphere, air temperatures normally decrease as altitude increases. However, the presence of the Pacific High-Pressure Cell can cause elevated air to warm to a temperature higher than that of the air below. This highly stable atmospheric condition, termed a subsidence inversion, can act as a nearly impenetrable lid to the vertical mixing of pollutants. The strength of these inversions makes them difficult to disrupt. Consequently, they can persist for one or more days, causing air stagnation and the buildup of pollutants. Highest or worst-case ozone levels are often associated with the presence of this type of inversion.

Imperial County experiences surface inversions almost every day of the year. Due to strong surface heating, these inversions are usually broken, allowing pollutants to disperse more easily. Weak, surface inversions are caused by radiational cooling of air in contact with the cold surface of the earth at night. In valleys and low-lying areas, this condition is intensified by the addition of chilly air flowing down slope from the hills and pooling on the valley floor.

3.3 Regulatory Setting

Federal, state, and local agencies have set ambient air quality standards for certain air pollutants through statutory requirements and have established regulations and various plans and policies to maintain and improve air quality, as described below.

3.3.1 Air Pollutants of Concern[4]

As required by the Federal Clean Air Act (FCAA), the U. S. Environmental Protection Agency (USEPA) has identified criteria pollutants and established National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. NAAQS have been established for ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide, suspended particulate matter (PM), and lead. Suspended PM includes both PM with an aerodynamic diameter of 10 micrometers or less (respirable PM, or PM_{10}) and PM with an aerodynamic diameter of 2.5 micrometers or less (fine PM, or $PM_{2.5}$). The California Air Resources Board (ARB) has established separate standards for the state; i.e., the California Ambient Air Quality Standards (CAAQS). The ARB established CAAQS for all the federal pollutants, plus sulfates, hydrogen sulfide, and visibility-reducing particles.

For some of the pollutants, the identified air quality standards are expressed in more than one averaging time to address the typical exposures found in the environment. For example, CO is expressed as a one-hour averaging time and an eight-hour averaging time. Regulations have set NAAQS and CAAQS limits in parts per million (ppm) or micrograms per cubic meter ($\mu g/m^3$). **Table 3.3-1** summarizes the state and federal ambient air quality standards for all criteria pollutants. Criteria pollutants of concern in Imperial County are ozone and PM, since the standards for other criteria pollutants are either being met or are unclassified in the county, and the latest pollutant trends suggest that these standards will not be exceeded in the foreseeable future.

4 This section discusses only criteria pollutants. Greenhouse gases are defined and discussed in **Section 5.**

PC ORIGINAL PKG
ORIGINAL EEC PKG

Table 3.3-1
AMBIENT AIR QUALITY STANDARDS FOR CRITERIA AIR POLLUTANTS

Air Pollutant	Averaging Time	California Standard	National Standard
Ozone (O_3)	1 hour 8 hour	0.09 ppm 0.070 ppm	— 0.070 ppm *
Respirable particulate matter (PM_{10})	24 hours Mean	50 µg/m³ 20 µg/m³	150 µg/m³ —
Fine particulate matter ($PM_{2.5}$)	24-hour Annual Arithmetic Mean	— 12 µg/m³	35 µg/m³ 12.0 µg/m³ **
Carbon monoxide (CO)	1 hour 8 hour	20 ppm 9.0 ppm	35 ppm 9 ppm
Nitrogen dioxide (NO_2)	1 hour Mean	0.18 ppm 0.030 ppm	100 ppb 0.053 ppm
Sulfur dioxide (SO_2)	1 hour 24 hour	0.25 ppm 0.04 ppm	75 ppb —
Lead	30-day Rolling 3-month	1.5 µg/m³ —	— 0.15 µg/m³
Sulfates	24 hour	25 µg/m³	**No National Standards**
Hydrogen sulfide	1 hour	0.03 ppm	
Vinyl chloride	24 hour	0.01 ppm	
Visibility-reducing particles	8 hour	Extinction coefficient of 0.23 per kilometer, visibility of ten miles or more due to particles when relative humidity is less than 70%.	

* On October 1, 2015, the national 8-hour ozone standard was lowered from 0.075 to 0.070 ppm.
** On December 14, 2012, the national $PM_{2.5}$ standard was lowered from 15 µg/m³ to 12.0 µg/m³.

Abbreviations:
ppm = parts per million
µg/m³ = micrograms per cubic meter
ppb = parts per billion
Mean = Annual Arithmetic Mean
30-day = 30-day average

PC ORIGINAL PKG
ORIGINAL EEC PKG

Ozone (O_3) is not emitted directly to the atmosphere but is formed by photochemical reactions between reactive organic gases (ROG), or volatile organic compounds[5] (VOC), and oxides of nitrogen (NO_X) in the presence of sunlight. The long, hot, humid days of summer are particularly conducive to ozone formation; thus, ozone levels are of concern primarily during May through September. Ozone is a strong chemical oxidant that adversely impacts human health through effects on respiratory function. It can also damage forests and crops. Tropospheric[6] ozone is formed by a complex series of chemical reactions involving nitrogen oxides, the result of combustion processes and evaporative ROGs such as industrial solvents, toluene, xylene, and hexane; as well as the various hydrocarbons that are evaporated from the gasoline used by motor vehicles or emitted through the tailpipe following combustion. Additionally, ROGs are emitted by natural sources such as trees and crops. Ozone formation is promoted by strong sunlight, warm temperatures, and winds. High concentrations tend to be a problem in Imperial County only during the hot summer months when these conditions frequently occur.

Reactive Organic Gases (ROG) are defined as any compound of carbon, excluding CO, carbon dioxide (CO_2), carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participate in atmospheric photochemical reactions. It should be noted that there are no state or national ambient air quality standard for ROG because ROGs are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formulation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility.

Nitrogen Oxides (NO_X) serve as integral participants in the process of photochemical smog production. The two major forms of NO_X are nitric oxide (NO) and nitrogen dioxide (NO_2).[7] NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO_2 is a reddish-brown irritating gas formed by the combination of NO and oxygen. NO_X is an ozone precursor. A precursor is a directly-emitted air contaminant that, when released into the atmosphere, forms, causes to be formed, or contributes to the formation of a secondary air contaminant for which an Ambient Air Quality Standard (AAQS) has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more AAQSs. When NO_X and ROG are released in the atmosphere, they can chemically react with one another in the presence of sunlight to form ozone.

Particulate Matter (PM) is a general term used to describe a complex group of airborne solid, liquid, or semi-volatile materials of various size and composition. Primary PM is emitted directly into the atmosphere from both human activities (including agricultural operations, industrial processes, construction and demolition activities, and entrainment of road dust into the air) and non-anthropogenic activities (such as windblown dust and ash resulting from forest fires). Secondary PM is formed in the atmosphere from predominantly gaseous combustion by-product precursors, such as sulfur oxides and NO_X, and ROGs. The overwhelming majority of airborne PM in Imperial

5 Emissions of organic gases are typically reported only as aggregate organics, either as Volatile Organic Compounds (VOC) or as Reactive Organic Gases (ROG). These terms are meant to reflect what specific compounds have been included or excluded from the aggregate estimate. Although the USEPA defines VOC to exclude both methane and ethane, and the ARB defines ROG to exclude only methane, in practice it is assumed that VOC and ROG are essentially synonymous.

6 The troposphere is the atmospheric layer closest to the Earth's surface. Ozone produced here is an air pollutant that is harmful to breathe, and it damages crops, trees and other vegetation.

7 Another form of NO_X, nitrous oxide (N_2O), is a greenhouse gas and is discussed below.

PC ORIGINAL PKG ORIGINAL EEC PKG

County is primary PM. The major source of primary PM is fugitive windblown dust, with other contributions from entrained road dust, farming, and construction activities.

Particle size is a critical characteristic of PM that primarily determines the location of PM deposition along the respiratory system (and associated health effects) as well as the degradation of visibility through light scattering. In the United States, federal and state agencies have established two types of PM air quality standards, as shown in **Table 3.3-1**. PM_{10} corresponds to the fraction of PM no greater than 10 micrometers in aerodynamic diameter and is commonly called respirable particulate matter, while $PM_{2.5}$ refers to the subset of PM_{10} of aerodynamic diameter smaller than 2.5 micrometers, which is commonly called fine particulate matter.

PM air pollution has undesirable and detrimental environmental effects. PM affects vegetation, both directly (e.g. deposition of nitrates and sulfates may cause direct foliar damage) and indirectly (e.g. coating of plants upon gravitational settling reduces light absorption). PM also accumulates to form regional haze, which reduces visibility due to scattering of light.

3.3.2 Ammonia

Ammonia (NH_3) is addressed in the 2013 $PM_{2.5}$ SIP[8] due to its role as a precursor to PM_{10}, specifically the wintertime violations. The cooler temperatures and higher humidity of the winter months are conducive to ammonium nitrate (NH_4NO_3) formation through a complex process involving NO_X, NH_3, and ROGs. This occurs both at the surface and aloft, via both daytime and nighttime chemistry. Understanding the interactions amongst these precursors is needed to design an appropriate and effective approach to reduce NH_4NO_3. The 2020 Imperial County Emission Inventory[9] shows that about 48% of the NH_3 is generated from farming operations (primarily feedlots) and another 46% is from the use of pesticides and fertilizers.

3.3.3 Applicable Regulations

3.3.3.1 Federal Regulations

The federal Clean Air Act (FCAA), passed in 1970, established the national air pollution control program. The basic elements of the FCAA are the National Ambient Air Quality Standards (NAAQS) for criteria air pollutants (discussed above), hazardous air pollutants standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

Data collected at permanent monitoring stations are used by the USEPA to classify regions as "attainment" or "nonattainment," depending on whether the regions met the requirements stated in the primary NAAQS. In addition, the FCAA uses a classification system to design cleanup requirements appropriate for the severity of the pollution and set realistic deadlines for reaching cleanup goals. If an air basin is not in federal attainment for a particular pollutant, the Basin is classified as a marginal, moderate, serious, severe, or extreme nonattainment area, based on the

8 Imperial County 2013 SIP for the 2006 24-hr PM2.5 Moderate Nonattainment Area. Imperial County Air Pollution Control District. December 2, 2014.

9 Almanac Emissions Projection Data. California Air Resources Board. http://www.arb.ca.gov/app/emsinv/. Accessed May 2017.

PC ORIGINAL PKG
ORIGINAL EEC PKG

estimated time it would take to reach attainment. Nonattainment areas must take steps towards attainment by a specific timeline. This is discussed further in **Section 3.4**.

Although new source performance standards have been set for a wide variety of air pollution emissions sources, no federal regulations govern emissions from livestock operations.

3.3.3.2 State Regulations

The State of California began to set CAAQS in 1969 under the mandate of the Mulford-Carrell Act. There were no attainment deadlines for the CAAQS originally. However, the State Legislature passed the California Clean Air Act (CCAA) in 1988 to establish air quality goals, planning mechanisms, regulatory strategies, and standards of progress to promote their attainment. The ARB, which became part of the California Environmental Protection Agency (CalEPA) in 1991, is responsible for ensuring implementation of the CCAA, responding to the FCAA, and for regulating emissions from motor vehicles and consumer products.

The CCAA requires attainment of CAAQS by the earliest practicable date. The state standards are generally more stringent than the corresponding federal standards. Attainment plans are required for air basins in violation of the state ozone, PM_{10}, CO, SO_2, or NO_2 standards. Responsibility for achieving state standards is placed on the ARB in cooperation with local air pollution control districts/air quality management districts. District plans for nonattainment areas must be designed to achieve a 5% annual reduction in emissions. Preparation of and adherence to attainment plans are the responsibility of the local air pollution districts or air quality management districts. CAAQS are included in **Table 3.3-1**.[10]

Senate Bill 700 (Chapter 479, Statutes of 2003)

SB 700 deals with agricultural air pollution and specifies how California will conform to federal and state air pollution laws. Prior to the adoption of SB 700, California law had exempted agricultural sources from requirements to obtain air permits. This had resulted in a conflict between state and federal law, and California faced sanctions if it failed to correct the problem. SB 700 defined "agricultural source," removed the restriction from state law that prevented air districts from requiring permits for agricultural sources, required emission-control regulations in areas that have not attained NAAQS for PM_{10} and required permits and emissions mitigation for confined animal facilities.[11]

3.3.4 Air Quality Plans

3.3.4.1 Ozone Plan

On December 3, 2009, the USEPA issued a final ruling determining that the Imperial County "moderate" 8-hour ozone non-attainment area attained the 1997 8-hour NAAQS for ozone. The determination by the USEPA was based upon complete, quality-assured, and certified ambient air monitoring data for 2006 through 2008. This determination effectively suspended the requirement for the state to submit an attainment demonstration, an RFP plan, contingency measures, and other planning requirements for so long as Imperial County continues to attain the 1997 8-hour ozone

10 Ambient Air Quality Standards. California Air Resources Board. https://www.arb.ca.gov/research/aaqs/aaqs2.pdf. May 4, 2016. Accessed October 2018.

11 Health and Safety Code Sections 39011.5, 39023.3, 40724-40724.7, 40731, 42301.16-, 42301.18, 42310 and 44559.9.

PC ORIGINAL PKG

ORIGINAL EEC PKG

NAAQS. However, this determination did not constitute a re-designation to attainment; therefore, the classification and designation status for Imperial County remain as a "moderate" non-attainment area of the 1997 8-hour ozone NAAQS. Imperial County was required to submit for USEPA approval a 2009 8-Hour Ozone "Modified" Air Quality Management Plan (Modified AQMP), which was approved July 13, 2010.

The Modified AQMP served as a comprehensive planning document intended to provide guidance to the ICAPCD, the County, and other local agencies on how to continue maintaining the 1997 8-hour ozone NAAQS. The Modified AQMP includes control measures consisting of three components: 1) the ICAPCD's Stationary Source Control Measures; 2) Regional Transportation Control Measures; and 3) the State Strategy. These measures primarily rely on the traditional command and control approach and provide the framework for ICAPCD rules that reduce ROG and NO_X emissions.

The current designation for the PM_{10} standard remains nonattainment as of September 30, 2018.[12] The ICAPCD is in the process of requesting an attainment redesignation and maintenance plan.[13] However, Imperial County's 2017 Ozone SIP[14], demonstrates that Imperial County is in attainment of the 2008 8-hour ozone standard but for emissions emanating across the international border. In addition, a weight-of-evidence analysis has been included to show that Imperial County will maintain this status of attainment through the July 2018 attainment date.

As of November 2017, after consideration of the ARB's recommendations, the USEPA "is designating Imperial County, CA as nonattainment for the 2015 ozone NAAQS".[15]

3.3.4.2 PM_{10} Plan

The ICAPCD District Board of Directors adopted the PM_{10} SIP for Imperial County on August 11, 2009.[16] The PM_{10} SIP meets USEPA requirements to demonstrate that the County will attain the PM_{10} standard as expeditiously as practicable. The PM_{10} SIP was required to address and meet the following elements, required under the FCAA of areas classified to be in serious nonattainment of the NAAQS:

- Best available emission inventories.
- A plan that enables attainment of the PM_{10} federal air quality standards.
- Annual reductions in PM_{10} or PM_{10} precursor emissions that are of not less than 5% from the date of SIP submission until attainment.
- Best available control measures and best available control technologies for significant sources and major stationary sources of PM_{10}, to be implemented no later than four years after reclassification of the area as serious.

12 Green Book PM-10 (1987) Area Information. United States Environmental Protection Agency. https://www.epa.gov/green-book/green-book-pm-10-1987-area-information. Accessed October 2018.
13 Draft Imperial County 2018 Redesignation Request and Maintenance Plan for Particulate Matter less than 10 Microns in Diameter. Imperial County Air Pollution Control District. September 2018.
14 2017 Imperial County State Implementation Plan for the 2008 8-Hour Ozone Standard. Imperial County Air Pollution Control District, September 12, 2017.
15 California – Final Area Designations for the 2015 Ozone National Ambient Air Quality Standards, Technical Support Document. United States Environmental Protection Agency. November 16, 2017.
16 2009 Imperial County State Implementation Plan for Particulate Matter Less Than 10 Microns in Aerodynamic Diameter. Imperial County Air Pollution Control District. July 10, 2009.

PC ORIGINAL PKG
ORIGINAL EEC PKG

- Transportation conformity and motor vehicle emission budgets in accord with the attainment plan.
- Reasonable further progress and quantitative milestones.
- Contingency measures to be implemented (without the need for additional rulemaking actions) if the control measure regulations incorporated in the plan cannot be successfully implemented or fail to give the expected emission reductions.

The PM_{10} SIP updated the emission inventory to incorporate revised cattle emissions, revised windblown dust model results, revised Southern California Association of Governments (SCAG) activity data, and updated entrained and windblown unpaved road dust estimates. The adjustments made to the emission inventory fell in two categories: (1) adjustments to incorporate new methodology and updated information (e.g. throughputs, activity data, etc.); and (2) adjustments to incorporate emission reductions arising from the implementation of new control measures.

Additionally, the PM_{10} SIP demonstrates that Imperial County attained the Federal PM_{10} NAAQS, but for international emissions from Mexico, based on 2006–2008 monitoring data. Attainment was due, in part, to ICAPCD's November 2005 adoption and subsequent implementation of Regulation VIII fugitive dust rules; those rules were based on the related 2005 Best Available Control Measure (BACM) analysis.

Since the reclassification of Imperial County to serious nonattainment for PM_{10} occurred in August 2004, control of fugitive PM_{10} emissions from the significant source categories that meets BACM stringency identified in the PM_{10} SIP began in January 2006.

Major stationary sources are required to implement Best Available Control Technology (BACT) to control PM_{10} emissions (Rule 207) and they are required to comply with the 20% opacity rule (Rule 403). In addition, stationary sources will be required to mitigate fugitive dust emissions from access roads, construction activities, handling and transferring of bulk materials, and track-out/carry-out according to the requirements of Regulation VIII.

Because Imperial County is shown in the PM_{10} SIP to have attained the 24-hour PM_{10} NAAQS but for international transport of Mexicali, Mexico emissions in 2006–2008, reasonable further progress and milestone requirements are unnecessary, and specifically the 5% yearly emission reductions requirement does not apply to future years. As documented in the PM_{10} SIP, all remaining SIP requirements applicable to the 2009 Imperial County PM_{10} Plan have been successfully addressed.

3.3.4.3 $PM_{2.5}$ Plan

The ICAPCD District Board of Directors adopted the $PM_{2.5}$ SIP for Imperial County on December 2, 2014.[17] The $PM_{2.5}$ SIP fulfills the requirements of the CAA for those areas classified as "moderate" nonattainment for $PM_{2.5}$. It incorporates updated emission inventories, and analysis of Reasonable Available Control Measures (RACM), an assessment of Reasonable Further Progress (RFP), and a discussion of contingency measures. Analyses in the $PM_{2.5}$ SIP included assessing emission inventories from Imperial County and Mexicali; evaluating the composition and elemental makeup of samples collected on Calexico violation days; reviewing the meteorology associated with high concentration measurements; and performing directional analysis of the sources potentially

17 Imperial County 2013 SIP for the 2006 24-hr PM2.5 Moderate Nonattainment Area. Imperial County Air Pollution Control District. December 2, 2014.

PC ORIGINAL PKG
ORIGINAL EEC PKG

impacting the Calexico $PM_{2.5}$ monitor. As is demonstrated in the $PM_{2.5}$ SIP, the primary reason for elevated $PM_{2.5}$ levels in Imperial County is transport from Mexico. Essentially, the $PM_{2.5}$ SIP demonstrated attainment of the 2006 $PM_{2.5}$ NAAQS "but for" transport of international emissions from Mexicali, Mexico.

3.3.5 Local Regulations

3.3.5.1 Air Quality

The ICAPCD also has the authority to adopt and enforce regulations dealing with controls for specific types of sources, emissions of hazardous air pollutants, and New Source Review. The ICAPCD Rules and Regulations are part of the SIP and are separately enforceable by the EPA. The following ICAPCD rules potentially apply to the project.

Rules 800 (General Requirements for Control of Fine Particulate Matter [PM-10]), **801** (Construction and Earthmoving Activities), **802** (Bulk Materials), **803** (Carry-out and Track-out), **804** (Open Areas), and **805** (Paved and Unpaved Roads) are intended to reduce the amount of PM_{10} entrained in the ambient air as a result of emissions generated by anthropogenic fugitive dust sources by requiring actions to prevent, reduce, or mitigate PM_{10} emissions. These rules include opacity limits, control measure requirements, and dust control plan requirements that apply to activities at a facility.

Rule 217 (Large Confined Animal Facilities [LCAF] Permits Required) requires owners/operators of any confined animal facility considered large in operation, including beef feedlots that maintain at least 3,500 head of beef cattle, to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) for the facility. The rule includes a comprehensive set of "mitigation measures" to reduce ammonia emissions.

Rule 420 (Beef Feedlots) requires any person using or operating an LCAF to include in the submission for a permit set forth in Rule 217, a written plan designed to effectively control dust. The Dust Control Plan is to contain (1) procedures for assuring that manure is at all times maintained at a moisture factor between 20% and 40%, in the top three inches in occupied pens and (2) an outline of manure management practices, including standards and time tables for manure removal, designed to effectively control dust and to prevent adverse public health conditions.

3.3.5.2 Right-to-Farm Ordinance

In recognition of the role of agriculture in the county, Imperial County has adopted a right-to-farm ordinance. A "right-to-farm" ordinance creates a legal presumption that ongoing, standard farming practices are not a nuisance to adjoining residences. It requires a disclosure to owners and purchasers of property near agricultural land operations, or areas zoned for agricultural purposes. The disclosure advises persons that discomfort and inconvenience from odors, fumes, dust, smoke, and chemicals resulting from conforming and accepted agricultural operations are normal and necessary aspects of living in the agricultural areas of the county.

3.4 Regional Air Quality

Table 3.4-1 shows the area designation status of Imperial County for each criteria pollutant for both the NAAQS and the CAAQS.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Table 3.4-1
FEDERAL AND STATE ATTAINMENT STATUS FOR IMPERIAL COUNTY

Pollutant	State Designation	Federal Designation (Classification)
Ozone	Nonattainment	Nonattainment
Respirable PM (PM_{10})	Nonattainment	Nonattainment (Serious) *
Fine PM ($PM_{2.5}$)	Attainment***	Nonattainment (Moderate) **
Carbon Monoxide (CO)	Attainment	Unclassifiable/Attainment
Nitrogen Dioxide (NO_2)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide	Attainment	Attainment
Sulfates	Attainment	**No Federal Standard**
Lead	Attainment	
Hydrogen Sulfide	Unclassified	
Visibility reducing Particles	Unclassified	

* Designation for Imperial Valley Planning Area only, which is most of Imperial County save for a small stretch of land on the County's eastern end.
** Designation is only for the urban areas within Imperial County. Same attainment status for 24-hour and annual arithmetic mean standards.
*** Designation for the whole of Imperial County except the City of Calexico.
Source: Area Designations and Maps – 2013. California Air Resources Board. October 2018.

On April 30, 2004, Imperial County was classified as a "marginal" nonattainment area for 8-Hour Ozone NAAQS under the FCAA. On March 13, 2008, the USEPA found that Imperial County failed to meet attainment for the 8-Hour Ozone NAAQS by June 15, 2007 and was reclassified as "moderate" nonattainment. However, on November 17, 2009, EPA announced that Imperial County has met the 1997 federal 8-hour ozone standard—demonstrating improved air quality in the area. The announcement is based on three years of certified clean air monitoring data for the years 2006-2008. However, on November 16, 2017 the USEPA designated Imperial County as nonattainment for the 2015 ozone NAAQS.[18]

In response to the opinion of the US Court of Appeals for the Ninth Circuit in Sierra Club v. United States Environmental Protection Agency, et al., in August 2004, the USEPA found that the Imperial Valley PM_{10} nonattainment area had failed to attain by the moderate area attainment date of December 31, 1994, and as a result reclassified under the FCAA the Imperial Valley from a moderate to a serious PM_{10} nonattainment area. Also, in August 2004, the USEPA proposed a rule to find that the Imperial area had failed to attain the annual and 24-hour PM_{10} standards by the serious area deadline of December 31, 2001. The USEPA finalized the rule on December 11, 2007, citing as the basis for the rule that six Imperial County monitoring stations were in violation of the 24-hour standard during 1999-2001. The USEPA's final rule action requires the state to submit to the USEPA by December 11, 2008 (within one year of the rule's publication in the Federal Register) an air quality

18 California - Final Area Designations for the 2015 Ozone National Ambient Air Quality Standards, Technical Support Document. United States Environmental Protection Agency. November 16, 2017.

PC ORIGINAL PKG
ORIGINAL EEC PKG

plan that demonstrates that the County will attain the PM_{10} standard as expeditiously as practicable. The County is in the process of requesting designation of attainment for PM_{10}.[19]

On November 13, 2009, EPA published Air Quality Designations for the 2006 24-Hour Fine Particle ($PM_{2.5}$) National Ambient Air Quality Standards[20] wherein Imperial County was listed as designated nonattainment for the 2006 24-hour $PM_{2.5}$ NAAQS. On April 10, 2014, the ARB Board gave final approval to the 2013 Amendments to Area Designations for CAAQSs. For the state $PM_{2.5}$ standard, effective July 1, 2014, the Calexico area was designated nonattainment, while the rest of the SSAB was designated attainment. The project lies outside the Calexico nonattainment area.

3.5 Local Air Quality

Ambient air concentrations and historical trends and projections in the project area are documented by measurements made by the ICAPCD and the ARB. Imperial County began its ambient air monitoring in 1976; however, monitoring of ozone began in 1986 at the El Centro monitoring station. Since that time, monitoring has been performed by the ICAPCD, ARB, and private industry. There are six monitoring sites in Imperial County, from Niland to Calexico.

The nearest monitoring station to the project site is in Brawley, approximately 8.4 miles west-northwest of the site. The Brawley station is located at 220 Main Street and only monitors PM_{10} and $PM_{2.5}$. The nearest site that monitors ozone is in El Centro, approximately 14.1 miles southwest of the site. **Table 3.5-1** summarizes 2015 through 2017 published monitoring data from the ARB's Aerometric Data Analysis and Management System (ADAM) for the project vicinity.[21]

The monitoring data show that the El Centro Station exceeded the federal and state 8-hour ozone and the state 1-hour ozone standards in all three years. State and federal PM_{10} standards were exceeded at the Brawley Station for all three years and the federal $PM_{2.5}$ standard was exceeded in both 2016 and 2017.

19 Letter from Curtis Blondell, Environmental Coordinator, Imperial County Air Pollution Control District, El Centro, CA to Jim Minnick, Planning & Development Services Director, County of Imperial, El Centro, CA. December 11, 2018,

20 Air Quality Designations for the 2006 24-Hour Fine Particle ($PM_{2.5}$) National Ambient Air Quality Standards. United States Environmental Protection Agency. Federal Register. Vol. 74, No. 218. November 13, 2009.

21 ADAM Air Quality Data Statistics. California Air Resources Board. http://www.arb.ca.gov/adam/welcome.html. Accessed October 2018.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Table 3.5-1
AMBIENT CRITERIA POLLUTANT CONCENTRATION DATA FOR PROJECT VICINITY

Air Pollutant	Standard/Exceedance	2015	2016	2017
Ozone (O_3) – El Centro	Max. 1-hour Concentration (ppm)	0.099	0.108	0.110
	Max. 8-hour Concentration (ppm)	0.079	0.082	0.092
	# Days > Federal 8-hour Std. of 0.070 ppm	11	11	17
	# Days > California 1-hour Std. of 0.09 ppm	2	4	2
	# Days > California 8-hour Std. of 0.07 ppm	6	2	8
Respirable Particulate Matter (PM_{10}) - Brawley	Max. 24-hour Concentration (µg/m³)	304.9	265.3	449.8
	#Days > Fed. 24-hour Std. of 150 µg/m³	2	3	8
	#Days > California 24-hour Std. of 50 µg/m³	10	18	ND
	Annual Average(µg/m³)	43.5	54.4	45.4
Fine Particulate Matter ($PM_{2.5}$) - Brawley	Max. 24-hour Concentration (µg/m³)	29.5	57.9	46.1
	State Annual Average (µg/m³)	6.6	11.3	9.4
	#Days > Fed. 24-hour Std. of 35 µg/m³	0	2	1
	Federal Annual Average (µg/m³)	6.5	11.2	9.4

Source: California Air Resources Board, "iADAM Air Quality Data Statistics." Internet URL: http://www.arb.ca.gov/adam/ (October 2018)
ND There were insufficient (or no) data available to determine the value.

4.0 AIR QUALITY IMPACTS ANALYSIS

This analysis was prepared in accordance with the ICAPCD CEQA Air Quality Handbook and with Appendix G of the California Environmental Quality Act (CEQA) Guidelines. Air quality impacts are typically divided into short-term and long-term impacts. Short-term impacts are associated with construction activities, such as site grading, excavation and building construction of a project. Long-term impacts are associated with the operation of a project upon its completion.

4.1 CEQA Impact Review Criteria

In accordance with *State CEQA Guidelines* Appendix G, implementation of the project would result in a potentially significant impact if it were to:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

Where available, the significance criteria established by the applicable air quality management district (AQMD) or air pollution control district (APCD) may be relied upon to make the significance

PC ORIGINAL PKG
ORIGINAL EEC PKG

determinations. As will be discussed in the next section, the ICAPCD has developed a CEQA Air Quality Handbook to provide a protocol for air quality analyses that are prepared under the requirements of CEQA.

4.2 Imperial County APCD Thresholds of Significance

Under the ICAPCD guidelines, an air quality evaluation must address the following:

- Comparison of calculated project emissions with ICAPCD emission thresholds.
- Consistency with the most recent Clean Air Plan for Imperial County.
- Comparison of predicted ambient pollutant concentrations resulting from the project to state and federal health standards, when applicable.
- The evaluation of special conditions that apply to certain projects.

4.2.1 Construction Impacts

As will be discussed in **Section 4.5.2**, this is a "Tier I" project. In general, projects whose *operational* emissions qualify them as Tier I do not need to quantify their construction emissions; instead they adopt the standard mitigation measures for construction (See **Section 6.1**). The CEQA Guidelines states the "approach of the CEQA analyses for construction particulate matter impacts should be qualitative as opposed to quantitative."

4.2.2 Operational Impacts

To evaluate long-term air quality impacts due to operation of a project, the ICAPCD recommends the significance criteria shown in **Table 4.2-1.**

Table 4.2-1
THRESHOLDS OF SIGNIFICANCE FOR PROJECT OPERATIONS[22]

Pollutant	Emissions (lbs/day)	
	Tier I	Tier II
Carbon Monoxide (CO)	< 550	≥ 550
Reactive Organic Gases (ROG)	< 137	≥ 137
Nitrogen Oxides (NO_X)	< 137	≥ 137
Sulfur Oxides (SO_X)	< 150	≥ 150
Particulate Matter (PM_{10})	< 150	≥ 150
Particulate Matter ($PM_{2.5}$)	< 550	≥ 550
Level of Significance	Less Than Significant	Significant Impact
Level of Analysis	Initial Study	Comprehensive Air Quality Report
Environmental Document	Negative Declaration	Mitigated Negative Declaration or Environmental Impact Report

22 Imperial County Air Pollution Control District. 2017. CEQA Air Quality Handbook. November, p. 10.

PC ORIGINAL PKG
ORIGINAL EEC PKG

4.3 CO "Hotspots" Thresholds

Exhaust emissions from motor vehicles can potentially cause a direct, localized hotspot impact at or near proposed developments or sensitive receptors. The optimum condition for the occurrence of a CO hotspot would be cool and calm weather at a congested major roadway intersection with sensitive receptors nearby, and where vehicles are idling or moving at a stop-and-go pace.

The significance of localized project impacts depends on whether project-related emissions result in a violation of state and/or federal CO standards. A significant impact would occur if the CO hotspot analysis of vehicular intersection emissions exposes sensitive receptors to concentrations that are more than the following thresholds:

- 20 parts per million (ppm) for 1-hour average, and/or
- 9 ppm for 8-hour average.

The ICAPCD *CEQA Air Quality* Handbook does not specify criteria for significance when ambient CO levels already exceed a state or federal standard. For that case, we used the South Coast Air Quality Management District's specification that project impacts are considered significant if they increase 1-hour CO concentrations by 1.0 ppm or more or 8-hour CO concentrations by 0.45 ppm or more.[23]

4.4 Methodology

Regional and local emissions of criteria air pollutants and precursors, and GHGs during project operations were assessed in accordance with the methodologies described below. ICAPCD suggests that the "approach of the CEQA analyses for construction PM_{10} impacts should be qualitative as opposed to quantitative"[24] but that any projects which are greater than the level of significance for construction may have a significant impact on local and, under certain circumstances, regional air quality. This analysis does not include construction PM_{10}.

Operational emissions were estimated for employees and hauling trucks using methodologies incorporated in the widely used and recommended California Emissions Estimator Model® (CalEEMod)[25,26] and presented in **Attachment 1**.

4.5 Air Quality Impacts

4.5.1 Short-Term Impacts

Project construction activities will generate short-term air quality impacts. Construction related activities associated with this project will consist of the building of cattle pens that will be used to house an additional 18,000 head of cattle. Additionally, the proposed feedlot will require the construction of a new raw water reservoir and retention pond. Use of diesel-fueled construction equipment such as excavators and graders will result in exhaust emissions of criteria pollutants and air toxics (mainly diesel particulate matter) and will generate fugitive dust emissions.

23 South Coast Air Quality Management District. 1993. CEQA Air Quality Handbook. April.
24 CEQA Air Quality Handbook: Guidelines for the Implementation of the California Air Quality Act of 1970, and amended. Imperial County Air Pollution Control District, November 2007.
25 California Emission Estimator Model (CalEEMod)®, Version 2016.3.2. California Air Pollution Control Officers Association. November 2017.
26 The CalEEMod software itself was not used.

PC ORIGINAL PKG
ORIGINAL EEC PKG

However, since the project proponent must comply with all the requirements of the ICAPCD's rules and regulations, specifically those of Regulation VIII, which applies to any activity or man-made condition capable of generating fugitive dust and requires the use of reasonably available control measures to suppress fugitive dust emissions, the impact will be less than significant.

4.5.2 Long-Term Impacts

4.5.2.1 Mobile Sources

The project will generate long-term air quality impacts associated with the exhaust emissions from increased truck traffic and employee commuting. Emission factors for employee vehicles and trucks were obtained from the EMFAC2014 Web Database[27] for Imperial County in calendar year 2019. In addition to generating exhaust emissions, the vehicles generate fugitive dust emissions by causing silt on roadways to become entrained in the air. The ICAPCD assumes that 50 percent of travel in Imperial County is on unpaved roads. Estimated unmitigated emissions from mobile sources are shown in **Table 4.5-1.** Detailed calculations are provided in **Attachment 1.**

Table 4.5-1
DAILY PROJECT OPERATIONAL MOBILE EMISSIONS (UNMITIGATED)

Emissions Source	Pollutant (maximum lbs/day)				
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$
Exhaust from Trucks (Stock Transport)	0.07	0.19	1.02	0.07	0.06
Exhaust from Trucks (Feed Supply)	0.02	0.04	0.24	0.02	0.01
Exhaust from Employee Vehicles	0.06	1.75	0.23	0.04	0.02
Entrained Road Dust	-	-	-	183.2	18.3
Max Daily Emissions	**0.2**	**2.0**	**1.5**	**183.3**	**18.4**
Thresholds for Tier II	*137*	*550*	*137*	*150*	*550*
Tier	**I**	**I**	**I**	**II**	**I**

Source: Calculated by OB-1 Air Analyses.

As indicated in **Table 4.5-1**, the project would generate mobile source operational PM_{10} emissions that would exceed the corresponding ICAPCD threshold for Tier II. To ensure that PM_{10} emissions are reduced to a less than significant level, mitigation measure **MM AQ-1** (see **Section 6.2**) will be implemented.

Mitigated emissions are shown in **Table 4.5-2**. After implementation of **MM AQ-1**, emissions of all criteria pollutants will be less than significant.

27 EMFAC2014 Web Database. California Air Resources Board. (https://www.arb.ca.gov/emfac/2014/). Accessed September 2018.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Table 4.5-2
DAILY PROJECT OPERATIONAL MOBILE EMISSIONS (MITIGATED)

Emissions Source	Pollutant (maximum lbs/day)				
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$
Exhaust from Trucks (Stock Transport)	0.07	0.19	1.02	0.07	0.06
Exhaust from Trucks (Feed Supply)	0.02	0.04	0.24	0.02	0.01
Exhaust from Employee Vehicles	0.06	1.75	0.23	0.04	0.02
Entrained Road Dust	–	–	–	78.8	7.9
Max Daily Emissions	**0.2**	**2.0**	**1.5**	**78.9**	**8.0**
Thresholds for Tier II	*137*	*550*	*137*	*150*	*550*
Tier	**I**	**I**	**I**	**I**	**I**

Source: Calculated by OB-1 Air Analyses.

4.5.2.2 Stationary Sources

The project would fit the definition of a large confined animal facility (LCAF)[28] pursuant to requirements set out in SB 700. ARB has defined beef cattle LCAFs as any facility in an ozone nonattainment area "that maintains on any one day" 3,500 or more beef cattle and 7,000 or more beef cattle in attainment areas.[29] As such, the project would be subject to ICAPCD Rule 217 and require an ATC/PTO.

4.5.2.3 PM_{10}

LCAFs can contribute directly to primary PM_{10} through several mechanisms, including animal activity, animal housing fans, and air entrainment of mineral and organic material from soil, manure, and water droplets generated by high-pressure liquid sprays. Whereas the main purpose of Rule 217 is to reduce to limit emissions of VOC's and ammonia from LCAFs, to get an ATC an LCAF must submit a dust control plan that the Air Pollution Control Officer (APCO) believes is reasonably designed to effectively control dust. Therefore, required compliance with Rule 420 would reduce the impacts of fugitive dust to less than significant.

4.5.2.4 VOCs and Ammonia (NH_3)

The nitrogen in animal manure can be converted to NH_3 and be emitted in large quantities from animal housing and manure management systems and is an indirect precursor to the greenhouse gas nitrous oxide (N_2O) emissions as well as an environmental concern. NH_3 can contribute to reduced air quality when it reacts with SO_2 or NO_2 in the atmosphere to form ammonium sulfate and ammonium nitrate, respectively; both are forms of $PM_{2.5}$. In addition, animal manure emits VOCs through the processes of anaerobic and aerobic decomposition. Through the ICAPCD's permitting process, emissions of VOC and NH_3 will be reduced and controlled to the extent feasible; therefore,

28 Final Statement of Reasons for Rulemaking for Large Confined Animal Facility Definition. California Air Resources Board. Adopted June 23, 2005.
29 Title 17, California Code of Regulations, Division 1, Chapter 1, Subchapter 2.7, commencing with section 86500.

PC ORIGINAL PKG
ORIGINAL EEC PKG

impacts related to the project's VOC and NH_3 emissions are considered less than significant. Cumulative impacts of ammonia emissions are discussed in **Section 4.5.6**.

4.5.3 Sensitive Receptors

Sensitive receptors are persons who would be more susceptible to air pollution than the general population, such as children, athletes, the elderly, and the chronically ill. Examples of land uses where substantial numbers of sensitive receptors are often found are schools, daycare centers, parks, recreational areas, medical facilities, nursing homes, and convalescent care facilities. Residential areas are also considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended times, resulting in sustained exposure to pollutants. The closest sensitive receptor to the project site currently is a rural residence immediately adjacent to the proposed site. (See **Figure 3.1-1.**) The nearest school is Magnolia Union Elementary School, located at 4502 Casey Road, Brawley, about 2.5 miles north-northwest of the project.

4.5.4 Objectionable Odors

Odor implications of NH_3 are localized to regions near the LCAF. NH_3 is easily recognized by its smell but is seldom associated with nuisance odor complaints near LCAFs any more than other manure constituents such as cresols, sulfides, or volatile fatty acids. NH_3 readily disperses from open-lot feed yards, which helps reduce its odor intensity to below human detection thresholds. NH_3 odors tend to be more noticeable inside animal barns than in open lots[30] and are greater on or near LCAFs than at more distant offsite locations.[31]

4.5.5 Conformity with Air Quality Management Plan

The ICAPCD *CEQA Air Quality Handbook* calls for a consistency analysis with the regional clean air plans, namely ozone and PM_{10} attainment demonstration plans, for large residential and commercial developments that are required to develop an EIR. Projects that are projected to exceed ICAPCD thresholds of significance for its operations are considered large developments and are required to demonstrate consistency with regional air quality plans.

4.5.6 Cumulative Impacts of Ammonia Emissions

Cattle feeding is a major agricultural activity in Imperial County, although it has declined in recent years. In 2017, almost 350,000 head of cattle, having a gross value of about $387 million, were raised in feedlots in the county.[32] In combination, the many feedlots potentially emit a significant amount of ammonia. Besides being an air pollutant itself, NH_3 is a precursor to the criteria pollutant $PM_{2.5}$. However, as discussed in **Section 3.3.5**, all feedlots above a certain size must comply with ammonia mitigation measures prescribed by Rule 217 and must obtain a permit to operate from the ICAPCD and. The ICAPCD would not issue a permit to operate to a facility whose operations are not

30 For odor generation and dispersal, an open lot and a large confined animal facility (LCALF) are equivalent.

31 Ammonia Emissions from Cattle Feeding Operations. Sharon L. M. Preece, N. Andy Cole, Richard W. Todd, and Brent W. Auvermann. December 2012. https://aglifesciences.tamu.edu/baen/wp-content/uploads/sites/24/2017/01/E-632.-Ammonia-Emissions-from-Cattle-Feeding-Operations.pdf.

32 2017 Imperial County Agricultural Crop and Livestock Report. Office of the Agricultural Commissioner. July 10, 2018. https://www.co.imperial.ca.us/ag/docs/spc/crop_reports/2017_Imperial_County_Crop_and_Livestock_Report.pdf.

PC ORIGINAL PKG
ORIGINAL EEC PKG

compatible with air quality management plans.[33] Cumulative NH_3 emissions from the proposed new Moiola facility, along with those of the other feedlots in the county, would not be cumulatively significant.

5.0 GREENHOUSE GAS EMISSIONS ANALYSIS

5.1 Climate Change and Greenhouse Gases

If the earth had no atmosphere, almost all of the energy received from the sun would be re-radiated out into space. Our atmosphere helps retain a major portion of the solar radiation through "the greenhouse effect." Short-wavelength solar radiation passes through the atmosphere and is absorbed by the earth's surface. The earth re-radiates the heat up into the atmosphere, at a longer wavelength. GHG in the atmosphere absorb the longer-wavelength heat and then radiate it back downward. In general, as concentrations of GHG in the atmosphere increase, global temperatures increase.

For many centuries, atmospheric GHG concentrations were relatively stable. As combustion of fossil fuels for industrial activities and transportation increased, concentrations of CO_2 in the atmosphere increased dramatically. The result has been an observed increase in average global temperature. The current consensus among scientists is that continued increases in atmospheric GHG will not only raise the average global temperature but will also lead to changes in climate. While air temperatures will mainly rise, temperatures may decrease in some areas. Rainfall distribution and storm patterns will be affected. As polar ice melts, sea levels may rise, inundating coastal areas.

GHG is defined under the California Global Warming Solutions Act of 2006 (AB 32) as CO_2, CH_4, nitrous oxide (N_2O), hydrofluorocarbons (HFC), perfluorocarbons (PFC) and sulfur hexafluoride (SF_6). Associated with each GHG species is a "global warming potential" (GWP), which is defined as the ratio of degree of warming to the atmosphere that would result from the emission of one mass unit of a given GHG compared with one equivalent mass unit of CO_2 over a given period of time. By this definition, the GWP of CO_2 is always 1. The GWP of CH_4 and N_2O are 25 and 298, respectively.[34] "Carbon dioxide equivalent" (CO_2e) emissions are calculated by weighting each GHG compound's emissions by its GWP and then summing the products.

Carbon dioxide (CO_2) is a clear, colorless, and odorless gas. Fossil fuel combustion is the main human-related source of CO_2 emissions; electricity generation and transportation are first and second in the amount of CO_2 emissions, respectively. Carbon dioxide is the basis of GWP, and thus has a GWP of 1.

Methane (CH_4) is a clear, colorless gas, and is the main component of natural gas. Anthropogenic sources of CH_4 are fossil fuel production, biomass burning, waste management, and mobile and stationary combustion of fossil fuel. Wetlands are responsible for the majority of the natural methane emissions.[35] As mentioned above, CH_4, within a 100-year period, is 25 times more effective in trapping heat than is CO_2.

33 Personal communication from Monica Soucier, Imperial County Air Pollution Control District, El Centro, CA to Michael Rogozen, UltraSystems Environmental, Inc, Irvine, CA and Matthew Harmon, DuBose Design Group, El Centro, CA. January 23, 2019.

34 Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. 2007.

35 U.S. Environmental Protection Agency, "Methane." Climate Change Web Site. Internet URL: http://www.epa.gov/methane/. Updated April 1, 2011.

PC ORIGINAL PKG
ORIGINAL EEC PKG

Nitrous oxide (N_2O) is a colorless, clear gas, with a slightly sweet odor. N_2O has both natural and human-related sources, and is removed from the atmosphere mainly by photolysis, or breakdown by sunlight, in the stratosphere. The main human-related sources of N_2O in the United States are agricultural soil management (synthetic nitrogen fertilization), mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production.[36] Nitrous oxide is also produced from a wide range of biological sources in soil and water. Within a 100-year span, N_2O is 298 times more effective in trapping heat than is CO_2.[37]

5.2 Regulatory Background

5.2.1 Federal Climate Change Regulation

The federal government has been involved in climate change issues at least since 1978, when Congress passed the National Climate Program Act (92 Stat. 601), under authority of which the National Research Council prepared a report predicting that additional increases in atmospheric CO_2 would lead to non-negligible changes in climate. At the "Earth Summit" in 1992 in Rio de Janeiro, President George H.W. Bush signed the United Nations Framework Convention on Climate Change (UNFCCC), a nonbinding agreement among 154 nations to reduce atmospheric concentrations of carbon dioxide and other greenhouse gases. The treaty was ratified by the U.S. Senate. However, when the UNFCCC signatories met in 1997 in Kyoto, Japan, and adopted a protocol that assigned mandatory targets for industrialized nations to reduce greenhouse gas emissions, the U.S. Senate expressed its opposition to the treaty. The Kyoto Protocol was not submitted to the Senate for ratification.

The federal government is taking several steps to address the challenge of climate change. The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. USEPA has been collecting a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

The United States Department of Agriculture (USDA) is taking steps to create modern solutions to the challenge of climate change. They have identified the real threat changing climate poses to U.S. agricultural production, forest resources, and rural economies. These threats have significant implications not just for farmers, ranchers, and forest landowners, but for all Americans. Land managers across the country are already feeling the pressures of a changing climate and its effects on weather. As these risks continue and amplify, producers will be faced with the challenges of adapting.

To mitigate climate-related risks, USDA has established seven regional hubs[38] for risk adaptation and mitigation to climate change. These Hubs will deliver science-based knowledge and practical information to farmers, ranchers and forest landowners on a regional basis to support decisionmaking related to changing climate.

36 U.S. Environmental Protection Agency, "Nitrous Oxide." Climate Change Web Site. Internet URL: http://www.epa.gov/nitrousoxide/. Updated June 22, 2010.
37 Ibid.
38 USDA Climate Hubs Webpage, United States Department of Agriculture. https://www.climatehubs.oce.usda.gov/

PC ORIGINAL PKG
ORIGINAL EEC PKG

5.2.2 California Climate Change Regulation

Since 2005, through legislation, regulations, and executive orders, the State of California has actively pursued a goal of substantially reducing public and private sector GHG emissions in the state. The following are the major actions taken to date.

Executive Order S-3-05 (GHG Emissions Reductions). Executive Order #S-3-05, signed by Governor Arnold Schwarzenegger on June 1, 2005, calls for a reduction in GHG emissions to 1990 levels by 2020 and for an 80% reduction in GHG emissions to below 1990 levels by 2050.

The California Global Warming Solutions Act of 2006 (AB 32). In September 2006, Governor Arnold Schwarzenegger signed AB 32, the California Global Warming Solutions Act of 2006 (Health and Safety Code § 38500 et seq.), into law. AB 32 was intended to effectively end the scientific debate in California over the existence and consequences of global warming. In general, AB 32 directs the ARB to do the following:

- On or before June 30, 2007, publicly make available a list of discrete early action GHG emission reduction measures that can be implemented prior to the adoption of the statewide GHG limit and the measures required to achieve compliance with the statewide limit.
- By January 1, 2008, determine the statewide levels of GHG emissions in 1990, and adopt a statewide GHG emissions limit that is equivalent to the 1990 level (an approximately 25% reduction in existing statewide GHG emissions).
- On or before January 1, 2010, adopt regulations to implement the early action GHG emission reduction measures.
- On or before January 1, 2011, adopt quantifiable, verifiable, and enforceable emission reduction measures by regulation that will achieve the statewide GHG emissions limit by 2020, to become operative on January 1, 2012, at the latest. The emission reduction measures may include direct emission reduction measures, alternative compliance mechanisms, and potential monetary and non-monetary incentives that reduce GHG emissions from any sources or categories of sources as the ARB finds necessary to achieve the statewide GHG emissions limit.
- Monitor compliance with and enforce any emission reduction measure adopted pursuant to AB 32.

On December 11, 2008, the ARB approved the *Climate Change Scoping Plan*[39] pursuant to AB 32. The Scoping Plan recommends a wide range of measures for reducing GHG emissions, including (but not limited to):

- Expanding and strengthening of existing energy efficiency programs.

39 California Air Resources Board, Climate Change Scoping Plan, a Framework for Change, Pursuant to AB32, the California Global Warming Solutions Act of 2006 (December 11, 2008).

PC ORIGINAL PKG
ORIGINAL EEC PKG

- Achieving a statewide renewables energy mix of 33 percent.
- Developing a GHG emissions cap-and-trade program.
- Establishing targets for transportation-related GHG emissions for regions throughout the state, and pursuing policies and incentives to meet those targets.
- Implementing existing state laws and policies, including California's clean car standards, goods movement measures and the Low Carbon Fuel Standard.
- Targeted fees to fund the state's long-term commitment to administering AB 32.

Executive Order S-01-07 (Low Carbon Fuel Standard). Executive Order #S-01-07 (January 18, 2007) establishes a statewide goal to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020 through establishment of a Low Carbon Fuel Standard. Carbon intensity is the amount of CO_2e per unit of fuel energy emitted from each stage of producing, transporting and using the fuel in a motor vehicle. On April 23, 2009 the ARB adopted a regulation to implement the standard.

Senate Bill 97. Senate Bill 97 was signed by the governor on August 24, 2007. The bill required the Office of Planning and Research (OPR), by July 1, 2009, to prepare, develop and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. On April 13, 2009 OPR submitted to the Secretary for Natural Resources its proposed amendments to the State CEQA Guidelines for greenhouse gas emissions. The Resources Agency adopted those guidelines on December 30, 2009, and they became effective on March 18, 2010. The amendments treat GHG emissions as a separate category of impacts; i.e. they are not to be addressed as part of an analysis of air quality impacts.

Section 15064.4, which was added to the CEQA Guidelines, specifies how the significance of impacts from GHGs is to be determined. First, the lead agency should "make a good faith effort" to describe, calculate or estimate the amount of GHG emissions resulting from a project. After that, the lead agency should consider the following factors when assessing the impacts of the GHG emissions on the environment:

- The extent to which the project may increase or reduce GHG emissions, relative to the existing environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional or local plan for the reduction or mitigation of GHG emissions.

The governor's OPR asked the ARB to make recommendations for GHG-related thresholds of significance. On October 24, 2008, the ARB issued a preliminary draft staff proposal for *Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases*

PC ORIGINAL PKG
ORIGINAL EEC PKG

under the California Environmental Quality Act.[40] After holding two public workshops and receiving comments on the proposal, ARB staff decided not to proceed with threshold development.[41] Quantitative significance thresholds, if any, are to be set by local agencies.

Senate Bill 605. Senate Bill 605 was signed into law on September 21, 2014. The bill required the ARB to develop a comprehensive strategy to reduce statewide emissions of short-lived climate pollutants (SLCPs), such as methane. The bill specifically required the ARB to inventory the sources and emissions of these pollutants, identify research gaps, identify existing and potential reduction measures, prioritize the development of new measures, and develop a comprehensive strategy for dealing with SLCPs.

Senate Bill 1383. Senate Bill 1383 was signed into law on September 19, 2016. The bill required the adoption of a comprehensive SLCP Strategy that included SLCP reduction targets, including a 40% reduction in statewide methane emissions below 2013 levels by 2030. The SLCP Strategy, which was adopted by the ARB on March 23, 2017, addresses methane emissions in particular.

5.2.3 Local Significance Thresholds

It is widely recognized that no single project could generate enough GHG emissions to change the global climate temperature noticeably. However, the combination of GHG emissions from past, present, and future projects could contribute substantially to global climate change. Thus, project-specific GHG emissions should be evaluated in terms of whether they would result in a cumulatively significant impact on global climate change.

Since the County of Imperial has not established a threshold of significance for GHGs, the ICAPCD recommends that the significance of GHG emissions from a project be evaluated by determining the extent to which they could practicably be reduced by measures that the state is considering for reducing enteric fermentation and manure management emissions from livestock operations.[42]

5.3 Project Greenhouse Gas Emissions Inventory

The project will cause emissions of GHG from mobile sources, enteric fermentation, and manure management. Specific details are presented in **Attachment A**.

5.3.1 Mobile Source Emissions

The project's mobile source GHG emissions were determined using the methodologies presented in **Section 4.5.2.1**.

40 California Air Resources Board. Preliminary Draft Staff Proposal. Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act. Planning and Technical Support Division, Sacramento, California (October 24, 2008).

41 Personal communication from Douglas Ito, California Air Resources Board, Sacramento, California, to Michael Rogozen, UltraSystems Environmental Inc., Irvine, California. March 29, 2010.

42 Personal communication from Monica Soucier, APC Division Manager, Imperial County, California, to Joe O'Bannon, OB-1 Air Analyses. November 1, 2018.

PC ORIGINAL PKG
ORIGINAL EEC PKG

5.3.2 Enteric Emissions

The microbial fermentation that occurs in the digestive system of some animals is called enteric fermentation. It is a normal digestive process during which microbes break down indigestible carbohydrates and reprocess them into nutrients that can be absorbed by the animal. This microbial fermentation process produces CH_4 as a by-product, which is then exhaled, eructated or passed out as gas by the animal. Among domesticated animal species, ruminants (e.g., cattle, buffalo, sheep, and goats) are the main emitters of CH_4. Emission factors used to estimate NH_3 emissions were obtained from the ARB's GHG inventory methodology.[43]

5.3.3 Emissions from Manure Management

Other major sources of GHG emissions are NH_3 and N_2O related to manure management. Manure is generated on feedlots as a by-product of raising animals. This manure need not be merely a waste product; instead, it is a valuable resource full of nutrients and is treated as such by farmers. Manure has many different uses (e.g., fertilizer, soil amendment, compost feedstock, biogas feedstock, etc.) that can be used individually or in combination depending on the farm and types of potential beneficial end uses. It can be applied as a liquid or a solid to onsite fields to meet crop nutrient needs; or it can be transported offsite to meet crop nutrient needs at a different facility, among other options. The beneficial use of the manure is very site-specific and may vary from farm to farm. Emission factors for NH_3 and N_2O were obtained from the ARB's GHG inventory methodology.

5.3.4 Total Unmitigated Greenhouse Gas Emissions

Table 5.3-1 gives a detailed breakdown of the results of the GHG emissions analysis.

Table 5.3-1
UNMITIGATED ANNUAL GHG EMISSIONS 2018 AND BEYOND
(Emissions in tonnes)

Source	GHG (tonnes)			
	CO_2	CH_4	N_2O	CO_2e
Mobile Emissions	68.3	0.019	0.018	74.3
Enteric Emissions	---	756.0	---	18,901
Emissions from Manure Management	---	39.08	35.84	11,657
Annual Totals	**68**	**795**	**35.9**	**30,632**

43 Documentation of California's Greenhouse Gas Inventory -11th Edition. California Air Resources Board. Last updated June 22, 2018. https://www.arb.ca.gov/cc/inventory/doc/doc_index.php

PC ORIGINAL PKG
ORIGINAL EEC PKG

5.4 Impact Analysis

UltraSystems used the following factors from § 15064.4(b) of the CEQA Guidelines to assess the significance of impacts from greenhouse gas emissions on the environment:[44]

- The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

5.4.1 Increase in Greenhouse Gas Emissions

As seen in **Table 5.3-1**, the project will generate about 30,632 tonnes per year of CO_2e emissions, primarily of CH_4 and N_2O from enteric and manure management sources.

In the first AB 32 Scoping Plan,[45] CH_4 and N_2O emissions from the agricultural sector were addressed only through voluntary measures and suggestions for further research, such as manure digester systems at dairies and fertilizer N_2O emissions. The 2014 First Update[46] to the Scoping Plan expanded on the agricultural strategies but singled out short-lived climate pollutants (SLCPs), such as black carbon, CH_4, and some HFCs, since their relatively short lifetimes but inordinate contributions to climate forcings[47] from anthropogenic sources would produce more immediate effect when mitigated. In California, the largest anthropogenic sources of CH_4 are enteric fermentation (belching by animals), manure management, landfills, natural gas transmission, and wastewater treatment. Enteric fermentation and manure management contribute 29% and 26% of total California CH_4 emissions, respectively.

In 2017 the ARB proposed a strategy that lays out a range of options to accelerate SLCP emission reductions in California, including regulations, incentives, and other market-supporting activities to address SLCPs.[48] Reductions in enteric fermentation and manure management emissions are recommended as further actions and are actively being pursued technologically and legislatively. Senate Bill (SB) 1383 directs the ARB to develop a manure management strategy that will reduce dairy and livestock sector methane emissions by up to 40 percent from 2013 levels by 2030. Reduction measures from manure management being considered by the ARB, the California Department of Food and Agriculture (CDFA), and stakeholders include switching from flush water lagoon systems; pasture-based dairy management; and installing anaerobic digestion systems. SB 1383 requires the state to support efforts to accelerate project development and help the industry reduce emissions before regulatory requirements take effect, such as to support improved manure management practices through financial incentives, collaboration to overcome barriers, and other market support. Strategies that have been investigated to reduce enteric fermentation include increasing production efficiencies to reduce the amount of methane produced for a given amount of

44 CEQA Guidelines §§ 15064.4(b)(1) through 15064.4(b)(3).
45 Climate Change Scoping Plan; a framework for change. California Air Resources Board. December 2008.
46 First Update to the Climate Change Scoping Plan: Building on the Framework. California Air Resources Board. May 2014.
47 "Climate forcings" are defined by the Environmental Literacy Council (https://enviroliteracy.org), as "processes within our atmosphere that can force changes in climate include changes in ocean circulation or in the composition of the atmosphere"
48 Short-Lived Climate Pollutant Reduction Strategy. California Air Resources Board. March 14, 2017.

PC ORIGINAL PKG
ORIGINAL EEC PKG

product, breeding animals for lower methane production, gut microbial interventions, and changes to nutrition and animal management.

The science and technological and economic feasibility of the above-mentioned measures are in the early stages of development and industry stakeholders are active participants in the process. In fact, some mitigation will be implemented through the ICAPCD permitting process, with an Emissions Mitigation Plan that would demonstrate that the facility would reduce emissions of VOCs and NH_3. The Plan could also affect the GHG emissions related to manure management and enteric emissions. Feed mitigation measures could improve the quality of the food, lessening the quantity of enteric emissions. Animal housing mitigation could be effective in reducing the GHG emissions from manure.

Additionally, the applicant currently practices manure management with the composting operations located in the existing operation area and the project will be added to the operations.

5.4.2 Compliance with Greenhouse Gas Reduction Plans

There are currently no regional or local climate action plans or general or specific plan provisions to reduce GHG emissions in the study area.

6.0 MITIGATION MEASURES

6.1 Standard Mitigation Measures for Construction

Attachment 2 contains the standard mitigation measures for construction emissions recommended in the ICAPCD's CEQA Air Quality Handbook.

6.2 Mitigation for Criteria Pollutant Impacts

MM AQ-1 The operator will require that employees and cattle trucks drive only on paved roads.

6.3 Mitigation for Climate Change Impacts

None available, other than GHG emission reductions resulting from implementation of permit conditions based upon Rule 217 requirements.

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENTS

PC ORIGINAL PKG
ORIGINAL EEC PKG

ATTACHMENT 1

EMISSION CALCULATION DETAILS

PC ORIGINAL PKG
ORIGINAL EEC PKG

PC ORIGINAL PKG

Project GHG Emissions

Source	GHG (tonnes/year)			
	CO_2	CH_4	N_2O	CO_2e
Mobile Emissions	68.3	0.019	0.018	74.3
Enteric Emissions	0	756.0	0	18,901
Emissions from Manure Management	0	39.08	35.84	11,657
Annual Totals	**68**	**795.1**	**35.9**	**30,632**

ORIGINAL EEC PKG

PC ORIGINAL PKG

ARB GHG Emission Inventory Emission Factors

(grams per head of cattle)

Sector	Activity	CH_4	N_2O
3A1 - Enteric Fermentation	Livestock population - Steer feedlot	42,002	0
3A2 - Manure Management	Dry Lot - Feedlot steers 500+ lbs	2,171	1,991

Project Size = 18.000 head

ORIGINAL EEC PKG

Criteria Emissions Summary

Unmitigated

Emissions Source	Pollutant (maximum lbs/day)				
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$
Trucks stock transport	0.07	0.19	1.02	0.07	0.06
Trucks feed supply	0.02	0.04	0.24	0.02	0.01
Employees	0.06	1.75	0.23	0.04	0.02
Entrained Road Dust	-	-	-	183.15	18.26
Max Daily Emissions	**0.1**	**2.0**	**1.5**	**183.3**	**18.3**

Mitigated

Emissions Source	Pollutant (maximum lbs/day)				
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$
Trucks stock transport	0.07	0.19	1.02	0.07	0.06
Trucks feed supply	0.02	0.04	0.24	0.02	0.01
Employees	0.06	1.75	0.23	0.04	0.02
Entrained Road Dust	-	-	-	78.76	7.85
Max Daily Emissions	**0.1**	**2.0**	**1.5**	**78.9**	**7.9**

PC ORIGINAL PKG ORIGINAL EEC PKG

Operational On-road Emissions

Activity

Expanded Activity	# Vehicles per Day	1 way Trip Length	VMT per day	VMT per year
Trucks stock transport	3	10.8	65	20,292
Trucks feed supply	5	1.5	15	4,693
Employees	10	21.5	430	134,529
TOTAL	***18***		***510***	***159,513***

Criteria Emissions

Expanded Activity	Pounds per day				
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$
Trucks stock transport	0.07	0.19	1.02	0.07	0.06
Trucks feed supply	0.02	0.04	0.24	0.02	0.01
Employees	0.06	1.75	0.23	0.04	0.02
Totals	***0.1***	***2.0***	***1.5***	***0.1***	***0.1***

GHG Emissions

Expanded Activity	Tonnes per Year			
	CO_2	CH_4	N_2O	CO_2e
Trucks stock transport	22.09	0.0123	0.0113	25.7
Trucks feed supply	5.11	0.0028	0.0026	6.0
Employees	41.13	0.0039	0.0045	42.6
Totals	***68.3***	***0.019***	***0.018***	***74.3***

PC ORIGINAL PKG ORIGINAL EEC PKG

PC ORIGINAL PKG

EMFAC2014 (v1.0.7)

2019 Estimated Annual Emission Rates

EMFAC2011 Vehicle Categories

Imperial COUNTY

Vehicle Info			Emission Factor (grams/mile)								
						PM_{10}			$PM_{2.5}$		
Type	Fuel	VMT	ROG	CO	NO_x	Exhaust	TW+BW	Total	Exhaust	TW+BW	Total
LDA	GAS	3,002,449	0.0699	1.9582	0.2686	0.0015	0.0448	0.0462	0.0014	0.0178	0.0191
LDA	DSL	28,824	0.0203	0.1952	0.1238	0.0134	0.0448	0.0582	0.0128	0.0178	0.0306
LDT1	GAS	213,148	0.0775	3.1270	0.3358	0.0031	0.0448	0.0478	0.0028	0.0178	0.0206
LDT1	DSL	260	0.1447	0.9784	1.1821	0.1145	0.0448	0.1592	0.1095	0.0178	0.1273
LDT2	GAS	1,003,681	0.0279	1.2919	0.1620	0.0016	0.0448	0.0463	0.0015	0.0178	0.0192
LDT2	DSL	1,650	0.0120	0.1032	0.0678	0.0055	0.0448	0.0502	0.0052	0.0178	0.0230
Weighted Avg for Employees & Visitors			***0.0600***	***1.8467***	***0.2458***	***0.0017***	***0.0448***	***0.0464***	***0.0015***	***0.0178***	***0.0193***
T6 ag	DSL	2,518	0.4834	1.3572	7.1556	0.3419	0.1423	0.4842	0.3271	0.0589	0.3860

Notes: - Criteria and CO_2 factors come from EMFAC2014 for Candar Year 2019 and represent Estimated Annual Emission Rates for Imperial County

- CH_4 and N_2O factors come from Local Government Operations Protocol: For the quantification and reporting of greenhouse gas emissions . California Air Resources Board, California Climate Action Registry, ICLEI - Local Governments for Sustainability, and The Climate Registry.

ORIGINAL EEC PKG

PC ORIGINAL PKG

CO_2	CH_4	N_2O
280.0	0.0278	0.0294
250.0	0.6037	0.5554
332.7	0.0315	0.0433
353.2	0.6037	0.5554
378.8	0.0315	0.0433
324.9	0.6037	0.5554
305.8	***0.0288***	***0.0334***
1,088.4	0.6037	0.5554

inventories. Version 1.1.
May 2010

ORIGINAL EEC PKG

Entrained Road Dust

Entrained road dust emissions are generated by vehicles traveling on both paved and unpaved roads. These equations are based on the paved and unpaved roads emission factors found in Section 5.3 of Appendix A, CalEEMod Users Guide, version 2016.3.2 and AP-42 Sections 13.2.1 and 13.2.2.

Emission Factors - Paved Roads

EF PM_{10} = $[k * (sL^{0.91}) * (W^{1.02})] * (1 - P/4N)$ = 0.00065 lbs PM_{10}/VMT

EF $PM_{2.5}$ = 0.00016 lbs $PM_{2.5}$/VMT

Constant	Description	Value
k	*PM_{10} particle size multiplier for particle size range and units of interest*	0.0022
	$PM_{2.5}$ particle size multiplier for particle size range and units of interest	0.00054
sL	*road surface silt loading in g/m^2 (allowable range is 0.02 to 400 g/m^2)*	0.1
W =	*average weight of the vehicles traveling the road in tons (mean average fleet vehicle weight ranging from 1.5 - 3 tons)*	2.4
P	*number of "wet" days with at least 0.01 in)ches of precipitation during the averaging period*	35
N	*number of days in the averaging period (e.g., 365 for annual, 91 for seasonal, 30 for monthly)*	365

Emission Factors - Unpaved Roads

EF PM_{10} = $(k * (s/12)^{1} * (S/30)^{0.5} / (M/0.5)^{0.2} - C) * (1 - P/365)$ = 0.7178 lbs PM_{10}/VMT

EF $PM_{2.5}$ = 0.0715 lbs $PM_{2.5}$/VMT

Constant	Description	Value
k =	*PM_{10} particle size multiplier for particle size range and units of interest*	1.8
	$PM_{2.5}$ particle size multiplier for particle size range and units of interest	0.18
s =	*surface material silt content (%) (allowable range 1.8 - 35 %)*	4.3
M	*surface moisture content (%) (allowable range 0.03 – 13 %)*	0.5
S =	*the average vehicle speed (mph) (allowable range [10 - 55 mph])*	40
C =	*PM_{10} emission factor for 1980's vehicle fleet exhaust, brake wear and tire wear*	0.00047
	$PM_{2.5}$ emission factor for 1980's vehicle fleet exhaust, brake wear and tire wear	0.00036
P	*number of "wet" days with at least 0.254 mm (0.01 in) of precipitation during the averaging period **	13

** Data from Western Regional Climate Center. Brawley Period of Record General Climate Summary - Precipitation. https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca1048*

PC ORIGINAL PKG ORIGINAL EEC PKG

Entrained Road Dust Emissions - Operation

Phase/Category		VMT/d		Paved Roads (lbs/d)		Unpaved Roads (lbs/d)		Total Roads (lbs/d)		Mitigated (lbs/d)	
		(paved)	(unpaved)	PM_{10}	$PM_{2.5}$	PM_{10}	$PM_{2.5}$	PM_{10}	$PM_{2.5}$	PM_{10}	$PM_{2.5}$
Operation	Trucks - stock	32	32	0.02	0.01	23.28	2.32	23.30	2.32	10.02	1.00
	Trucks - feed	8	8	0.00	0.00	5.38	0.54	5.39	0.54	2.32	0.23
	Employees	215	215	0.14	0.03	154.33	15.37	154.47	15.40	66.42	6.62
	Total	**255**	**255**	**0.2**	**0.0**	**183.0**	**18.2**	**183.2**	**18.3**	**78.8**	**7.9**

Notes: Per ICAPCD, vehicular travel in Imperial County is 50% on unpaved roads.

PC ORIGINAL PKG ORIGINAL EEC PKG

Travel Distance Assumptions

Truck Mileages

Activity		1-way
30%	Calves in	12.7
70%	Cattle out	10
Weighted Average		***10.8***

Assumed 30% / 70% split reflects the quantity of calves vs cattle per truck

Truck Mileages

Activity	1-way
Feed Supply	1.5

Feed source from alfalfa fields south of Gonder Rd and west of Hwy 115

Employee Mileages

Source		1-way
50%	Brawley	15
50%	El Centro	28
Weighted Average		***21.5***

PC ORIGINAL PKG ORIGINAL EEC PKG

ATTACHMENT 2

STANDARD MITIGATION MEASURES FOR CONSTRUCTION EQUIPMENT AND FUGITIVE PM_{10}

PC ORIGINAL PKG
ORIGINAL EEC PKG

CONSTRUCTION EQUIPMENT AND FUGITIVE PM_{10} MITIGATION MEASURES[1]

Standard Mitigation Measures for Fugitive PM_{10} Control

a. All disturbed areas, including Bulk Material storage which is not being actively utilized, shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by using water, chemical stabilizers, dust suppressants, tarps or other suitable material such as vegetative ground cover.

b. All onsite and offsite unpaved roads will be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering.

c. All unpaved traffic areas one (1) acre or more with 75 or more average vehicle trips per day will be effectively stabilized and visible emission shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering.

d. The transport of Bulk Materials shall be completely covered unless six inches of freeboard space from the top of the container is maintained with no spillage and loss of Bulk Material. In addition, the cargo compartment of all Haul Trucks is to be cleaned and/or washed at delivery site after removal of Bulk Material.

e. All Track-Out or Carry-Out will be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road within an Urban area.

f. Movement of Bulk Material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers or by sheltering or enclosing the operation and transfer line.

g. The construction of any new Unpaved Road is prohibited within any area with a population of 500 or more unless the road meets the definition of a Temporary Unpaved Road. Any temporary unpaved road shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emission by paving, chemical stabilizers, dust suppressants and/or watering

Standard Mitigation Measures for Construction Combustion Equipment

a. Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak hour of vehicular traffic on adjacent roadways

b. Implement activity management (e.g. rescheduling activities to reduce short-term impacts)

---

1 These mitigation measures are from CEQA Air Quality Handbook. Imperial County Air Pollution Control District. December 12, 2017. www.co.imperial.ca.us/AirPollution/PlanningDocs/CEQAHandbk.pdf.

PC ORIGINAL PKG ORIGINAL EEC PKG

Attachment D.

Appeal #18-0001 of Initial Study #17-0026

(Planning Commission hearing on May 9, 2018)

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT REPORT

TO: PLANNING COMMISSION **AGENDA DATE: May 9, 2018**

FROM: PLANNING & DEVELOPMENT SERVICES **AGENDA TIME 9:00 A.M. / No.1**

PROJECT TYPE: APPEAL #18-0001 OF INITIAL STUDY #17-0026 SUPERVISOR DIST # 5

LOCATION: From Griffin to Nolan Roads, approximately 1.5 miles south of SR 78, directly east of SR 115, and approximately 7 miles southeast of Brawley

APNs: 041-20-028-000 (Parcel A) & 041-090-004-000 (Parcel B)

PARCEL SIZES: 98.54 AC (Parcel A) & 160 AC (Parcel B)

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

ZONE (existing) A-2-R (General Agricultural/Rural) ZONE (proposed) A-3 (Heavy Agriculture)

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 05/09/2018

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 02/15/2018

INITIAL STUDY: #17-0026

☒ NEGATIVE DECLARATION ☐ MITIGATED NEGATIVE DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☒ NONE	☐ ATTACHED
AG. COMMISSIONER	☒ NONE	☐ ATTACHED
APCD	☒ NONE	☐ ATTACHED
DEH/EHS	☒ NONE	☐ ATTACHED
FIRE/OES	☒ NONE	☐ ATTACHED
SHERRIFF'S OFFICE	☒ NONE	☐ ATTACHED
OTHER _____		

REQUESTED ACTION:

REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING FOR APPEAL #18-0001 OF THE ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION OF A NEGATIVE DECLARATION FOR INITIAL STUDY #17-0026. HEAR ALL THE OPPONENTS AND PROPONENTS OF APPEAL #18-0001, THEN MAKE A DECISION ON ONE OF THE FOLLOWING OPTIONS:

1. **APPROVE APPEAL #18-0001, AND FIND THAT THE EEC'S FEBRUARY 15, 2018 DETERMINATION OF A NEGATIVE DECLARATION FOR INITIAL STUDY #17-0026 IS NOT APPROPRIATE, AND THAT AN ENVIRONMENTAL IMPACT REPORT (EIR) NEEDS TO BE PREPARED; OR**

2. **DENY APPEAL #18-0001, AND FIND THAT THE EEC'S FEBRUARY 15, 2018 DETERMINATION OF A NEGATIVE DECLARATION FOR INITIAL STUDY #17-0026 IS APPROPRIATE.**

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

TO: Planning Commission
FROM: Jim Minnick, ICPDS Director

May 9, 2018
M/O _____

SUBJECT: **Consideration of Appeal #18-0001 of the EEC's Determination of a Negative Declaration for Initial Study #17-0026 with regards to Zone Change #17-0006**

Dear Planning Commissioners:

Requested Action:

The Imperial County Planning & Development Services Department respectfully requests that the Planning Commission conduct a public hearing regarding Robert Bruce Smith's appeal (Appeal #18-0001) of the Environmental Evaluation Committee (EEC)'s determination of a Negative Declaration for Initial Study #17-0026 with regards to Zone Change #17-0006, as follows:

1. Consideration of approval of Appeal #18-0001, and find that the EEC's February 15, 2018 determination of a Negative Declaration for IS #17-0026 is not appropriate, and that an Environmental Impact Report (EIR) needs to be prepared, or
2. Consideration of denial of Appeal #18-0001 and find that the EEC's February 15, 2018 determination of a Negative Declaration is appropriate.

Background:

Mr. Smith's appeal letter indicates that the Moiola Bros. Cattle Feeders' feedlot was first built in 1968 and that the cattle pens only occupied 30 acres directly north of his family's property. It continues to say that in *"...1972, the cattle pens covered approximately 48 acres, and by 1976 it had grown 54 acres. By 1992 the cattle pens covered 58 acres, and the feedlot had doubled its original (1968) size and capacity. As the size and capacity of the feedlot grew, so did the traffic, especially*

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

from large trucks, noise levels, odors and dust, resulting in the continued degradation of the peaceful rural setting…"

In 2006, Moiola Bros. Cattle Feeders submitted an application for a Parcel Map, a Zone Change to rezone 37.27 acres from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) and Conditional Use Permit for a composting facility. All these permits were for APN 041-020-018-000, which is parcel east of Parcel A. (See Attachment F). The appellant states in the appeal letter that the County of Imperial Zoning Maps did not reflect this change, but as of March 21, 2018, Zone Map #35 has been revised to reflect the 2006 Zone Change as approved (See Attachment G). There have been no permit application accepted nor approved on this parcel, therefore, no land use permits have been granted in an incorrectly zoned parcel.

The appeal letter indicates that the Moiola's cattle pens were unpermitted and within setback areas; however, the Imperial County's Title 9 Division 10 "Building" Ordinance was adopted in November 24, 1998, and Section 91002.22 indicates that "Provisions of this Division are not applicable to livestock feed pens, or livestock sun shades less than 2,000 square foot (aggregate)", meaning that there were no building permit requirements for cattle pens at the time that the feedlot was first built in 1968. Division 5 of Title 9 Land Use Ordinance was also adopted in November 24, 1998, so there were no setback requirements imposed to the feedlot prior to that date. All future cattle pen expansions are subject to Planning and Development Services Department's review prior to any activity (ies) within the subject parcels.

Mr. Smith provided a written comment letter opposing the Moiola's 2006 project which involved a Parcel Map, Zone Change and Conditional Use Permit on parcels identified as APN 041-020-018-000, which is now divided into two parcels: APN's 041-020-028-000 (Parcel A of this project) and 041-020-029-000. There was an Environmental Evaluation Committee hearing on August 10, 2006, Planning Commission on September 13, 2006 and was approved by the Board of Supervisors approved on October 25, 2006.

Procedural History:

At the February 15, 2018 public hearing, the Environmental Evaluation Committee's Mandatory Findings of Significance indicated that this project does not have the potential to degrade the quality of the environment, does not have the potential to have cumulatively considerable impacts, and does not have the potential to have significantly adverse effects on human beings directly or indirectly; therefore, a NEGATIVE DECLARATION was determined.

Thereafter, Imperial County received an appeal letter (APP #18-0001) from Robert Bruce Smit, who stated that he strongly disagreed with the EEC's decision as to the Mandatory Findings of Significance and its decision that a Negative Declaration

PC ORIGINAL PKG

PC ORIGINAL PKG ORIGINAL EEC PKG

was appropriate and necessary for this project. The letter also indicated that the Moiola's feedlot, which is adjacent to the project site area, was not in compliance since they had begun composting without the proper permit or zoning.

The appellant stated that the 2006 project to rezone to A-3 was not adequately shown on the Zoning Maps on the Imperial County website and stated that the applicant had disregarded the County of Imperial setback requirements and has unlawfully built cattle pens in these setback areas, resulting in the applicant's feedlot "tripling in size to 90 acres from its original 36 acres size in 1968..." adding that "...as the size and capacity of the feedlot has grown, so has the traffic, noise level, odor and dust, and the air quality and general environmental condition of the area continues to significantly deteriorate".

The appeal received to the EEC Action, requested the following reasons for appeal to be considered:

A. ***The Notice and Agenda of the EEC Hearing was insufficient to provide the public with adequate notification as to the purpose of the hearing.***
A notice of the project was sent on 02/02/18 to all property owners within ½ mile of the proposed project site to let them know about the EEC Hearing scheduled for 02/15/18. A copy of the Public Notice was published in the Imperial Valley Press (IVP) on Sunday, 02/04/18, and the Agenda and EEC package were posted online (www.icpds.com) on 2/12/18. CEQA Determination was published in the IVP on the 02/20/18. Mr. Smith's appeal letter states that he received the agenda and EEC Hearing package on 02/12/18, however, he should have received the notice by mail since his address appears on the mailing list that was used to provide noticing 10 days prior to the hearing as per County of Imperial's Rules and Regulations to implement CEQA.

In addition, the "Notice of Public Hearing & Scheduled Hearing Date(s)" letter advices the recipient of the notice that the hearing body, in this case the Environmental Evaluation Committee (EEC) will review and process the project, and that "...as an interested person or agency, you have the opportunity to comment on this project by visiting the Department to review the file, or by calling the Department for further information, or by submitting written documentation to the Department or by appearing at the public hearing..." It also has the contact information of the Staff member who prepared the Initial Study, so any questions could have been addressed by this person or Management.

B. ***The Notice, Agenda and Initial Study do not provide an accurate description of the project and its location.***
The original application package consisted of (1) Zone Change ***and (2) Conditional Use Permit (CUP) applications. Our office started the review*** process of the applications and further preparation of the Initial

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Study. Later, the applicant decided to withdraw (1) Conditional Use Permit and approximately two months later, decided to withdraw the other CUP. The environmental document was revised accordingly, but some sections of the Initial Study package that included language about the composting facility were not removed from the document as they should have. Therefore, the Initial Study #17-0026 Project Description (page 8), the Environmental Checklist (page 10) and Site Plan (page 12), have been revised and included as attachments of this document. These changes have been included in the Revised Initial Study #17-0006 as well, and can be found in Attachment **D**.

C. ***Conduct of the EEC Hearing***

The EEC Hearing was opened to the public for comments but no comments were received until after the second item was heard and closed.

D. ***The EEC's Findings as to Environmental Impacts of the Applicant's Project are incorrect***

1. ***I. Aesthetics***

   The applicant has indicated that there was a mistake in the Site Plan. The applicant has stated that they would like to add 18,000 more cattle in the future, not 36,000 new cattle. The total cattle head count would be 38,000 **(20,000 existing and 18,000 new)** and not 56,000.

2. ***II. Agriculture and Forest Resources***

   According to communication with the applicant, Moiola Bros. Cattle Feeders intend to continue using Parcel A (98.54 acres) for agricultural purposes.

3. ***III. Air Quality (a-c)***

   The applicant indicated that they (Moiola Bros. Cattle Feeders) do not intend to add 80,000 to 100,000 cattle to its current feeding operations. They intend to add 18,000 to the approximately 20,000 cattle head count they currently have. Currently, and according to the Moiola's calculations, which can be found on Attachment 12 of their response letter, fourteen (14) cars go in and out of the site for daily operations. The Moiola Brothers' car traffic analysis includes five (5) additional daily trips if five (5) new employees are hired to work on the future feedlot, so a total of nineteen (19) daily trips would be expected, not 250 as per the appeal letter.

4. ***III. Air Quality (d); Noise (a-d); and Transportation/Traffic***

   Please refer to the applicant's response letter (Attachment 12) for their daily traffic analysis.

PC ORIGINAL PKG

PC ORIGINAL PKG ORIGINAL EEC PKG

5. ***III. Air Quality (e)***
   The applicant is willing to place hay buffer on the west the parcel between Mr. Smith's property and Parcel B to lessen any impacts related to air quality.

6. ***IX. Hydrology and Water Quality, (a-j); XVIII. Utilities and Service Systems***
   The applicant will provide a Grading Plan to Public Works Department to address drainage issues.

7. ***XIII. Population and Housing***
   The appellant's letter indicates that their property values would be significantly decreased as a consequence of the zone change approval and future feedlot expansion project. The applicant's response letter states that they are willing to place a hay buffer between the appellant's residence and the feedlot and place the cattle on the east side of the parcel, which would be farthest away from the appellant's residence.

8. ***XIV. Public Services***
   Magnolia School has been added to the Initial Study XIV. Public Services and has been included in the attached Revised Initial Study #17-0006 found in Attachment **D**.

Furthermore, Mr. Smith requests appeal of the EEC's Mandatory Findings of Significance in accordance with Section 15065 of the California Environmental Quality Act (CEQA) guidelines and the EEC's determination that a Negative Declaration was appropriate for providing the necessary environmental documentation and clearance for the Moiola Brothers Cattle Feeders' project identified as "Assessment #17-0026, Zone Change #17-0006 and Initial Study #17-0026".

Mr. Smith is requesting an Environmental Impact Report (EIR) be prepared to adequately study and address the potentially significant environmental effects of the Applicant's Project.

On ~~March 26~~ **April 26**, 2018, the County Planning & Development Services Dept. received a response letter from the applicant, Moiola Bros. Cattle Feeders.

The County has satisfied the legal requirements for notice and production of documents for this hearing. Notice of this hearing for Appeal #18-0001 was published in the Imperial Valley Press WITHIN 10 calendar days (a newspaper of general circulation) and, in addition, public notice of this hearing was mailed to the surrounding property owners within a "one half mile radius" of the project boundaries within 10 calendar days. Notices were provided to all those who

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

provided written comments at the EEC hearing, specifically the above appellants. The required documents and agendas were posted on the Department's website.

Procedure for Planning Commission Appeal Hearing:

This is an appeal hearing, which is a hearing to review the EEC's February 15, 2018 determination of a Negative Declaration for Initial Study #17-0026 with regards to Zone Change #17-0006, (See Rules to Implement CEQA) as amended.

REQUESTED ACTION:

ICPDS Staff requests that the Planning Commission hold a Public Hearing for Appeal #18-0001 of the Environmental Evaluation Committee (EEC)'s February 15, 2018 determination of a Negative Declaration for Initial Study #17-0026. Hear all the opponents and proponents of Appeal #18-0001, then make a decision on one of the following options:

1. Approve Appeal #18-0001, and find that the EEC's February 15, 2018 determination of a Negative Declaration for Initial Study #17-0026 is not appropriate, and that an Environmental Impact Report (EIR) needs to be prepared; or

2. Deny Appeal #18-0001 and find that the EEC's February 15, 2018 determination of a Negative Declaration for Initial Study #17-0026 is appropriate.

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Project Details

Applicant/Owner: **Moiola Bros. Cattle Feeders**
1594 Gonder Road, Brawley, CA 92227

Project Location:

The project site is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Route 115 and approximately 1 mile west of Holt Road, from Griffin to Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number(s) 041-020-028-000 (Parcel A) and 041-090-004-000 (Parcel B). See attached Location and Site Plans for reference.

Project Summary:

The Zone Change application includes two parcels (Parcel A: north of Gonder Road and Parcel B: south of Gonder Road), and the applicant intends to rezone both parcels, from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) to be able to apply for a future building permit application for additional cattle pens on Parcel B (south of Gonder Road), which is currently being used as farmland and for hay storage. Parcel B is identified as Assessor's Parcel Number (APN) 041-090-004-000, and is located south of the existing feedlot and composting facility, which are both owned by the applicant.

According to the applicant, the feedlot has an existing cattle head count of 20,000 and they would like to add 18,000 more if the Zone Change application is approved. The purpose of the Zone Change application is to be able to have room for future feedlot expansion.

Pursuant to Division 5 Chapter 9 Section 90509.06, there shall be a 300-foot setback from centerline of adjacent street(s) for any animal, livestock pens, so any future cattle expansion project shall have to reflect the previously referenced setback.

Additionally, stockyard is a permitted use under the A-3 Zone. According to the applicant, the feedlot expansion permit application would be submitted after the Zone Change application, if approved. See attached Application, Project Description Sheet and Site Plan for additional information.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Environmental Setting:

The project site is surrounded mostly by agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and are owned by the applicant, Moiola Bros. Cattle Feeders. There are six (6) residences nearby, the closest one being across the street of the existing feedlot and composting facility, and west of the northwest corner of Parcel B, which is where the property owners are planning to build the additional cattle pens in the future. Neighboring parcels include similar zones, such as: A-2 (General Agricultural) and A-3 (Heavy Agricultural). In addition, there is a parcel approximately 0.85 miles southeast of Parcel B, which is currently being used as a feedlot and is also owned by the Moiola Bros. The environmental setting is mostly open flat space due to agricultural fields.

Analysis:

The project site is zoned A-2-R (General Agricultural/Rural Zone) per Zoning Map #31 (Title 9, Section 92531.04), and is surrounded by similar agricultural zoning areas (A-2 and A-3). The approval of the proposed application for a zone change would allow for stockyard after the Zone Change application has been reviewed and approved of. Stockyard is listed as a permitted use in the A-3 zone according to Title 9, Division 5, Chapter 9, Section 90509.01 n), but is not part of this proposed application.

The proposed application may be consistent with the Imperial County General Plan's designation, and the Imperial County's Land Use Ordinance. In addition, the adoption of the CEQA Initial Study for this project would be consistent with applicable County and State ordinances and regulations.

The Initial Study determination from EEC shows that no significant impacts to the environment are being anticipated as a result of the project approval.

General Plan Consistency:

Complementing to the analysis stated above, the project site is designated as "Agriculture", according to the County's General Plan Land Use Map. The proposed project is not expected to conflict with the County's General Plan, and can be found consistent with the Agricultural Element's Goals and Objectives, especially Goal 10, which addresses cattle production on agricultural land (pages 35 and 36) and with its Implementation Programs and Policies.

EEC Determination:

On February 15, 2018, the EEC held a publicly noticed regularly scheduled hearing and reviewed the Initial Study #17-0026 including the 18 categories of the Initial Study.

PC ORIGINAL PKG
PC ORIGINAL PKG ORIGINAL EEC PKG

In Initial Study "SECTION 3"of the Mandatory Findings of Significance, the EEC members made a determination that this project does not have the potential to degrade the quality of the environment; the impacts do not have the potential to have cumulatively considerable impacts and does not have the potential to have significantly adverse effects on human beings directly or indirectly.

Finally, the Environmental Evaluation Committee found that the proposed project Initial Study #17-0026 Zone Change #17-0006, could not have a significant effect on the environment.

PREPARED BY:

Diana Robinson, Planner II

REVIEWED BY:

Michael Abraham, AICP, ICPDS Assistant Director

APPROVED BY:

for

Jim Minnick, Director, ICPDS

Attachments:

Attachment A:	Appeal Letter from Robert Bruce Smith received February 26, 2018
Attachment B:	Response Letter from Moiola Brothers Cattle Feeders received March 27, 2018.
Attachment C:	EEC Hearing Package with Initial Study #17-0026 with attached comment letters.
Attachment D:	Revised Initial Study #17-0026
Attachment E:	Revised Site Plan from Moiola Bros. Cattle Feeders dated March 27, 2018
Attachment F:	Project Report from 2006 Parcel Map, Zone Change and CUP
Attachment G:	Revised Zone Map #35

PC ORIGINAL PKG

PC ORIGINAL PKG ORIGINAL EEC PKG

Attachment A.

Appeal Letter from Robert Bruce Smith

Received February 26, 2018

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

February 21, 2018

RECEIVED
FEB 26 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Re: ***Appeal of Environmental Evaluation Committee's Decision to Prepare Negative Declaration for Assessment #17-0026: Applicant: Moiola Brothers Cattle Feeders APNS: 041-090-004-000 and 041-020-028-000***
Hearing Date and Time: 2/15/2018 at 1:30 p.m.

Dear Mr. Minnick,

On February 15, 2018 at 1:30 p.m., the Environmental Evaluation Committee (EEC) held a hearing on the Applicant's Moiola Brothers Cattle Feeders' proposed project identified as "Assessment #17-0026", "Zone Change #17-0006", "Conditional Use Permit #17-0017", and "IS #17-0026", to be located at 1594 Gonder Road, Brawley, California, Assessor's Parcel Numbers 041-090-004-000 and 041-020-028-000, for a zone change of the two above-referenced parcels from their current designation as A-2-R (General Agricultural/Rural Zone) to A-3 (Heavy Agricultural) so that the Applicant will have room to expand its current existing feedlot once the zone change is processed. After the EEC made its findings as to the Mandatory Findings of Significance in accordance with Section 15065 of the California Environmental Quality Act (CEQA) guidelines, the ECC determined that a Negative Declaration was appropriate for providing the necessary environmental documentation and clearance for the project. I strongly disagree with the EEC's decision as to the Mandatory Findings of Significance and its decision that a Negative Declaration was appropriate and necessary for this project, and hereby appeal the EEC's decision.

BRIEF HISTORY

My name is Bruce Smith. My address is 681 Marilyn Avenue, Brawley, California, 92227. My telephone number is (760) 344-6655. My father, James R. Smith, my siblings (Katherine Worrell, David Smith, and Leslie Smith), and I own the parcel (Oxalis 23) and residence (1593 East Gonder Road) directly south of Parcel A (the north parcel, APN: 041-020-028-000) and directly west of Parcel B (the south parcel, APN: 041-090-004-000) of the Applicant's proposed project. My family has owned this property since 1924, over 93 years. The residence was built in approximately 1937, *30 years before* the Applicant's current feedlot was built. My father and his siblings were raised in the residence, and my grandmother lived there until she passed away in 1982. My parents then remodeled the residence and they lived there until my mother passed away in 2011 and my father's medical needs necessitated a move into town. Currently, the residence is occupied by one of my employees, and I farm Oxalis 23.

In 1968, when the feedlot was first built, the cattle pens only occupied 30 acres directly north of my family's property. Since that time, the feedlot and its environmental impacts have continued to grow exponentially. In 1972, the cattle pens covered approximately 48 acres, and by 1976 it had grown to 54 acres. By 1992 the cattle pens covered 58 acres, and the feedlot had

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

doubled its original (1968) size and capacity. As the size and capacity of the feedlot grew, so did the traffic, especially from large trucks, noise levels, odors, and dust, resulting in the continued degradation of the peaceful rural setting.

The feedlot remained at 58 acres until 2006, when the feedlot size was expanded to 66 acres (the limit of its A-3 zoning), and the feedlot owners began composting without the proper permit or zoning. The feedlot owners applied for a zone change (from A-2 to A-3) and a conditional use permit (for a composting operation) for real property they owned in Tract 147 (APN 141-020-018-000), and although my family objected to both the zone change and conditional use permit, we were unable to convince the Board of Supervisors, and the feedlot's project was granted. Both the zone change and the conditional use permit were granted in connection with a minor subdivision, and parcel 1 (approximately 98.54 acres) was to retain its A-2 zoning. Unfortunately, according to the zoning maps on the Imperial County website, it appears the entire 231.31 acres the Applicant owns in Tract 147 was rezoned A-3 in complete contravention of the size, scope, and restrictions of the 2006 project. Since 2006, it appears the Applicant has taken advantage of this mistake. In 2008, the Applicant added cattle pens to the north of the existing feedlot (an area zoned A-2) and to the west of the existing feedlot (the area permitted for the composting operation). Moreover, in both of these areas, the Applicant has disregarded the County of Imperial setback requirements, and has unlawfully (and most likely without the proper permitting) built cattle pens in these setback areas. This has all resulted in the Applicant's feedlot tripling in size to **90 acres** from its original 36 acres size in 1968. Again, as the size and capacity of the feedlot has grown, so has the traffic, noise level, odor, and dust, and the air quality and general environmental condition of the area continues to significantly deteriorate.

APPEAL

A. The Notice and Agenda of the EEC Hearing Was Insufficient to Provide the Public with Adequate Notification as to the Purpose of the Hearing

The Notice of Public Hearing & Scheduled Hearing Date(s) I received in the mail did not contain any notification that the February 15, 2018 EEC hearing was related to the environmental review process, that there would be a discussion of the Project's environmental impacts, or that a determination would be made as to the CEQA environmental document (Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) required for the project. In fact, the Notice does not contain any mention of CEQA at all. Moreover, the Agenda (entitled "Public Notice"), which was only made available to me late afternoon on Monday, February 12, 2018, and only after repeated requests to the Planning Department, only states that the EEC, pursuant to the requirements of CEQA, will be meeting to review the Project, and thereafter describes the Applicant's request for a zone change. The Agenda does not contain any notification that the EEC hearing would be used to discuss the environmental impacts of the Applicant's Project or that a determination would be made at the hearing as to the CEQA document required for the Project.

One of the basic purposes of CEQA is to inform the governmental decision makers and the public about the potential significant environmental effects of proposed projects, and to identify the ways in which that environmental damage can be either avoided or reduced. Additionally, a determination by a public agency to require any type of CEQA document for a project is always a matter of public interest and concern. The failure to provide the public with

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

adequate notice that the EEC hearing would be used to be discuss the potential environmental effects of the Applicant's Project and to determine the type of CEQA document required for the Applicant's Project hindered my and the public's ability to engage in a meaningful discussion of the potential environmental harm the Applicant's Project may or could cause.

B. The Notice, Agenda, and Initial Study Do NOT Provide an Accurate Description of the Project and its Location

The Notice includes a "Project Description" which references both a zone change number (Zone Change #17-0006) and a conditional use permit number (Conditional Use Permit #17-0017). The reverse side of the Notice includes a Project Location Map which again lists both the Zone Change number and the Conditional Use Permit number. The Agenda ONLY references the Zone Change number (Zone Change #17-0006) and Assessment #17-0026, with NO mention of the Conditional Use Permit. The Initial Study, Environmental Checklist Form & Negative Declaration only references Zone Change #17-0006 and IS #17-0026.

The Initial Study must include a brief, accurate description of the project and its location to allow for meaningful evaluation of the potential environmental effects of a project. The Initial Study completely fails to provide an accurate description of the project or its location. According to some of the documents, the Applicant desires to rezone Parcel A (north of Gonder Road, APN: 041-020-028-000) and Parcel B (south of Gonder Road, APN: 041-090-004-000), totaling 258.54 acres, from A-2-R to A-3. What is the true purpose of the Applicant's Project? Is the Applicant expanding its feedlots? If so, by how many cattle? And where will the cattle be located? Is the Applicant relocating its composting operation? If so, where will it be located? The Initial Study provides conflicting answers to all of these questions as indicated below:

1. Page 3, Section I., subsection A.: states the purpose of the Initial Study is to evaluate the potential environmental impacts resulting from the Applicant's proposed zone change, where the Applicant intends to rezone two parcels currently zoned A-2-R (General Agricultural/Rural Zone) to A-3 (Heavy Agricultural) so that the Applicants can expand their existing feedlot once the zone change is processed.

2. Page 8, Section II., subsection 10: states the Applicant intends to rezone both Parcels A and B from A-2-R to A-3 to ***add additional cattle pens on BOTH parcels.*** It also states the feedlot has an existing cattle head count of 20,000 cattle and they would like to ***add 18,000 more cattle.***

3. Page 8, Section II., subsection 11: indicates the ***cattle pen addition will be located on the Parcel A (the North Parcel) and the composting activities will be located on the Parcel B (the South Parcel).***

4. Page 10, Section II., subsection C.: The first two paragraphs state the Applicant's intention to ***add cattle pens on Parcel A (the North Parcel) AND the south portion (40 acres) of Parcel B (the South Parcel).*** However, the third paragraph states the Applicant wants to ***add 18,000 more head of cattle, but on the South Parcel.*** Moreover, the parcel where the Applicant's current feedlot is located is misidentified as APN: 041-020-029-000; the majority of the Applicant's existing feedlot is located in APN: 041-020-019-000.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

5. Page 10, Section II., subsection D.: indicates that the ***cattle pen addition will be located on Parcel A (the North Parcel) and the composting activities will be located on the Parcel B (the South Parcel).***

6. Page 12, Site Plan: indicates there will be ***cattle pens on BOTH Parcel A (the North Parcel) and Parcel B (the South Parcel)***. Under Packet 2 of the Site Plan, it is also indicated that the zone change is for new cattle pens, for an extension of the feedlot across the street, of ***36,000 cattle.*** The current Applicant's current "20,000 head of cattle" with water reservoir and feed mill (no retention basin) on the existing feedlot covers approximately 100 gross acres. Why does the Applicant want to rezone an additional **258.54 acres for ONLY 18,000 additional head of cattle**? If the Applicant's zone change is granted, ***they will be able to add an additional 80,000 to 100,000 head of cattle WITHOUT another public hearing or review.***

C. Conduct of the EEC Hearing

The EEC hearing on February 15, 2018 was conducted in such a manner that it was not clear when, *if at all*, the public was allowed to comment on or question the Applicant's Project, Initial Study, or other concerns. There were approximately ten land owners who own real property adjacent or contiguous to the proposed location of the Applicant's Project present at the EEC hearing, and NONE of those property owners ever heard the chairman ask for public comment, or pause for public comment. While reviewing the Environmental Checklist Form for the Applicant's Project, the chairman read each question and the resulting answer to each item in the Checklist and then asked if there was any comment. However, on the rare occasion the Chairman looked up from the Checklist, he only looked out at the other members of the EEC, and not to the public, making it appear that he was only asking for comment from the EEC members, and not the public at large. However, when the Chairman orally reviewed the Environmental Checklist Form for the next project on the Agenda, after the Chairman read each question and the responding answer, he asked if the Committee had any questions or comments, and then asked if the public had any questions or comments. This was completely different from the manner in which the review of the Applicant's Project was conducted. Unfortunately, the confusion caused by the manner in which the hearing was conducted resulted in my inability to raise my concerns about the environmental impact of the Applicant's project.

D. The EEC's Findings as to Environmental Impacts of the Applicant's Project are Incorrect

I object to and appeal the ECC's acceptance and/or findings of No Impact or Less Than Significant Impact in response to the questions posed in the Environmental Checklist Form as further detailed below. I believe substantial evidence exists to show the Applicant's Project may have a significant adverse environmental impact.

*Moreover, for the sake of brevity, I object to any response which indicates that compliance with the codes and ordinances would cause for no impacts or less than significant impacts. The Applicant has consistently proven its failure to comply with current rules, ordinances, and restrictions on its feedlot and composting operation. Responses should be based on current data and evidence, not on assumptions that the Applicant will comply with all applicable codes and regulations.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

1. **I. Aesthetics**

Although the area surrounding the Applicant's proposed Project area has been used as a feedlot in the past, only approximately 100 acres were used as cattle pens, and for only 20,000 cattle. The Applicant is requesting a zone change of 258.54 acres, which could result in 80,000 to 100,000 ADDITIONAL cattle, tripling the size of the current feedlot, and quadrupling the amount of cattle, substantially degrading the existing visual character of the area.

2. **II. Agriculture and Forest Resources**

This Project will impact the surrounding farm ground by restricting the agricultural practices in the surrounding area, including the types of crops that can be grown, the types of pesticides that can used, and the manner in which such pesticides can be applied. Due to food safety issues, some agricultural processors and distributors require a zone of separation (buffer zone) of a half mile, a mile, or more, between crops and an animal feeding operation. Moreover, although the parcels involved in the Applicant's Project are not Prime Farmland, Unique Farmland, or Farmland of State Importance being converted to nonagricultural use, the Project still reduces approximately 258.54 acres of available farmland in the Imperial County.

3. **III. Air Quality (a-c)**

The Applicant's ability to be able to add an additional 80,000 to 100,000 cattle to its current feeding operating (making it the largest cattle feeding operating in Imperial County) will most definitely have a significant impact on the air quality. The increase to the amount of cattle and the size of the composting operation will significantly increase the haze, dust, nightly green fog (PM 10), odor, flies, and insects in the area. The Valley is a non-attainment area. I have attached as Appendix A reports from three air quality monitors closest to the site. The closest one is located at Green Road and Silliman Road, approximately 4.5 miles northeast of the project site. All three reports indicate PM10 levels ***above*** the CARB standards. Moreover, the increase in traffic (as further addressed below), especially by large cattle trucks, will result in increased diesel exhaust and volatile organic compound (VOC) emissions related to said trucks and machinery, which will cause significant impacts to the air quality.

4. **III. Air Quality (d); XII. Noise (a-d); and XVI. Transportation/Traffic**

Although the response to section III, d. states that vehicles would be used only to transport the cattle in the future pen expansion project and then would decrease, this is incorrect. Trucks will constantly be coming in and out of the feedlot, delivering and removing cattle, feed, and waste, all of which will result in increased diesel exhaust and VOC emissions. The layout of the feedlot creates a lot of traffic. Currently all products (feed ingredients, feed, feeder cattle, fat cattle, fuel, supplies, tools, manure, compost, etc.) come through the same entrance/exit on Gonder Road. Some of these vehicles will ingress and egress multiple times in one day while in the process of weighing in, going to the off-load location, returning to the scale to weigh again, and then finally to leave the property. In 2006 I counted 40 trucks entering and exiting the feedlot in one day, and that was when the feedlot only spanned approximately 60 acres. On Monday, February 19, 2018, I counted 85 vehicles, 53 of which were large trucks, entering and exiting in six hours. Feed and employees must be transported to the multiple satellite sites. According to the application, the employee parking, restrooms, and break room will remain at the

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

current location thereby requiring multiple trips through the Gonder Road entrance/exit by employees working at the different sites. Doubling the head count of the cattle and nearly tripling the area of the feedlot will increase only this traffic.

Moreover, the existing entrance is directly north of a private driveway on Gonder Road. Gonder Road is a narrow and poorly maintained paved county road. Trucks commonly drive off the road and onto the private driveway to make the left turn into the narrow entrance to the feedlot. Additionally, it is very common to have trucks parked on either side of Gonder Road as they wait to enter or leave the feedlot.

I estimate an increase of 18,000 head of cattle will also result in an increase the vehicle traffic to an excess of 250 vehicles a day, and I cannot even begin to estimate what kind of vehicular increase would result if the Applicant decides to increase the head of cattle by 80,000 to 100,000. Clearly, by doubling (or more) the amount of cattle and nearly tripling the area of the feedlot, there will be a significant increase in traffic on Gonder Road. There will also be a significant increase in the noise and vibration levels for anyone in the area.

5. III. Air Quality, (e)

The question asked on the Initial Study, Environmental Checklist (page 16) is whether the project will create objectionable odors affecting a substantial number of people. However, nuisance is defined by Imperial County Ordinance 91302.01 "anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property…". This ordinance does not apply only to a substantial number of people, it merely requires something be indecent or offensive to the senses. Clearly, 38,000 head of cattle and a huge composting operating would be both indecent and offensive to the senses. Moreover, the area surrounding the project site are home to a substantial number of people, who would, without a doubt, find this project creates objectionable odors. As shown on Appendix B attached hereto, there are thirty residences and a school within 2.3 miles from the project site. I have also included a chart below showing the residences and their various distances from the project site.

		DISTANCE			DISTANCE
RESIDENCE	1	0 FT	RESIDENCE	16	1.3 MILES
RESIDENCE	2	0 FT	RESIDENCE	17	1.3 MILES
RESIDENCE	3	0 FT	RESIDENCE	18	1.5 MILES
RESIDENCE	4	0 FT	RESIDENCE	19-21	1.6 MILES
RESIDENCE	5	500 FT	RESIDENCE	22	1.7 MILES
RESIDENCE	6	2500 FT	RESIDENCE	23	1.9 MILES
RESIDENCE	7	0.77 MILES	RESIDENCE	24	1.9 MILES
RESIDENCE	8	1 MILES	RESIDENCE	25	2 MILES
RESIDENCE	9-10	1 MILES	RESIDENCE	26	2.1 MILES
RESIDENCE	11-12	1.2 MILES	RESIDENCE	27	2.1 MILES
RESIDENCE	13	1.2 MILES	RESIDENCE	28	2.3 MILES
RESIDENCE	14	1.2 MILES	RESIDENCE	29-30	2.3 MILES
RESIDENCE	15	1.2 MILES			

Distances are from the closest of the existing feedlot or project site.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

6. **IX. Hydrology and Water Quality, (a-j); XVIII. Utilities and Service Systems**

The Project lies just East of State Highway 115 and an abandoned Rail Road bed. The general slope of the land in this area is to the west, towards the Alamo River. The canals in this area lie east-west, and the water also flows to the west, towards the Alamo River. The old Rail Road bed and Highway 115 are elevated in relation to the surrounding farm ground. When there is a storm, all water runs through the siphons under the Rail Road bed and Highway 115, creating a restriction because there is too much water for the siphons to handle, especially when coupled with debris and other obstructions which find their way into the siphons thereby impeding the free flow of the water. This causes a lake like condition and uncontrolled flooding to the east of the Rail Road bed and Highway 115, possibly flooding the area where the proposed compost operation or cattle pens may be located. If the water breaches feedlot or compost operation, the water will be contaminated and spread to neighboring fields, residences, and the environment. Attached as Appendix C are images from a flooding event that took place in August of 2012. As you can see, the flooding was in the south parcel (of the proposed project site), clearly showing such flooding could result in manure and contaminated storm runoff leaving the site and ending up in a IID drain or in nearby fields.

7. **XIII. Population and Housing**

The Applicant's Project could displace a family by further degrading the local environment. Property values in the areas surrounding the project will be significantly decreased. For me personally, my family's residence and farm ground will be almost surrounded by a huge cattle feedlot and composing operation. My use and enjoyment of the property will be significantly diminished. The value of the farm ground will be decreased, as will any rents I may receive on said property due to the restrictions to farming practices that will be required as a result of the proximity to the expanded farming operation. The County is effectively taking my property if they permit the applicant's zone change application.

8. **XIV. Public Services**

Is the operator in compliance? The original site plan for the composting project approved in 2006 called for a fire suppression water pond. Was that installed or were the plans changed? The applicant has built cattle pens and has stored compost on the set back areas required in the 2006 zone change? Additionally, Magnolia School is 1.8 miles from project site.

EFFORTS TO ARRIVE AT AN ACCEPTABLE SOLUTION

My previous efforts to arrive at an acceptable solution to the above referenced issues, discrepancies, inaccuracies, and environmental issues and areas of concern have entailed a written letter submitted to the EEC, attendance at the EEC hearing on February 15, 2018 (although it was very unclear when, if at all, the public was permitted to question the EEC members or the Applicant regarding the Project and Initial Study), and regular communication through my attorney with Diana Robinson, Planner II, Imperial County Planning and Development Services. I have not yet addressed these concerns to the Applicant, but would welcome the opportunity to do so.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

ACTION REQUESTED

I respectfully request appeal of the EEC's Mandatory Findings of Significance in accordance with Section 15065 of the California Environmental Quality Act (CEQA") guidelines and the ECC's determination that a Negative Declaration was appropriate for providing the necessary environmental documentation and clearance for the Moiola Brothers Cattle Feeders' project identified as "Assessment #17-0026", "Zone Change #17-0006, and "IS #17-0026". I request an Environmental Impact Study be prepared to adequately study and address the potentially significant environmental effects of the Applicant's Project.

Sincerely,

Bruce Smith

681 Marilyn Avenue
Brawley, CA 92227
(760) 344-6655
Smi6655@yahoo.com

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

APPENDIX A

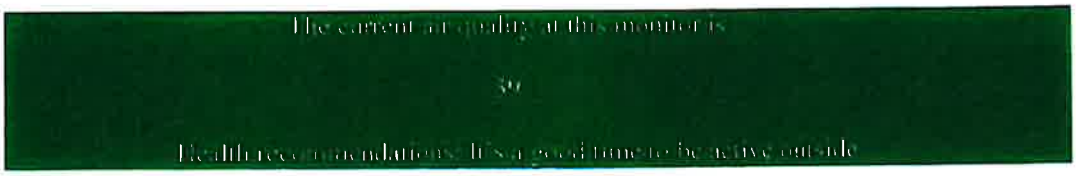
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IVAN Imperial AIR QUALITY MONITOR

LOCATION: Green Road and Silliman Road

Approximately 4.5 miles from Project Site

Tuesday, February 13, 2018 at 09:06 AM



Current Community Air-Quality Level (CAL) reading for this monitor (updated every 5 min)

CAL 39
PM2.5* 4
PM10* 43

***estimated particulate matter concentration (µg/m³)**

Air quality summary for the past 24 hours

CAL
Average 71
Highest 167
Lowest 5

PM2.5*
Average 10
Highest 23
Lowest 1

PM10* *California 24 hour Standard is 50 µg/m³*
Average 105
Highest 288
Lowest <1

***estimated particulate matter concentration (µg/m³)**

G/S Rd.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Air quality summary for the past 30 days

Green Road and Silliman Road

CAL
30-day average 32
Highest 24-hour average 155
Lowest 24-hour average 8

PM2.5*
30-day average 8
Highest 24-hour average 2
Lowest 24-hour average 2

PM10* *California Annual Arithmetic Mean Standard is 20 µg/m³*
30-day average 38
Highest 24-hour average 264
Lowest 24-hour average <1

*estimated particulate matter concentration (µg/m³)

Air quality summary for the past 90 days

CAL
90-day average 38
Highest 24-hour average 155
Lowest 24-hour average 0

PM2.5*
90-day average 10
Highest 24-hour average 38
Lowest 24-hour average <1

PM10* *California Annual Arithmetic Mean Standard is 20 µg/m³*
90-day average 37
Highest 24-hour average 264
Lowest 24-hour average <1

*estimated particulate matter concentration (µg/m³)

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IVAN Imperial

Brawley North 11th Street and River Drive

Tuesday, February 13, 2018 at 09:58 AM



Current Community Air-Quality Level (CAL) reading for this monitor (updated every 5 min)

CAL 23
PM2.5* 6
PM10* 15

***estimated particulate matter concentration (µg/m³)**

Air quality summary for the past 24 hours

CAL
Average 79
Highest 230
Lowest 6

PM2.5*
Average 16
Highest 39
Lowest 2

PM10* *California 24 hour Standard is 50 µg/m³*
Average 124
Highest 376
Lowest <1

***estimated particulate matter concentration (µg/m³)**

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Air quality summary for the past 30 days

CAL
30-day average 42
Highest 24-hour average 121
Lowest 24-hour average 16

PM2.5* *California Annual Arithmetic Mean Standard is 12 µg/m³*
30-day average 11
Highest 24-hour average 4
Lowest 24-hour average 4

PM10* *California Annual Arithmetic Mean Standard is 20 µg/m³*
30-day average 47
Highest 24-hour average 196
Lowest 24-hour average 3

*estimated particulate matter concentration (µg/m³)

Air quality summary for the past 90 days

CAL
90-day average 46
Highest 24-hour average 121
Lowest 24-hour average 1

PM2.5* *California Annual Arithmetic Mean Standard is 12 µg/m³*
90-day average 12
Highest 24-hour average 35
Lowest 24-hour average <1

PM10* *California Annual Arithmetic Mean Standard is 20 µg/m³*
90-day average 45
Highest 24-hour average 196
Lowest 24-hour average <1

*estimated particulate matter concentration (µg/m³)

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IVAN Imperial AIR QUALITY MONITOR

Holtville High School

Approximately 9 miles from Project Site

Tuesday, February 13, 2018 at 09:48 AM

Monitor currently offline

Air quality summary for the past 90 days

CAL

90-day average	49
Highest 24-hour average	87
Lowest 24-hour average	5

PM2.5*

90-day average	13
Highest 24-hour average	29
Lowest 24-hour average	1

PM10* *California Annual Arithmetic Mean Standard is 20 ug/m³*

90-day average	56
Highest 24-hour average	119
Lowest 24-hour average	<1

*estimated particulate matter concentration (µg/m³)

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

APPENDIX B

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

RESIDENCE DENSITY



ORIGINAL EEC PKG

APPENDIX C

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG



PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG



PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment B.

Response Letter from Moiola Bros. Cattle Feeders received March 27, 2018

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

APRIL 25, 2018

Moiola Brothers Cattle Feeders LTD
1594 E. Gonder Road
Brawley, CA 92227
760-344-1919
john@moiolabros.com

Re: Response to Mr. Bruce Smith Appeal of Environmental Evaluation Committee's decision.

Applicant: Moiola Brothers Cattle Feeders
Date and Time: 2/15/2018 at 1:30 pm
Assessment #17-0026

BRIEF HISTORY: Three brothers from Orange County area began farming in the Imperial Valley. With roots in the dairy industry they quickly decided to utilize the abundant, available forage to feed cattle – so begins Moiola Brothers Cattle Feeders.

Since late 1940's. Over time and through three generations they have grown the operation. They currently have 20,000 head of cattle, a state of the art low emission feed mixer and ever evolving practices that lead to a great product.
Providing jobs to Valley Residents and adding to the tax revenues of City of Brawley and Holtville Unified School District, also giving back the community through a variety of charities is important to the Moiola Family. The goal of Moiola Brothers is to provide the safest, best tasting beef to the market.

PROJECT DESCRIPTION:

Parcel A - REZONE A2R TO A3: APN 041-020-028 98.54 ACRES TO REMAIN FARMLAND.

Parcel B - REZONE A2R TO A3: APN 041-090-004 160 ACRES. THIS AREA WILL BE THE CATTLE PENS EXPANSION OF 18,000 CATTLE, TWO RETENTION PONDS, ONE WATER RESEVIOR, A NEW CATTLE SCALE. BOTH THE NORTHEAST AND NORTHWEST ENTRANCES WILL BE MAINTAINED. THE EXPANSION WILL PROVIDE FUTURE JOB CREATION.

A. The notice of Public Hearing & Scheduled Hearing Date(s) Agenda was SUFFICIENT. The notice of the Public Hearing was posted in the IV Press two weeks prior to the Meeting Date. The applicant (Moiola Bros. was sent the package and agenda in the mail two weeks prior to meeting. This is common practice for all Meetings so the Public may review and be informed and are invited to attend and comment to all decision(s) made by the Board. (attachment 1) Email with the information of the Hearing postings.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

B. The Notice provided to the public was Accurate: The applicant is doing a Zone Change (from A2R to A3) at Parcel 041-020-028 98.54 Acres & Parcel 041-090-004 160 Acres (from A2R to A3) which will be for the Feedlot expansion of an additional 18,000 cattle. The parcel will have a water reservoir, two retention ponds for the rainwater, one scale for the cattle intake and discharge. The northeast and northwest entrance onto the lot shall remain from Gonder Road to the Property. The Application to withdraw the CUP (17-0017) for Parcel 041-090-004 was received at the County Nov. 14, 2017 by a hand written formal request (attachment 2) The Composting area is to remain with the existing CUP #06-0016 and is not a part of this application. After a scheduled CUP compliance inspection performed on October 1, 2017, it was found that the property is consistent with all applicable regulations and all the conditions under CUP #06-0016. (attachment 3)

C. The EEC Hearing was conducted in a manner that was clear to the public. The public was asked several times to comment on all decisions made. The Chairman conducted the meeting as was clear to all. Due to Mr. Smith's representative not having the proper knowledge of the proper way to respond at the meeting, he was unable to be heard and is now appealing the decisions made, which is why we are responding to his appeal letter with hopes that will make our project clear to him. And that we may continue our project with no further delays. (attachment 9)

D. The EEC's Findings as to the Environmental Impacts with No impact or less than significant impact are adequate. The Moiola Brothers Cattle Feeders have always complied with all requirements, rules and ordinances required by the County as stated in the letter (attachment 3) and (attachment 4) a copy of Current 2017 APCD Permit Renewal. The feedlot has a current complete and effective dust control plan. The property runs sprinklers twice a day while also utilizing a water truck (daily). They currently are in research of new advances in the airborne insect mitigation measures for the future. They will continue to implement whenever possible available to the industry and to continue to follow all provisions of the CEQA guidelines. If the expansion is approved, a mosquito abatement plan will be completed per County Standards. (attachment 5).

1. Aesthetics: The feed lot as noted in Item B (this letter) states the future uses of the land. The expansion will be 18,000 head refer to (attachment 12) traffic and employees.
2. Agriculture and Forest Resources: All waste or runoff is to be maintained on site. There is a berm around the entire feedlot, two retention ponds will be added to parcel 041-090-004 for the future cattle pens. Current Leafy Green Products Handler Marketing Agreement metrics allows for produce to be grown within 400 feet of Concentrated animal feeding operation refer to (attachment 11) per our map the property of Mr. Smith is already impacted with 3 existing Concentrated animal feeding operations and an open river bottom.
3. Air Quality, sections a), b), c): refer to (attachment 4) APCD current 2017 permit renewal. This would not be possible if the feedlot and/or compost yards where not in compliance. The additional 18,000 head of cattle will comply with all County Mitigation measures. Appendix B reports attached to

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Mr. Smith's letter of appeal are for areas 4.5 miles northeast of our project site.

4. Air Quality, section d): XXI, Noise; and XVI. Transportation/Traffic: Information on all traffic is referenced in (attachment 12) traffic is significantly less than Mr. Smith claims in his study.
5. III. Air Quality, section e): Refer to D this letter
6. IX Hydrology and Water Quality, sections a) thru j): XVII. Utilities and Service Systems: Feedlot is ½ mile east of this picture (attachment 6) there is a berm surrounding the entire feedlot, when this event happened the existing retention pond never overflowed nor did any water ever leave the property. (Attachment 7 & 8) this was a drain ditch backup nothing to do with the feedlot. No feedlot run off has ever affected any homes, roads or areas surrounding the lots by ½ mile or more.
7. XIII. Population and Housing: the expansion of the feedlot will in no way change the surrounding areas. All of the housing surrounding the area within ½ mile is owned by the Moiolas and family, except the property across Gonder Road where a renter of Mr. Bruce Smith currently resides. We are willing to place a hay buffer on the northwest corner of the parcel 041-090-004 for the noise and view of the residences currently residing there, additionally Mr. Smith's property has an oleander buffer on the east side of his property adjacent to the field where the expansion will occur. See revised site plan with actual distances to current and future cattle pens.
8. XIV. Public Services: the applicant is in compliance with all current codes refer to (attachment 3 & 4) Magnolia School has provided a letter stating they are in no way against the expansion. (attachment 10)

We sincerely hope this helps to clarify any and all issues to the appeal letter RECEIVED by: Imperial County Planning & Development Services February 26, 2018 from Mr. Bruce Smith.

Thank you

John Moiola
Property Owner and Applicant

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

ATTACHMENT 1

Gmail

Cecilia Griffiths Vogel <cg4557600@gmail.com>

ZC17-0006 Notices for Moiola

Diana Robinson <DianaRobinson@co.imperial.ca.us> Mon, Mar 26, 11:13 AM
To: Cecilia Griffiths Vogel <cg4557600@gmail.com>

Good morning Cecilia,

Please see the attached files regarding the noticing of the Zone Change project. This email includes:

1. A notice of the project that was sent to all property owners within ½ mile of the proposed project site.
2. Copy of the Public Notice as it appeared on the Imperial Valley Press (IVP) on Sunday, 02/04/18..
3. Agenda and EEC package were posted online (www.icpds.com) on 02/12/18.
4. IVP CEQA Determination on the 02/20/18 publication.

As per our phone conversation, the applicant is the only one to receive a hard copy of the agenda and the Initial Study package for the public hearing. Neighbors receive the notice of the project only. The notice says that they have the opportunity to comment on the project by visiting the Department to review the file, by calling the Department, by submitting written documentation to the Department or by appearing at the public hearing. It also includes a note to the property owners that says "If you have any questions on the project or with to review the project file, please contact the Department for an appointment. (442) 265-1736". My phone number with extension and email is provided in the notice as well as the County Planning Department's address and office phone number. The information is available in Spanish as well.

Let me know if you have any questions or comments.

Thank you,

Diana Robinson, Planner II

Imperial County Planning & Development Services

801 Main Street, El Centro, CA 92243

Phone (442) 265-1736 x1751

Fax (442) 265-1735 / icpds.com

The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

IVP CEQA Determination ND 02-20-18.pdf, Notice of Public Hearing 02-02-18.pdf, Public Notice 02-04-18.pdf

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 2

11-14-17

We Maiola Bros Cattle Feeders wish to withdraw CUP for APN 041-090-004 (17-0017)

We will continue with Zone Change only.

The existing Compost at APN 041-020-029 which was going to be relocated will remain and not be relocated to this lot.

If any Additional Questions please feel free to contact me.

Thank you
Cecilia Vogel

RECEIVED
P.D.
NOV 14 2017
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Imperial County Planning & Development Services
Planning / Building / Parks & Recreation

Jim Minnick
DIRECTOR

January 23, 2018

Cecilia Vogel
652 Lee Road
Imperial, CA 92251

SUBJECT: CONDITIONAL USE PERMIT #06-0019; THIRD TIME EXTENSION #17-0019, 1594 GONDER ROAD, BRAWLEY, CA; APN 041-020-018-000

Dear Ms. Vogel:

On September 18, 2017, the Imperial County Planning & Development Services Department received your time extension request as pursuant to General Condition 8, "Time Limit", for Conditional Use Permit (CUP) #06-0016. This Conditional Use Permit, which was recorded in December 12, 2006, was approved by the Imperial County Planning Commission to construct and operate a Composting Facility upon the above site, also identified as Assessor's Parcel Number 041-020-018-000.

After a scheduled CUP compliance inspection was performed on October 11, 2017, it was found that the property is consistent with all the applicable regulations and all the conditions under CUP #06-0019.

The purpose of this letter is to hereby grant the requested time extension for this Conditional Use Permit with an expiration date of **December 12, 2018.** Prior to the expiration of this third time extension period, a written request for a fourth and final extension, along with the appropriate extension fee shall be filed. An extension shall not be granted if the project is in violation of any one or all of the conditions.

Should you have any questions, please contact Diana Robinson, Planner II at (442) 265-1736 extension 1751 or by via e-mail at dianarobinson@co.imperial.ca.us.

Sincerely,

JIM MINNICK
ICPDS, Director

By:
Diana Robinson,
ICPDS, Planner II

CC: Jim Minnick, ICPDS, Director
Michael Abraham, AICP, ICPDS, Assistant Director
Diana Robinson, Planner II
Moiola Bros. Cattle Feeders, 1594 Gonder Road, Brawley, CA 92227
File: 10.101, 10.102, 10.104, File

GM\DR\S:\APN\041\020\018\EXT17-0019\EXT17-0019 TIMEEXTLTR.DOCX

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

ATTACHMENT 4

IMPERIAL COUNTY

AIR POLLUTION CONTROL DISTRICT
2017 APCD PERMIT RENEWAL

Facility name and mailing address:

MOIOLA BROS. CATTLE FEEDERS
1594 GONDER ROAD
BRAWLEY, CA 92227

FEE FOR THE YEAR $365.00

BALANCE DUE $365.00

Permit Number: 3645 PTO
Active

Permit Type BEEF FEEDLOT

Location Address 1594 GONDER ROAD
BRAWLEY, CA 92227

Resp. Agent THOMAS MOIOLA
Phone 760-344-1919

Issued: 1/1/2017
Expires: 12/31/2017

CERTIFICATION BY AUTHORIZED AGENT

The permit presented here is correct. The authorizations, certifications, and information from the application and permit being renewed, remain valid and will be kept with this ANNUAL PERMIT RENEWAL.

DATE 12/14/16 SIGNATURE

CERTIFICATION BY APCD OFFICER

This permit becomes valid when signed by authorized agent

This permit, or an approved facsimile, shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment, or other contrivance, or maintained readily available at all times on the operating premises. (Rule 201D)

KEEP THIS COPY FOR POSTING

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 5

BOS APPROVED: 11-06-07
M.O. #23

A RESOLUTION OF THE IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT BOARD OF DIRECTORS APPROVING THE IMPERIAL COUNTY CEQA AIR QUALITY HANDBOOK AND SIMULTANEOUSLY ADOPTING BY REFERENCE, THE STATE CEQA IMPLEMENTATION GUIDELINES

RESOLUTION NO. 2007-089

WHEREAS, growth in the housing and commercial development markets have increased substantially causing a potential to adversely affect air quality; and

WHEREAS, the state California Environmental Quality Act (CEQA) is the avenue by which information is relayed to decision-makers and the general public about the potential environmental impacts of a proposed project; and

WHEREAS, the state CEQA Guidelines § 15022(a) require public agencies to adopt objectives, criteria and specific procedures consistent with the state CEQA and the general provisions of the state guidelines for administering its responsibilities under CEQA; and

WHEREAS, the Imperial County finds it necessary to adopt the CEQA Air Quality Handbook as a supplemental guideline specific to all of the political boundary and incorporated local entities within Imperial County and consistent with the state CEQA guidelines; and

WHEREAS, the state CEQA Guidelines have been updated several times over these past years and will continue to be updated; and

WHEREAS, pursuant to the state CEQA Guidelines § 15022(d), a public agency may adopt the state CEQA Guidelines through incorporation by reference; and

WHEREAS, the Imperial County Air Pollution Control District finds the incorporation of the state CEQA Guidelines as an effective manner of incorporating by reference any revisions of the state CEQA Guidelines into the Imperial County Air Pollution Air Quality Handbook.

NOW THEREFORE BE IT RESOLVED, that the Imperial County Air Pollution Control Board of Directors supports and approves the Imperial County Air Pollution Control Air Quality Handbook as a specific guideline tailored to the whole of Imperial County, including incorporated local entities and

BE IT FURTHER RESOLVED that the Imperial County Air Pollution Control Board of Directors supports and approves the most current version and any future revisions to the state CEQA Guidelines (§15000 et. seq.) as approved by the Office of Administrative Law, by reference for use in the Imperial County Air Pollution Control District.

PASSED AND ADOPTED, by the Imperial County Air Pollution Control Board of Directors, State of California this 6th day of November, 2007 by an affirmative roll call vote.

Larry L. Grogan, Chairman
Imperial County Air Pollution Control District

Sylvia Bermudez, Clerk of the Board
Imperial County Air Pollution Control District

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 6

ATTACHMENT 6

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 7

ATTACHMENT 7

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 8

ATTACHMENT 8

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 9

PUBLIC NOTICE

Pursuant to the requirements of the CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) and the County's "RULES AND REGULATIONS TO IMPLEMENT CEQA, AS AMENDED" the Imperial County Environmental Evaluation Committee will meet on **February 15, 2018** at **1:30pm** in the Board of Supervisors Chambers, 940 Main Street, El Centro, to review the below-mentioned project(s):

Assessment #17-0026: Applicant: Moiola Brothers Cattle Feeders project applicant is proposing Zone Change #17-0006 with the intention to rezone two parcels currently zoned A-2-R (General Agricultural/Rural Zone), to A-3 (Heavy Agricultural) so that the property owners can have room to expand the existing feedlot, once the zone change is processed. Cattle grazing is listed as a permitted use under the A-3 zone. The project area totals approximately 258.54 acres. The property is legally located as Parcel 1 per PM 02406, also being a portion of Tract 147 (north parcel) and East half of Tract 122 Township 14 South Range 15 East (south parcel), in an unincorporated area of the County of Imperial. Assessor's Parcel Numbers 041-090-004-000 & 041-020-028-000, (1594 Gonder Road, Brawley), (Supervisorial District #5), [Diana Robinson, Planner II at (442) 265-1736, extension 1751 or by email at dianarobinson@co.imperial.ca.us].

Assessment #17-0028: Applicant: Verizon Wireless/J5IP project applicant is proposing Conditional Use Permit #17-0019 VZW Sonoran Desert, to install a new wireless telecommunication facility located on the site of an existing gas station. It is being proposed as a 75-foot tall monopalm tower with ancillary antennas and equipment, which includes: 12 (8-0) panel antennas, 1 microwave antenna, 1 GPS antenna, 18 RRUs, 3 raycaps, 1 emergency diesel generator on a concrete pad, and 2 equipment cabinets. The project is being proposed on a 400 square foot lease area (20 feet x 20 feet) and the project site would be enclosed with an 8-foot high chain-link perimeter fence with privacy slats. The property is legally described as the portion of, South half the southeast quarter of Section 21, Township 16 South, Range 21 East. Assessor's Parcel Numbers 056-470-009-000, (611 Sidewinder Road, Winterhaven, CA), Supervisorial District #1), [Diana Robinson, Planner II at (442) 265-1736, extension 1751 or by email at dianarobinson@co.imperial.ca.us].

Assessment #18-0001: Applicants: Tao Ruspoli, et. al., the event organizers propose to have an annual weekend event, basically to be held on Friday evening until Sunday afternoon (March 16th through March 18th). The proposed event will be similar to the event that was held in 2017 in Bombay Beach. The private properties where art display/installations will be presented are going to be done by various artists. The project will have art displays/installations in various parcels in Bombay Beach. The Assessor Parcel Number is 002-207-007-000 et. al. Township 9 South, Range 12 East, SBB&M (2151 First Street, Bombay Beach, CA), (Supervisorial District #1), [Richard Cabanilla, Planner IV, at (442) 265-1736, extension 1750, or by email at richardcabanilla@co.imperial.ca.us].

Jim Minnick, Chairman
Environmental Evaluation Committee

Si usted requiere esta información en español, favor de llamar al (442) 265-1736.

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ATTACHMENT 10



Magnolia Union Elementary
4502 Casey Road
Brawley, CA 92227
760-344-2494
brsmith@magnoliatigers.com

Imperial County Building/Planning Department
801 Main Street
El Centro, CA 92243

2-28-2018

To Whom It May Concern:

The purpose of this letter is to inform the Imperial County Planning Department that the Magnolia Union Elementary School District does not object to the current proposed Moiola Feed Lot requested zone change. If you require further information, please contact me at the Magnolia Union Elementary District Office.

Sincerely,
Blaine R. Smith

Supt/Principal

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

ATTACHMENT 11

PC ORIGINAL PKG

ORIGINAL PKG

TABLE 6. CROP LAND AND WATER SOURCE ADJACENT LAND USE

Land Use/Water Source	Metric (This distance may be either increased or decreased depending on risk and mitigation factors.)	Considerations for Risk Analysis*		
		Risk/Mitigation Factors	Increase Distance	Decrease Distance
Composting Operations (manure or animal products)	Due to the lack of science at this time, an interim guidance distance of 400 ft from the edge of crop is proposed. This number is subject to change as science becomes available. The proximate safe distance depends on the risk/mitigation factors listed to the right. Evaluate risk and document consideration of these factors. Research is being proposed to study appropriate distance.	Distance from active compost operation	–	–
		Topography: Uphill from crop		
		Topography: Downhill from crop		
		Opportunity for water run off through or from composting operations		
		Opportunity for soil leaching		
		Presence of physical barriers such as windbreaks, diversion ditches, vegetative strips		√
Concentrated Animal Feeding Operations (as defined in 40 CFR 122.23)	Due to the lack of science at this time, an interim guidance distance of 400 ft from the edge of crop is proposed. This number is subject to change as science becomes available. The proximate safe distance depends on the risk/mitigation factors listed to the right. Evaluate risk and document consideration of these factors. Research is being proposed to study appropriate distance.	Fencing and other physical barriers such as berms, diversion ditches and vegetated strips can be employed to prevent intrusion of domestic animals, control runoff, etc.		
		Topography: Uphill from crop		
		Topography: Downhill from crop		
		Opportunity for water run off through or from CAFOs		
		Opportunity for soil leaching	√	
		Manure Management Program utilized		√
Non-synthetic Soil Amendment Pile (containing manure or animal products)	Due to the lack of science at this time, an interim guidance distance of 400 ft from the edge of crop is proposed. This number is subject to change as science becomes available. The proximate safe distance depends on the risk/mitigation factors listed to the right. Evaluate risk and document consideration of these factors. Research is being proposed to study appropriate distance. For non-synthetic crop treatments that have been heat treated using a validated process an interim guidance distance of 30 feet from the edge of the crop is proposed	Access and review COA for materials in question.		
		Topography: Uphill from crop		
		Topography: Downhill from crop		
		Opportunity for water run off through or from non-synthetic soil amendment storage areas		
		Opportunity for soil leaching		
		Covering on pile to prevent wind dispersion		

ATTACHMENT 11

ORIGINAL EEC PKG

ATTACHMENT 12

MOIOLA BROTHERS CATTLE FEEDERS:

HOURS OF OPERATION 7 DAYS A WEEK / HOURS 6AM -4 PM
Traffic is coming in from Gonder Road east and west, from Hwy 115 north and south.

EMPLOYEES: 28 TOTAL
CAR TRAFFIC DAILY

1 EMPLOYEE LIVES ON SITE
18 EMPLOYEES CARPOOL (5 CARS)
EXISTING - 14 CARS COME IN AND 14 OUT DAILY

5 NEW EMPLOYEES WILL BE HIRED (FUTURE)
TOTAL CARS WILL BE 19 (COULD BE LESS IF THEY CARPOOL)

COMMODITIES: TRUCK TRAFFIC
From the last year 2017 (12 months) scale tickets the average monthly was obtained

MONTHLY
EXISTING : 84
FUTURE BUILD-OUT: 168

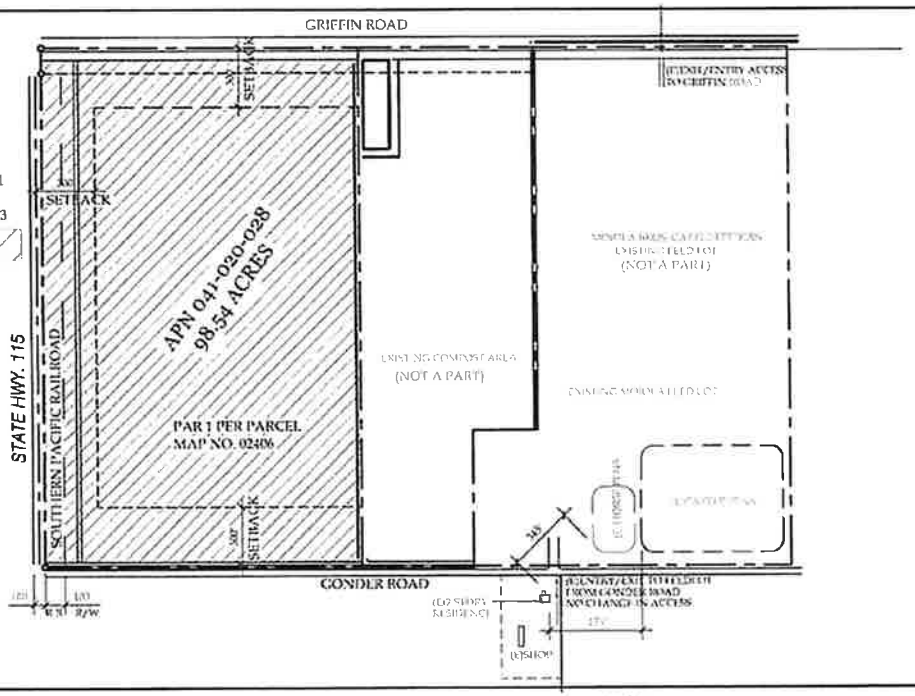
WEEKLY
EXISTING : 21
FUTURE BUILD-OUT: 42

DAILY
EXISTING : 4
FUTURE BUILD-OUT: 8

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

PC ORIGINAL PKG

PC ORIGINAL PKG



PARCEL A

PROPERTY OWNER:

MOIOLA BROS. CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:

ZONE CHANGE FROM A2R TO A3 (98.54 ACS)

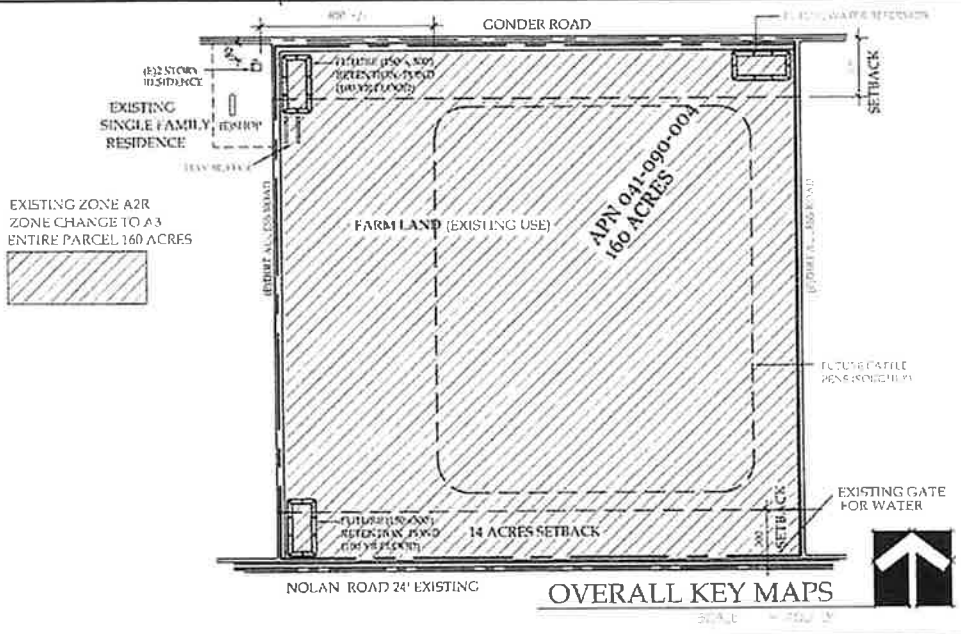
ACCESS TO REMAIN FROM (E)FEED LOT NO NEW ACCESS IS NEEDED FOR CATTLE

ACESSORS PARCEL NUMBER:

041-020-028-000

PROPERTY ADDRESS

NO ADDRESS - AGRICULTURAL LAND



OVERALL KEY MAPS

PARCEL B

PROPERTY OWNER:

MOIOLA BROS. CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:

ZONE CHANGE FROM A2 TO A3 (160 ACS)
FOR NEW CATTLE PENS EXTENSION OF EXISTING FEED LOT ACROSS THE STREET, 18,000 CATTLE

ACCESS TO REMAIN FROM (E)GONDER ROAD NO NEW ACCESS
NEW WATER RESERVOIRS AND SEDIMENTATION PONDS
NEW PENS AREA WILL BE ALL CATTLE PENS WITH TWO GATES

ACESSORS PARCEL NUMBER:

041-090-001-000

PROPERTY ADDRESS

NO ADDRESS - AGRICULTURAL LAND

#	REVISIONS	BY:

SHEET #:
1

ORIGINAL EEC PKG

Attachment C.

EEC Hearing Package with Initial Study #17-0026 with attached comment letters

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE **AGENDA DATE: February 15, 2018**

FROM: PLANNING & DEVELOPMENT SERVICES **AGENDA TIME 1:30 PM/ No. 1**

Zone Change #17-0006

PROJECT TYPE: IS#17-0026 Moiola Bros. Cattle Feeders SUPERVISOR DIST # 5

LOCATION: Approximately 1.5 miles south of SR-78, from Griffin to Nolan Roads, approximately 7 miles southeast of Brawley, CA APN: Parcels (A) 041-020-028-000 and (B) 041-090-004-000

PARCEL SIZE: N/A

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

ZONE (existing) A-2-R (General Agriculture/Rural Zone) ZONE(proposed) N/A

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: N/A

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: N/A

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 02/15/18

INITIAL STUDY: 17-0026

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☐ NONE	☒ ATTACHED
AG	☒ NONE	☐ ATTACHED
APCD	☐ NONE	☒ ATTACHED
E.H.S.	☐ NONE	☒ ATTACHED
FIRE / OES	☒ NONE	☐ ATTACHED
SHERIFF	☒ NONE	☐ ATTACHED
OTHER	IID and NAHC	

REQUESTED ACTION:

(See Attached)

Planning & Development Services
801 MAIN ST., EL CENTRO, CA, 92243 442-265-1736
(Jim Minnick, Director)
S:\APN\041\090\004\ZC17-0006\EEC\ZC17-0006 - EEC PROJREPT.docx

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

☒ NEGATIVE DECLARATION
☐ MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For:

Moiola Bros. Cattle Feeders

IS#17-0026
ZC#17-0006

Prepared By:

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

February 2018

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

TABLE OF CONTENTS

PAGE

SECTION 1

I. INTRODUCTION 3

SECTION 2

II. ENVIRONMENTAL CHECKLIST 8
PROJECT SUMMARY 10
ENVIRONMENTAL ANALYSIS 13

I. AESTHETICS 14
II. AGRICULTURE AND FOREST RESOURCES 14
III. AIR QUALITY 15
IV. BIOLOGICAL RESOURCES 16
V. CULTURAL RESOURCES 17
VII. GEOLOGY AND SOILS 18
VII. GREENHOUSE GAS EMISSION 19
X. HAZARDS AND HAZARDOUS MATERIALS 19
XI. HYDROLOGY AND WATER QUALITY 21
XII. LAND USE AND PLANNING 22
XIII. MINERAL RESOURCES 22
XIV. NOISE 23
XV. POPULATION AND HOUSING 24
XVI. PUBLIC SERVICES 24
XVII. RECREATION 25
XVIII. TRANSPORTATION / TRAFFIC 25
XVIV. TRIBAL CULTURAL RESOURCES 26
XIX. UTILITIES AND SERVICE SYSTEMS 26

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE 28
IV. PERSONS AND ORGANIZATIONS CONSULTED 29
V. REFERENCES 30
VI. NEGATIVE DECLARATION - COUNTY OF IMPERIAL 31
VII. FINDINGS 32

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY) 33

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

SECTION 1
INTRODUCTION

A. PURPOSE

This document is a ☐ policy-level, ☒ project level Initial Study for the evaluation of potential environmental impacts resulting with the proposed Zone Change #17-0006, where the applicant intends to rezone two parcels currently zoned A-2-R (General Agricultural/Rural Zone) to A-3 (Heavy Agricultural), so that the owners can have room to expand the existing feedlot, once the zone change is processed. Cattle grazing is listed as a permitted use under the A-3 zone. The project area totals approximately 258.54 acres. For purposes of this document, the abovementioned project will be called the "proposed application". (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.

2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".

4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

II. Environmental Checklist

1. **Project Title:** Moiola Bros. Cattle Feeders – Zone Change #17-0006 Initial Study #17-0026
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Diana Robinson, Planner II, (442)265-1736, ext. 1751
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** dianarobinson@co.imperial.ca.us
6. **Project location:** The project site is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Route 115 and approximately 1 mile west of Holt Road, from Griffin to Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number(s) 041-020-028-000 (Parcel A) and 041-090-004-000 (Parcel B). See Exhibit A.
7. **Project sponsor's name and address:** Moiola Bros. Cattle Feeders. 1594 Gonder Road, Brawley, CA 92227
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2-R (General Agricultural/Rural Zone)
10. **Description of project:** The zone change application includes two parcels (Parcel A: north of Gonder Road and Parcel B: south of Gonder Road), and the applicant intends to rezone from A-2-R to A-3 to submit for a building permit for additional cattle pens on the both north and south parcels. The project site area is adjacent to a parcel with an existing feedlot and composting facility, both owned by the applicant. The feedlot has an existing cattle head count of 20,000 and they would like to add 18,000 more. The purpose of the zone change application is to be able to have room for the feedlot expansion. See attached Applications, Project Description Sheet and plans for additional information.
11. **Surrounding land uses and setting:** The project site is surrounded mostly by cultivated agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and are owned by the applicant, Moiola Bros. There are five (5) residences nearby, the closest one being 0.25 miles southeast of the proposed location for the cattle pen addition, and approximately 0.45 miles northwest of the proposed location for the composting activities. Neighboring parcels include similar zones, such as: A-2 (General Agricultural) and A-3 (Heavy Agricultural). There is a parcel approximately 0.30 miles northeast of the proposed location for the cattle pen addition that is currently being used as offices of the feedlot and to store cattle equipment. In addition, there is a parcel approximately 0.85 miles southeast of the proposed location for the composting, that is currently being used for as a feedlot and is also owned by the Moiola Bros. The environmental setting is mostly open flat space due to agricultural fields.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): A) Planning Commission B) Regional Water Quality Control Board
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so has consultation begun?**
    Native American Tribe zones are not near the project site, and members of the Native American Heritage Commission (NAHC) have been contacted and invited to participate in the "Request for Review and Comment" as part of the Initial Study review process. A Sacred Files Search was requested and came back with negative findings. A tribal list was delivered from NAHC so that the project was sent out to them for review and comment. No comments related to significant impacts were received. All the tribes that were listed were contacted either via email, phone or fax and only one tribe member replied. This tribe member belongs to Iipay Nation of Ysabel (Kumeyaay), saying they had no comment regarding the project.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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	☐ 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
☐ Mandatory Findings of Significance		

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

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

for [signature]
Jim Minnick, Director of Planning/EEC Chairman

2-15-18
Date:

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT SUMMARY

A. Project Location: The project site is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Route 115 and approximately 1 mile west of Holt Road, from Griffin to Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number 041-020-028-000 and 041-090-004-000 (See Exhibit A).

B. Project Summary: Pursuant to the project description as submitted by the applicant, the proposed project site includes two parcels that are currently being used for agricultural purposes, and they are located north and south of Gonder Road. The application consists of rezoning those two parcels from A-2-R to A-3. The applicant wishes to be able to add cattle pens on the Parcel A, or parcel north of Gonder Road, which is identified as Assessor's Parcel Number (APN) 041-020-028-000, and is adjacent to the existing feedlot and composting facility.

Parcel B, or parcel south of Gonder Road is identified as Assessor's Parcel Number (APN) 041-090-004-000 and is currently used as farmland and for hay storage. Once the zone change process has been completed and approved, the applicant intends to apply for a building permit application to add cattle pens on the south portion of this parcel (40 acres). Pursuant to Division 5 Chapter 9 Section 90509.06, there shall be a 300-foot setback from centerline of adjacent street(s) for any animal, livestock pens, so any future cattle expansion project shall have to reflect the previously referenced setback.

The existing feed lot on parcel identified as APN 041-020-029-000 has a current cattle head count of 20,000 and the applicant would like to add 18,000 more, but on the parcel south of Gonder Road. The grazing of cattle is a permitted use under the A-3 Zone. According to the applicant, the feedlot expansion permit application would be submitted after the zone change application, if approved. See attached Applications, Project Description Sheet and plans for additional information.

C. Environmental Setting: The project site is surrounded mostly by agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and are owned by the applicant, Moiola Bros. There are five (5) residences nearby, the closest one being 0.25 miles southeast of the proposed location for the cattle pen addition, and approximately 0.45 miles northwest of the proposed location for the composting activities. Neighboring parcels include similar zones, such as: A-2 (General Agricultural) and A-3 (Heavy Agricultural). There is a parcel approximately 0.30 miles northeast of the proposed location for the cattle pen addition that is currently being used as offices of the Feedlot and to store cattle equipment. In addition, there is a parcel approximately 0.85 miles southeast of the proposed location for the composting, that is currently being used for as a feedlot and is also owned by the Moiola Bros. The environmental setting is mostly open flat space due to agricultural fields.

D. Analysis: The project site is zoned A-2-R (General Agricultural/Rural Zone) per Zoning Map #31 (Title 9, Section 92531.04), and is surrounded by similar zoning areas (A-2 and A-3). The approval of the proposed application for a zone change would allow for cattle grazing after the zone change application has been reviewed and approved of. Cattle grazing is listed as a permitted use in the A-3 zone according to Title 9, Division 5, Chapter 9, Section 90509.01 n), but is not part of this proposed application.

The proposed application may be consistent with the Imperial County General Plan's designation, and the Imperial County's Land Use Ordinance. In addition, the adoption of the CEQA Initial Study for this project would be consistent with applicable County and State ordinances and regulations.

E. General Plan Consistency: Complementing to the analysis stated above, the project site is designated as "Agriculture", according to the County's General Plan Land Use Map. The proposed project is not expected to conflict with the County's General Plan, and can be found consistent with the Agricultural Element's Goals and Objectives, especially Goal 10, which addresses cattle production on agricultural land (pages 35 and 36) and with its Implementation Programs and Policies.

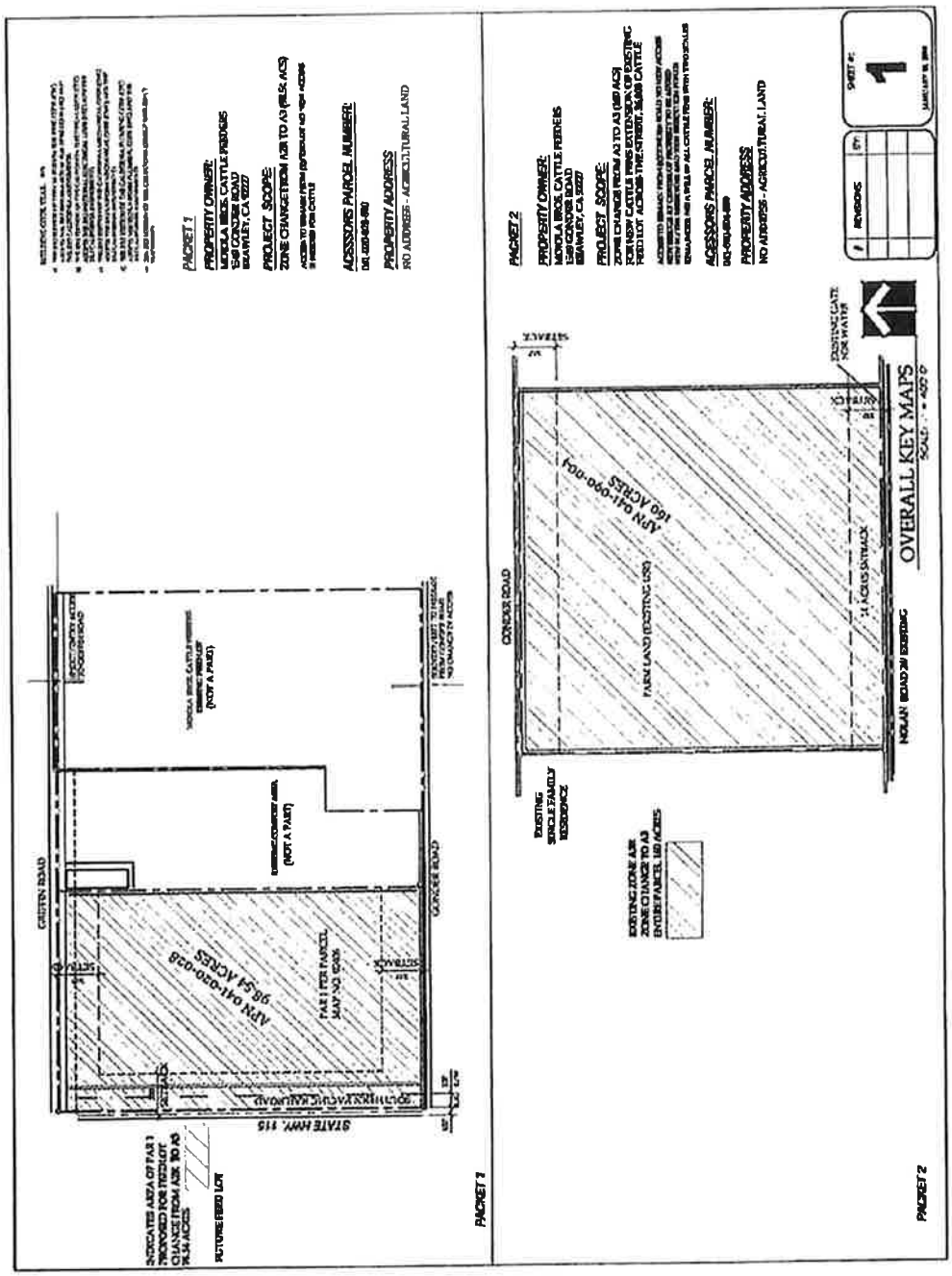
EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Exhibit "A"
Vicinity Map

EEC ORIGINAL PKG

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Exhibit "B"
Site Plan



EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

I. *AESTHETICS Would the project:*

a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☒ ☐

a) According to the Caltrans' Guidelines for the Official Designation of Scenic Highways[1], the merits of a nominated highway are evaluated on how much of the natural landscape a passing motorist sees and the extent to which visual intrusions impact the "scenic corridor", which Caltrans defines as "...The area of land generally adjacent to and visible from the highway. It is usually limited by topography and/or jurisdictional boundaries..." The project is located approximately 1.5 miles south of State Route 78, and is directly east of State Route 115. State Route 78 is listed as having the potential to becoming a state-designated scenic highways but the segments that are eligible for future Scenic Highway Designation status, lie towards the San Diego County line and its junction with State Route 86, and is considered scenic because of its view of the Salton Sea. There are no additional scenic views surrounding the proposed project. The existing vista would not be significantly altered as a consequence of the approval of the proposed zone change and future feedlot expansion since the surrounding area has been used as a feedlot in the past; therefore, less than significant impacts are expected.

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

b) The proposed project site is not within a state scenic highway and there are no scenic resources such as trees, rock outcroppings or historic buildings located near the proposed project; therefore, no impacts are expected.

c) Substantially degrade the existing visual character or quality of the site and its surrounding? ☐ ☐ ☒ ☐

c) The proposed project consists of a zone change from A-2-R to A-3. The application is consistent with the surrounding uses and with the County's General Plan and Land Use Ordinance. The proposed project would not substantially degrade the existing visual character since the adjacent parcel of the project site is already being used for grazing and composting. The applicant wishes to expand cattle grazing to the adjacent parcel after the zone change and to the parcel south of Gonder Road, towards the south portion of the parcel. The approval of the project would cause for the existing visual character to change but not substantially; therefore, less than significant impacts are expected.

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

d) All sources of lighting that may be used for the proposed feedlot after the zone change process, including security and operational lighting as required by State Codes and County Ordinances, shall be shielded or directed onsite to minimize offsite interference from unacceptable levels or light or glare. Compliance with said codes and ordinances would cause for less than significant impacts.

II. *AGRICULTURE AND FOREST RESOURCES*

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. –Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ☒

a) The project site appears as "Farmland of Statewide Importance" according to the California Department of Conservation Farmland Mapping Program[2], and is surrounded by the same classification, except for the existing composting area, which appears as by "Other Land". The nearest parcel that is designated as "Prime Farmland" is located approximately 0.75 miles southeast of the project site. The proposed project does not convert prime farmland, unique farmland, farmland of statewide importance (farmland), to non-agricultural use, nor does it include modifications from farmland to non-agricultural land. No impacts are being anticipated regarding conversion to non-agricultural use.

[1] Imperial County General Plan Circulation and Scenic Highways Element, pgs. 30 & 93 http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-(2008).pdf
[2] California Important Farmland. 1984-2014 Maps https://maps.conservation.ca.gov/agriculture/

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

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

b) The project site is zoned A-2-R (General Agricultural/Rural Zone), which is used to designate areas that are suitable and intended primarily for agricultural purposes (limited) and agricultural related compatible uses. The proposed project does not conflict with existing zoning for agricultural use and is not under a Williamson Act contract, according to the Williamson Act map created in 2012 by ICPDS for the Imperial County Board of Supervisors Order #10a; therefore, no impacts are expected.

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))? ☐ ☐ ☐ ☒

c) No forest land is available in or near the vicinity of the project, and the site's current use, zoning and land use designation, do not support the definitions provided by Public Recourses Code for timberland or forestland, or Government Code Section for "Timberland Production". The proposed project is mostly surrounded by open and flat agricultural lands, and would not cause for any forest land to be converted into non-forest use. No impacts are expected to occur.

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

d) As previously stated, there is no forest land in the area of the project location and no conversion to non-forest use would occur as a consequence of the approval of the proposed project; therefore, no impacts would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

e) The implementation of the project would not result in changes to the environment which could result in the conversion of farmland to non-agricultural use since the scope of work of the proposed project proposes to continue with agricultural related activities. In addition, the proposed project is consistent with its zoning and land use designation, so no impacts are expected to occur regarding forest land to non-forest use.

III *AIR QUALITY*

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☒ ☐

a) The proposed rezone, and future cattle pen addition would not conflict with or obstruct implementation of any applicable air quality plans. The property owner and operator of the existing cattle pens and the existing composting facility have been in compliance with the County's requirements and implementations. A permit modification would be requested by APCD at the time of the building permit for the cattle pen addition. It is recommended that the applicant review the APCD's CEQA Air Quality Handbook[3]. Continual compliance with requirements and implementations from County and APCD, would bring the project impacts to less than significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☐ ☒ ☐

b) The scope of work for the project is such that uncontrolled vehicular emissions are unlikely to exceed APCD's thresholds or violate any County standards. The zone change would not cause for any violations of air quality. Compliance with ICAPCD's requirements and Rule VIII would cause for the impacts of the future cattle pen addition project to be less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? ☐ ☐ ☒ ☐

c) Per CEQA Air Quality Handbook, the Imperial Valley is a non-attainment area under applicable federal and state ambient

[3] Imperial County Air Pollution Control District Rules and Regulations http://www.co.imperial.ca.us/AirPollution/RULEBOOK/CompleteRuleBook.pdf

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

air quality standards, and according to CEQA Guidelines, a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved air quality attainment or maintenance plan[4]. Compliance with all applicable APCD requirements would bring the project's impacts to less than significant.

d) Expose sensitive receptors to substantial pollutants concentrations? ☐ ☐ ☒ ☐

d) The potential pollutants that could possibly affect the nearest sensitive receptors, which are the residents of a house located within a quarter mile of the project site, include diesel exhaust and volatile organic compound (VOC) emissions which are typically related to trucks and machinery. The zone change application would cause for no impacts, although vehicles would be used to transport the cattle in the future cattle pen expansion project. These emission levels would be in low quantities and would be expected to disperse rapidly; therefore, less than significant levels are expected.

e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

e) In addition to the statement above, the zone change would not cause for the creation of objectionable odors, but the future cattle pen expansion project would create odors that could affect the nearest sensitive receptors a quarter mile away. Compliance with all County and APCD's regulations would bring the impacts to a less than significant level.

IV. ***BIOLOGICAL RESOURCES*** ***Would the project:***

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☒ ☐

a) The Imperial County General Plan's Conservation and Open Space Element[5] Figure 1 "Sensitive Habitats Map" shows that the project site is not within a designated sensitive habitat and Figure 2 "Sensitive Species Map" shows the project site being within the Burrowing Owl Species Distribution Model, although after communication with U.S. Fish and Wildlife staff member, it was confirmed what there were no federally listed species in the area. The proposed project consists of a zone change which, after approval, would allow a for a cattle pen expansion. This use would not substantially modify the habitat since there is an existing feedlot and composting facility adjacent to the project site; therefore, less than significant impacts are expected to occur.

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? ☐ ☐ ☐ ☒

b) In the Riparian Bird Conservation Plan, riparian refers to areas that are "transitional between terrestrial and aquatic ecosystems, providing linkages between water bodies and adjacent uplands and include portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems"[6] The project site is surrounded by flat agricultural fields and is not located within or near any riparian habitat or sensitive natural community since, as previously mentioned, wetland and riparian habitats occur within water systems and the nearest body of water is the Alamo River, which is approximately 3.25 miles west of the project site. No impacts are expected to occur.

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? ☐ ☐ ☐ ☒

c) The proposed project site is mostly surrounded by agricultural flat lands, and is far from wetlands. The future cattle pen addition project might include water for its operations such as dust mitigation, but the amount of water used for those purposes would be minimal and subject to APCD's rules and regulations. Water would also be used to hydrate the cattle in contained areas so the water would not filter into the waters of the United States or affect marsh, vernal pool or coastal wetlands; therefore, no impacts can be expected.

---

[4] CEQA Guidelines §15064 (h) (3)
[5] IC General Plan Conservation and Open Space Element Figure 1 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
[6] California Riparian Habitat Restoration Handbook page 6 http://www.water.ca.gov/urbanstreams/docs/ca_riparian_handbook.pdf

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d)	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

d) The proposed application would not impact the movement of resident or migratory fish, since the project site is located more than 3 miles away from the nearest body of water. As previously mentioned, the project site is within the burrowing owl distribution model but no burrowing owls have been seen in the past, making it unlikely for the special-status species to appear; therefore, less than significant impacts are expected.

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

e) Compliance with all of the County's regulations and requirements regarding local policies and/or ordinances protecting biological resources, would bring the project's impacts to less than significant, although there are no tree preservation policies applicable to the project site area.

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?	☐	☐	☐	☒

f) According to the Conservation and Open Space Element of the Imperial County General Plan, the majority of the Habitat Conservation efforts are focused on the Salton Sea and the rivers of Imperial County and the project site is not located in the close vicinity to those bodies of water; therefore, no impacts are expected.

V. *CULTURAL RESOURCES Would the project:*

a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒

a) The Imperial County General Plan's Conservation and Open Space Element Figure 6 "Known Areas of Native American Cultural Sensitivity Map"[7] shows that the project site is not within any known areas of Native American Cultural Sensitivity, however, a Sacred Lands Search request was sent to Native American Heritage Commission (NAHC) for the area of potential project effect (APE), and came back on October 05, 2017 with negative results, meaning absence of specific site information in the Sacred Lands File. A Tribal Consultation List was provided and contacted and so far, only one tribe has made a comment regarding this project site, and it was from the Kumeyaay Tribe, saying they had no comment. The project does not appear to be in the sphere of influence of any tribe, or anywhere near it; therefore, no impacts are expected to occur.

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

b) According to the National Register of Historic Places, the project site is not listed in the California Register and the project does not involve performing excavations or any type of work that could disturb, if any, archaeological resources. In addition, the project site does not appear to be within the vicinity of any Tribal Land, as shown on the California Tribal Lands Map[8] from the U. S. Environmental Protection Agency. The project site area does not appear to be within any of the California Indian Tribal Homelands and Trust Land Map of the U.S. Bureau of Indian Affairs[9]. The proposed project will not cause a substantial adverse change in the significant of an archaeological resource as defined in §15064.5; therefore, no impacts are expected to occur as a consequence of the zone change.

c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

c) The proposed project site is located in an area that has been previously disturbed, and no paleontological resources were found. The proposed project would be subject to California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98. Compliance with the above referenced codes would lessen the impacts to less than significant.

---

[7] Imperial County General Plan Conservation and Open Space Element Fig 6 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
[8] California Tribal Lands Map https://www3.epa.gov/region9/air/maps/pdfs/air1100040_3.pdf
[9] California Indian Tribal Homelands Map http://www.water.ca.gov/tribal/docs/maps/CaliforniaIndianTribalHomelands24x30_20110719.pdf

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

d) Even though no cemeteries are within the vicinity of the proposed site, the proposed project would be subject to California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98. Compliance with said State codes would bring the project impacts to less than significant.

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

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:	☐	☐	☒	☐

a) According to the State of California Special Studies Zones Fault Activity Map (2010)[10], the proposed project is located approximately 4 miles southwest of the Brawley Fault Zone, which would not affect the zone change project. In the event that a structure is proposed in the area, it shall be designed to comply with the California Uniform Building Code (Section 1626 through 1635), which requires development to incorporate the most stringent earthquake resistant measures. Adherence with the previously referenced Building Codes or any other applicable requirements, would reduce any seismic impact to a less than significant level.

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?	☐	☐	☐	☒

1) As previously mentioned, the project site is located in the vicinity of a known fault and the proposed zone change would not expose people or structures to potential substantial adverse effects and neither would the future cattle pen expansion project as it would not be near people or structures. In case of future development, the project shall show compliance with California Public Resources Codes 2621.5 and 2623. The proposed zone change would cause no impacts regarding rupture of a known earthquake fault.

2) Strong Seismic ground shaking?	☐	☐	☐	☒

2) The Imperial Valley of southern California is known to be seismically active with numerous faults of the San Andreas Fault system traversing the region. As stated before, the project site is located close to a known fault and could potentially be affected by seismic ground shaking. The nature of the project does not involve grading and/or construction work, and the future cattle pen addition would not require major earthwork activities as to expose people or structures to injury or death related to seismic ground shaking; therefore, no impacts are expected to occur.

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

3) Liquefaction is a phenomenon in which the strength and stiffness of soils are reduced by earthquake shaking or other rapid loading. Liquefaction primarily occurs in saturated or near saturated soils, and its effects are most commonly observed in low-lying areas near bodies of water, such as rivers, lakes, bays and oceans.[11] According to the Department of Conservation Regulatory Maps, the project site is not within the designated Tsunami areas, and the nearest body of water (Alamo River) is located 3.25 miles west of the proposed project; therefore, no impacts are expected to occur as a consequence of the zone change approval or the future cattle pen addition.

4) Landslides?	☐	☐	☐	☒

4) Also using the Department of Conservation Regulatory Maps, it was found that the site is not located within a landslide hazard zone and being that the topography of the site is mostly flat, it is highly unlikely that landslides would occur; therefore, no impacts would be expected.

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

b) The project site has a very low potential for soil erosion due to its flat topography and mostly undisturbed soils. The ground would not be disturbed for the zone change and would be slightly disturbed in the future cattle pen expansion phase. The project is subject to approval of the County's Building and Public Works Departments regarding drainage patterns as they shall be designed as to prevent soil erosion. Compliance with the previously referenced agencies would cause for the project's impacts to be less than significant.

---

10 Fault Activity Map of California (2010) http://maps.conservation.ca.gov/cgs/fam/

11 "Earthquake Hazards and Mitigation" Book by editors R. Ayothiraman and Hemanta Hazarika, page 265
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/16/nrcs143_019308.pdf

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?				

c) The project site is not known to be located on geological units or soil that is unstable, and the conditions for lateral spreading, subsidence, liquefaction and collapse are not present. All of these conditions occur when the scope of work involves water (either extracting, moving, loading or any other activity related to a natural source of water). In this case, water would not be part of the zone change application and would be used in the future cattle pen addition, as a dust control measure as per APCD's requirements. The proposed zone change would not cause impacts related to landslides, lateral spreading, subsidence, liquefaction or collapse.

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

d) The proposed zone change application would not cause for substantial risk to life or property as it would not be affecting any physical conditions of the site. The future cattle pen expansion project site shall be subject to the latest Uniform Building Codes; therefore, less than significant impacts are expected.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐

e) No septic tanks or other alternative waste water disposal systems are being proposed as part of the scope of work for the zone change application and the water disposal at the time of the future cattle pen expansion project would be subject to Environmental Health's requirements. Compliance with all County requirement regarding water disposal would cause for the impacts to be less than significant.

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

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

a) Greenhouse gas emissions produced by human activities principally come from combustion, soil erosion, animal agriculture, among others.[12] The zone change application would not cause for the site to be impacted with greenhouse gas emissions, however, the future cattle pen expansion might require trucks going in and out of the property for site preparation and then to move the cattle, although it is not expected to generate greenhouse gas emissions that would exceed APCD's thresholds or have significant impacts to the environment. APCD requires permits conditions that ensure emissions are kept at a level that is less than significant. Compliance with APCD would cause for to less than significant impacts to occur.

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

b) There are no regional or local climate action plans, or general or specific plan provisions to reduce GHG emissions in the study area, other than the regulations under AB 32, which has a target of reducing GHG emissions to 1990 levels by 2020[13]. The California Environmental Protection Agency (CEPA) Air Resources Board's AB 32 Scoping Plan was updated but it does not include an applicable threshold for GHG emissions for a project with these characteristics and duration.[14] All future site preparation activities needed for the cattle pen expansion project, are subject to the Imperial County Air Pollution Control District's recommendations for the reduction of pollutant emissions. Compliance with APCD and all applicable County's requirements would bring the impacts to less than significant.

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

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

12 Greenhouse Gas Definition – Wikipedia https://en.wikipedia.org/wiki/Greenhouse_gas#impacts_on_the_overall_greenhouse_effect
13 Assembly Bill 32 Overview https://www.arb.ca.gov/cc/ab32/ab32.htm
14 CEPA AB 32 Scoping Plan https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

a) The proposed zone change application does not have the potential to create a significant hazard to the public or environment through the transportation, use or disposal of hazardous materials, since they are not part of the scope of work; therefore, no impacts are expected to occur.

b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☐ ☒

b) As stated above, there are no hazardous materials included in any part of the zone change application and/or future cattle pen expansion project; therefore, no impacts are expected to occur in regards to hazardous materials.

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

c) The nearest school, JW Oakley Elementary School in Brawley, is approximately 7.5 miles northwest of the project site; therefore, no impacts are expected.

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? ☐ ☐ ☐ ☒

d) Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update a list of hazardous waste and substances sites from the DTSC EnviroStor Database. After using the EnvironStor Database[15] for the project site, it was found that it was not included in the database. In addition, the zone change application does not have the potential to create a hazard to the public; therefore, no impacts are expected to occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☒

e) According to Figure 1A of the 1996 Imperial County Airport Land Use Compatibility Plan (ALUC Plan), the project is not located within two miles of an airport, nor is it located within an airport land use plan. The nearest airport is the Brawley Municipal Airport, which is located approximately 7.5 miles northwest of the project site area. This proposed project would not result in a hazard for people residing or working in the airport and its surroundings. No impacts are expected to occur.

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? ☐ ☐ ☐ ☒

f) The proposed project is not within any known private airstrip. The project is outside the Airport Influence Area, and the proposed rezone and future composting facility would not cause for a safety hazard to people working or residing near a private airstrip; therefore, no impacts are expected to occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☐ ☒

g) The proposed project would comply with all County requirements and regulations related to any applicable emergency plan to avoid impairing its implementation. The access points to the site on the parcel north of Gonder Road would continue to be the same as they are for the existing feed lot and composting facility, as well as the same access as for the existing agricultural fields on the parcel south of Gonder Road. The proposed rezone and future cattle pen expansion would not interfere with the emergency points or access used by employees around the facility; therefore, no impacts are to be expected.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ☐ ☐ ☐ ☒

h) The project site is located within a Local Responsibility Area (LRA) Moderate Zone and a LRA Unzoned area according to the Fire Hazard Severity Zone Map[16]. Zones are classified based on a combination of how a fire will behave and the probability

[15] EnviroStor Database http://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Sacramento&tour=True
[16] FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/fhsz06_1_map.13.pdf

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

of flames and embers threatening buildings, as well of the likelihood of the area burning. Since no wildlands are surrounding the project vicinity, less than significant impacts are to be expected.

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

a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☒ ☐

a) The proposed zone change does not include any water or waste water, but the future cattle pen expansion project would include water for the cattle and as dust mitigation measure. The water would be obtained from the southeast end of the property, since there is a field gate and main canal (Oxalis). The applicant mentioned they take water from the canals and that this water is not metered. The applicant and property owner are subject to compliance with all local, state and federal laws, causing for impacts to be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☒ ☐

b) Groundwater use is not a part of the scope of work of this project, and there are no known groundwater or domestic wells near the project site area. As previously mentioned, water would be obtained from the Oxalis canal, and no groundwater would be depleted or interfered with. Additionally, groundwater is usually found within 8 to 10 feet in depth, and the future cattle pen expansion project would not use groundwater as it is currently obtained from canals; therefore, less than significant impacts are expected.

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

c) According to the Imperial County Public Works requirements, a grading/drainage plan is required to assure drainage patterns are designed to avoid alterations of streams or to negatively affect the surrounding water sources. Compliance with all County Building (ICPDS) and Public Works (PW) departments on future cattle pen expansion project would cause for the impacts to be less than significant.

d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ☐ ☐ ☒ ☐

d) As previously stated, adherence to the approved grading/drainage plan for the project would prevent any negative alterations to the existing drainage patterns. No streams or rivers are nearby, and the drainage pattern shall comply with all State and Local codes, including Public Works Department's (PWD) regulations; therefore, less than significant impacts are expected to occur.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ☐ ☐ ☒ ☐

e) As previously stated, the Permittee shall comply with ICPDS and PWD regarding grading/drainage plans to prerevent or avoid contribution of runoff or polluted water, or alter stormwater drainage systems in a negative manner. For those reasons, less than significant impacts are expected.

f) Otherwise substantially degrade water quality? ☐ ☐ ☐ ☒

f) The zone change application would not cause for the water quality to be degraded. The property owner and applicant shall show compliance with all local, state and federal laws to prevent degradation of any water supply at the time of future permit submittal, and are responsible for third parties who would take care of the site preparation activities (e.g. feedlot expansion, composting, etc.) No impacts are expected as a cause of the zone change proposal approval.

* Per comment letter from Regional Water Quality Control Board, dated July 20, 2017

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
g)	Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

g) No housing is being proposed for this project; therefore, no impacts are expected.

h)	Place within a 100-year flood hazard area structures which would impede or redirect the flood flows?	☐	☐	☐	☒

h) The project site is approximately 4,000 feet west of the nearest 100-year flood hazard area (Zone A) of the FEMA Flood Insurance Rate Map Panel 825 of 1175[17], and is located on Zone C, which means it is an area of minimal flooding. No impacts are expected regarding flood flows as a consequence of the zone change approval.

i)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

i) In addition to the statement above, there are no dams or levees near the proposed site; therefore, the approval of the proposed zone change is not expected to cause impacts or expose people or structures to any risk of loss, injury or death, as a result of the failure of a levee or dam.

j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

j) According to the California Emergency Management Agency and the Department of Conservation, the project site is not within a Tsunami Inundation Area for Emergency Planning. Seiches or mudflows could occur in or near the Salton Sea, but the project site is approximately 18.5 miles southeast of the Salton Sea, which would not affect the proposed project. For those reasons, no impacts are expected to occur due to inundation by seiche, tsunami or mudflow.

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

a)	Physically divide an established community?	☐	☐	☐	☒

a) The project would not physically divide any established community since it is approximately 7 miles southeast of an established community, in Brawley; therefore, no impacts can be expected.

b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

b) The proposed project does not conflict with any applicable land use plan, policy or regulation for the purpose of avoiding or mitigating an environmental effect. The proposed zone change is consistent with the intent of the Imperial County General Plan's Agricultural Element and its goals and objectives. The future cattle pen expansion is also consistent with the County Land Use Ordinance Title 9 Division 5, Chapter 9 Section 90509.01 n), as it lists "...cattle or livestock grazing..." as a permitted use; therefore, no impacts are expected.

c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

c) The project would not conflict with any habitat conservation plan or natural community conservation plan since there are none that apply to the area; for that reason, no impacts are expected to occur.

XI. *MINERAL RESOURCES Would the project:*

a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

a) The project site area is not located in or near any existing mineral resource areas as shown on the Imperial County Conservation and Open Space Element, Figure 8 "Existing Mineral Resources"[18], and the approval of the zone change nor

[17] Federal Emergency Management Area (FEMA) http://www.icpds.com/CMS/Media/45-FEMA-1100.pdf

* Per comment letter from Regional Water Quality Control Board, dated July 20, 2017

[18] Imperial County Conservation and Open Space Element Figure 8 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

future cattle pen expansion would not affect the availability of a known material resource that would be of value to the region; therefore, no impacts are expected.

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? ☐ ☐ ☐ ☒

b) As previously stated, the proposed project would not result in the loss of availability of locally-important mineral resources as identified in the Imperial County General Plan Conservation and Open Space Element, Figure 8 "Existing Mineral Resources". No impacts are expected to occur.

XII. ***NOISE*** ***Would the project result in:***

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? ☐ ☐ ☒ ☐

a) The proposed rezone would not generate any noise, and the future cattle pen expansion project would create temporary noise levels during the site preparation and during the cleaning of the pens. Any noise levels would be temporary and within business hours, these levels shall not exceed the thresholds established in the Imperial County General Plan "Noise Element" and shall comply with all applicable regulations. The future addition of cattle pens shall not exceed the Construction Noise Standards of 75 dB Leq, when averaged over an eight (8) hour period, and measured at the nearest sensitive receptor, which is located approximately a quarter mile of the project site. Adherence to the "Noise Element" standards would bring the impacts to a less than significant level.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ☒ ☐

b) As previously stated, temporary noise levels and vibration could result from the site preparation and when trucks would enter and exit the feed for cleaning purposes, but these noise levels would have to be maintained within the County's allowed threshold to avoid nuisances regarding excessive groundborne vibration. Adherence to the "Noise Element" standards would bring the impacts to a less than significant level.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

c) According to the applicant, noise of increased traffic related to site preparation and cattle pen cleaning would not permanently affect the existing ambient noise levels; therefore, less than significant impacts are expected to occur.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

d) As previously stated, compliance of the Imperial County General Plan and Land Use Ordinance, as well as the implementation of the Noise Element and of standard construction practices would ensure that the temporary noise levels associated with site preparation and trucks remain less than significant.

e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

e) In addition to the statements above, the project site is not located within 2 miles north of an airport and the proposed zone change project nor future cattle pen expansion project, would not expose people residing or working in the area to excessive levels of noise; therefore, no impacts are expected.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

f) No known private airstrip is located near the vicinity of the project; therefore, no impact is expected.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

XIII. ***POPULATION AND HOUSING*** ***Would the project:***

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☐ ☒

a) The proposed project consists of a zone change and a future cattle pen expansion after the zone change approval. The proposed application and future use is consistent with the area and the Imperial County's General Plan. The project would not induce substantial population growth as a consequence of the zone change approval nor would the future cattle pen addition cause for population growth as the intent is that the same employees that are currently overlooking the existing feedlot, work on the feedlot addition and that no new employees be hired; therefore, no population growth is expected to occur. In addition, the nearest community is approximately 4 miles away from the project site; therefore, no impacts are expected.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

b) Since no housing being proposed in the scope of work for the zone change nor the future cattle pen expansion project; no impacts regarding population growth are expected either directly or indirectly after the approval of the proposed project.

c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

c) The proposed project does not involve any housing or will cause for the need to replace housing; therefore, no impacts are expected.

XIV. ***PUBLIC SERVICES***

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: ☐ ☐ ☐ ☒

a) The project would not cause for the need of any provisions or cause for alterations involving governmental facilities. It would not permanently affect any type of public service, except during the site preparation phase, when traffic would temporarily increase. For those reasons, less than significant impacts are to be expected.

1) Fire Protection? ☐ ☐ ☒ ☐

a1) The project application does not involve any buildings or structures, except for the future cattle pens. The applicant and operator of the existing feedlot and composting facility have showed compliance with Fire Protection and have a fire protection system on site. Continual compliance with the Fire Department's rules and regulations would bring the project's impacts to less than significant levels.

2) Police Protection? ☐ ☐ ☐ ☒

a2) The proposed project consists of a zone change and a future cattle pen expansion. A request for review and comment on the project was sent to the Imperial County Sheriff's Office and out office received a reply indicating that the project would have no significant impact; therefore, no impacts are expected.

3) Schools? ☐ ☐ ☐ ☒

a3) As previously discussed, the project site is not in the vicinity of a school and would not directly or indirectly induce any population growth in the area, causing no impacts to schools.

4) Parks? ☐ ☐ ☐ ☒

a4) The proposed project does not include any relation to a park or parks, and would not cause for the need to alter one; therefore, no impacts are being expected.

5) Other Public Facilities? ☐ ☐ ☐ ☒

a5) No other public facilities would be affected by the proposed project; therefore, no impacts are expected.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

XV. ***RECREATION***

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☐ ☒

a) An increase in use of recreational facilities is generally caused by population growth in an area, but the project site is not located in or near any residential areas, parks or any recreational facilities, and would not cause for the existing neighborhood or parks to be physically deteriorated as a consequence of the project approval; therefore, no impacts are expected.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? ☐ ☐ ☐ ☒

b) As stated previously, no recreational facilities are being included in the scope of work or would cause for the need to construct or expand existing recreational facilities; therefore, no impacts are expected.

XVI. ***TRANSPORTATION / TRAFFIC Would the project:***

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ☐ ☐ ☒ ☐

a) The proposed zone change would cause no additional impacts on the project regarding transportation, however, the proposed future cattle pen expansion project would impact the traffic temporarily for site preparation, such as the required earthwork, the installation of the cattle pens and all applicable site improvements. According to the applicant, if the zone change application is approved, the owners intend to submit for a cattle expansion building permit application as soon as possible. The applicant also mentioned that they intent to transport the cattle into the proposed site by trucks. The Imperial County Public Works shall determine specific requirements in regards to neighboring roads, to see if they can handle the additional traffic and loads and to determine whether the existing driveways to the parcels in subject, are acceptable. The temporary trips needed for the site preparation are expected to be below the acceptable thresholds by the County. Caltrans would need to evaluate and review any future cattle expansion project to assess if a permit is needed with their Department. The applicant shall contact the above referenced agencies for compliance. There are no pedestrian or bicycle paths in or near the vicinity; therefore, less than significant impacts are expected during the zone change application process.

b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestions/management agency for designated roads or highways? ☐ ☐ ☒ ☐

b) The Zone Change application would not conflict with any congestion management program. However, as previously mentioned, any future cattle expansion project would cause for a temporary traffic increase on Gonder Road during site preparation and other related activities that would not require temporary closure of any streets, highways or roads, and would not need a congestion management program. No conflict is expected with the approval of the Zone Change application. Conformance with Imperial County Public Works and Caltrans at the time of the building permit submittal and process would cause for the project impacts to be less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ☐ ☐ ☐ ☒

c) The proposed project would not affect air traffic patterns since it consists of a zone change and a future cattle pen expansion project; therefore, no impacts are expected to occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ☐ ☐ ☐ ☒

d) No design features have been proposed that could damage or cause a substantial burden on traffic; therefore, no impacts are being expected.

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
e)	Result in inadequate emergency access?	☐	☐	☒	☐

e) The access to the site would be from Gonder Road, and would not affect the existing feedlot and composting facility's access or block any gates in case of an emergency. The emergency access to the property is located on Gonder Road and the applicant shall agree not block any access used for emergency; therefore, less than significant impacts are expected.

f)	Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

f) Conformance with applicable agencies such as Imperial County Public Works and Caltrans would cause for the proposed project to prevent any conflict with adopted policies, plans or programs regarding public transit. Compliance with the above agencies' requirements regarding traffic and transportation would cause for less than significant impacts.

XVII. *TRIBAL CULTURAL RESOURCES*

a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:	☐	☐	☒	☐

a) The project site is not within the vicinity of any area that has been geographically defined as sacred or object of value to California Native American Tribe, according to the Imperial County General Plan Conservation and Open Space Element, Figure 6 "Known Areas of Native American Cultural Sensitivity". Efforts of consultation with tribes and with Native American Heritage Commission were performed since September 20, 2017 and a Sacred Lands Search was requested and came back with negative results; therefore, less than significant impacts are expected.

1)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or	☐	☐	☒	☐

1) The proposed site does not seems to be eligible under Public Resources Code Section 21074 or 5020.1 (k). The Native American Heritage Commission was contacted regarding this project and a Tribal Consultation List was received. Communication was sent out to these tribes since September 20, 2017, but no responses were received; therefore, less than significant impacts are to be expected.

2)	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 is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☐	☒	☐

2) The Native American Heritage Commission Sacred Lands was contacted for a record search for the area of potential project effect (APE) and they answered back with negative results. A list of tribal consultation was sent and these tribes were contacted but we did not receive any response; therefore, less than significant impacts are expected.

XVIII. *UTILITIES AND SERVICE SYSTEMS Would the project:*

a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

a) The existing feedlot operation is regulated under Regional Board Confined Animal Feeding Operation (CAFO) General Permit (R7-2013-0800). The permittee would need to update the cattle head count via annual report requirement, at the moment of permit submittal for the future cattle pen expansion project. In addition, all wastewater systems from the proposed future cattle pen expansion project shall be designed according to County standards, to retain water on-site. Compliance with all County standards and any Regional Water Quality Control Board, would bring the project's impacts to less than significant levels.

b)	Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental	☐	☐	☐	☒

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

effects?

b) No new water treatment facilities or expansion to the existing project site will be required under this project since there will be no need to provide potable drinking water. According to the applicant, water is currently being taken from the canals for the existing feedlot and composting facility, is not metered, and is used as dust suppressors around the composting facility. No impacts to water treatment facilities are expected to occur.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☒ ☐

c) The proposed zone change would not cause for any changes regarding storm water, but once the zone change is processed and approved, the applicant would have to update the cattle head count via annual report requirement. The propose project shall need to comply with all applicable agencies to ensure that wastewater and storm water are properly handled to avoid a negative environmental effect. Compliance with all applicable agencies would bring the project's impacts to less than significant levels.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ☐ ☐ ☒ ☐

d) According to the applicant, the water for the future cattle pen expansion project will be obtained from the southeast end of the property, where there is a field gate and main canal (Oxalis Lateral). The existing feedlot and composting facility get water from the Orange Lateral and is not metered. Compliance with all County's requirements related to water supply for the proposed future cattle pen expansion shall bring the project's impacts to less than significant levels.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ☐ ☐ ☒ ☐

e) The proposed zone change would not cause for any changes in the current wastewater system. The wastewater system for the future cattle pen expansion project shall be designed to cover the project's projected demand. The approval of a Grading and Drainage Study/Plan would cause for the project's impacts regarding the discharge of the unused wastewater, to be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ☐ ☐ ☒ ☐

f) The proposed zone change would not produce solid waste, and the proposed future cattle pen expansion project would continue to handle the manure as per Conditional Use Permit #06-0019. Continual compliance with the County regarding solid waste disposal to an approved landfill would bring the project's impacts to less than significant.

g) Comply with federal, state, and local statutes and regulations related to solid waste? ☐ ☐ ☒ ☐

g) The proposed project shall comply with all federal, state and local statues and regulations. Compliance with said codes shall cause for impacts to be less than significant.

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

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

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

a)	**Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources 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 projects, 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?**	☐	☐	☒	☐

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planner II
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Agriculture Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Regional Water Quality Control Board
- Native American Heritage Commission

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

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

V. REFERENCES

1. Imperial County General Plan Circulation and Scenic Highways Element, pages 30 and 93
2. California Important Farmland: 1984-2014 Maps
3. Imperial County Air Pollution Control District Rules and Regulations
4. CEQA Guidelines §15064 (h) (3)
5. Imperial County General Plan Conservation and Open Space Element Figure 1
6. California Riparian Habitat Restoration Handbook, page 8
7. Imperial County General Plan Conservation and Open Space Element Figure 6
8. California Tribal Lands Map
9. California Indian Tribal Homelands Map
10. Fault Activity Map of California 2010
11. "Earthquake Hazards and Mitigation" Editors R. Ayothiraman and Hemanta Hazarika, page 265
12. Greenhouse gas effects – Wikipedia
13. Assembly Bill 32 Overview
14. CEPA AB 32 Scoping Plan
15. EnviroStor Database
16. FRAP Fire Hazard Severity Zones
17. Federal Emergency Management Area (FEMA)
18. Imperial County Conservation and Open Space Element – Figure 8

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

VI. NEGATIVE DECLARATION – County of Imperial

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

Project Name: ZC#17-0006 Initial Study #17-0026

Project Applicant: Molola Bros. Cattle Feeders

Project Location: The project is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Highway 115 and approximately 1 mile west of Holt Road, from Griffin and Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number 041-020-028-000 and 041-090-004-000. (See Exhibit A for reference)

Description of Project: The zone change application includes two parcels (parcels north and south of Gonder Road), and the applicant intends to rezone from A-2-R to A-3 to be able to apply for a building permit for additional cattle pens on both parcels. The project site area is adjacent to a parcel with an existing feed lot and composting facility, both owned by the applicant. The feedlot has an existing cattle head count of 20,000 and they would like to add 18,000 more. The purpose of the zone change application is to have room for additional cattle. See attached Application and plans for additional information.

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

VII. FINDINGS

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

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

☐ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

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

NOTICE

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

2-15-18 — Spr
Date of Determination — Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature — Date

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

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

ICDPW

September 27, 2017

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

Attention: Diana Robinson, Planner I

SUBJECT: **ZC 17-0006 / CUP 17-0017 / IS 17-0026 Molola Bros. Cattle Feeders;** located from Griffin to Noland Roads, East of State Highway 111 and being bisected by Gonder Road, Approximately 6.5 miles Southeast of the City of Brawley, CA. APN's 041-020-028-000 & 041-090-004-000.

Dear Mr. Minnick:

This letter is in response to your submittal package received by this department on September 20, 2017 for the above mentioned project. The applicant proposes to rezone from A-2 to A-3 to be able to apply for a building permit for additional cattle pens on the North parcel after the zone change process. The Parcel South of Gonder Road would be used for composting purposes after the zone change and with the approval of the Conditional Use Permit, which triggers and Initial Study for environmental review.

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

1. Griffin Road and Gonder Road are classified as Minor Collector – Local Collector Roads, requiring seventy (70) feet of right of way, being thirty-five (35) feet from existing centerline. It is requested that sufficient right-of-way be provided to meet this road classification. **(As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).**

2. The applicant shall furnish a Drainage and Grading Plan/Study to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. The Study/Plan shall be submitted to the Department of Public Works for review and approval. The applicant shall implement the approved plan. Employment of the appropriate Best Management Practices (BMP's) shall be included. (Per Imperial County Code of Ordinances, Chapter 12.10.020 B).

3. An encroachment permit shall be secured from the Department of Public Works for any and all new, altered or unauthorized existing driveway(s) to access the properties through surrounding County roads.

4. The applicant for Encroachment Permits in County Roads and Right of Way is responsible for researching, protecting, and preserving survey monuments per the Professional Land Surveyor's Act (8771 (b)). This shall include a copy of the referenced survey map and tie cards(s) (if applicable) for all monuments that may be impacted.

5. The applicant for grading plans and/or improvement plans is responsible for researching, protecting and preserving survey monuments per the Professional Land Surveyor's Act (8771 (b)). This shall include a copy of the referenced survey map and tie card(s) (if applicable) for all monuments that may be impacted by the project whether it be on-site of off-site.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ICPDS-Received 09/27/17

6. Each parcel created or affected by this project shall abut a maintained road and/or have legal and physical access to a public road before the project documents are recorded.

7. At time of development, if required, by Section 8762(b) of the Professional Land Surveyors Act, a record of survey shall be filed with the County Recorder of Imperial County.

8. The documents submitted state that approximately 6 trips per day will be required to transport manure from the feed lot to the site.

    a. The applicant shall submit information to this Department related to transportation and traffic for each of the project description packets. This information shall include the existing trips and anticipated total trips for business operation (passenger vehicles for staff and trucks deliveries – manure, cattle, etc.), expected hours of operation, and transportation routes. Such information shall be used to determine the need for a traffic study

INFORMATIVE:

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

- All solid and hazardous waste shall be disposed of in approved solid waste disposal sites in accordance with existing County, State and Federal regulations **(Per Imperial County Code of Ordinances, Chapter 8.72).**

- All on-site traffic area shall be hard surfaced to provide all weather access for fire protection vehicles. The surfacing shall meet the Department of Public Works and Fire/OES Standards as well as those of the Air Pollution Control District (APCD) **(Per Imperial County Code of ordinances, Chapter 12.10.020 A).**

- The project may require a National Pollutant Discharge Elimination System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior county approval of onsite grading plan **(40 CFR 122.28).**

- A Transportation Permit may be required from road agency(s) having jurisdiction over the haul route(s) for any hauls of heavy equipment and large vehicles which impose greater then legal loads on riding surfaces, including bridges. **(Per Imperial County Code of Ordinances, Chapter 12.10.020 B).**

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

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

Respectfully,

John A. Gay, PE
Director of Public Works

P:\PRIVATE PROJECTS ADMIN\2) PRIVATE PROJECTS\CUP\17-0017 Meiola Bros. Cattle Feeders (additional cattle pens)\CUP 17-0017 (draft).doc

EEC ORIGINAL PKG

PC ORIGINAL PKG
PC ORIGINAL PKG

ORIGINAL EEC PKG

ICPDS-Received 09/27/17

Respectfully,

John A. Gay, PE
Director of Public Works

By: Manuel Ortiz

Manuel Ortiz
Assistant County Engineer

OB/dm

EEC ORIGINAL PKG

PC ORIGINAL PKG
PC ORIGINAL PKG

ORIGINAL EEC PKG

COUNTY OF IMPERIAL
PUBLIC HEALTH DEPARTMENT

ROBIN HODGKIN, M.P.A.
Director

STEPHEN W. MUNDAY, M.D., M.P.H.
Health Officer

September 28, 2017

Diana Robinson, Planner I
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243

Subject: Molola Brothers Cattle Feeders ZC #17-0006, CUP #17-0017, IS #17-0026

Dear Ms. Robinson:

On September 20, 2017, the Imperial County Public Health Department, Division of Environmental Health (DEH) received a request for review and comments for Zone Change #17-0006 / Conditional Use Permit (CUP) #16-0009 / Initial Study #17-0026. Within the scope of this project, Molola Brothers Cattle Feeders (applicant) is proposing to expand their cattle feeding operation and relocate their existing compost operation. The project site is east of State Highway 111, bisected by Gonder Road, and is approximately 6.5 miles southeast of the City of Brawley, CA, on assessor's parcel numbers 041-020-028-000 and 041-090-004-000.

Upon review of submitted documents, DEH is providing the following comments:

Basins

If there will be any storm water management infrastructure on this site, a mosquito abatement plan will be required by DEH's Vector Control Program. If necessary, please have applicant contact DEH in order to obtain all necessary requirements for creating a plan.

Composting Facility

The applicant is currently operating an agricultural material composting operation under an enforcement agency notification operational tier, pursuant to sections 17854.1 and 17856 of the California Code of Regulations (CCR). Under the enforcement agency notification operational tier, a facility operator is allowed to compost agricultural material, as defined in CCR section 17852. Facility operators are prohibited from composting prohibited material listed in CCR section 17855.2. The applicant will need to continue compliance with the previously cited

EEC ORIGINAL PKG

PC ORIGINAL PKG
PC ORIGINAL PKG

ORIGINAL EEC PKG

sections of the CCR, in order to continue to operate under the enforcement agency notification operational tier.

As the applicant proposes to relocate their existing compost operation, they will need to update their existing enforcement agency notification. Besides updating the location, the applicant should also update their enforcement notification to reflect any significant changes to the design or operation of the facility, including the anticipated increased in peak and annual volumes and any changes in the type materials to be composted. The Local Enforcement Agency, in Imperial County, is DEH. As such, the applicant shall maintain an up to date enforcement agency notification and an operating permit, with DEH.

Besides Local Enforcement Agency operational requirements, the applicant may also be subject to further operational requirements from the Colorado River Basin Regional Water Quality Control Board (RWQCB). Please have the applicant consult with the RWQCB about composting operational requirements. Please see the following web-page for more information:
http://www.waterboards.ca.gov/water_issues/programs/compost/

Concentrated Animal Feeding Operation

Please have applicant consult with the RWQCB, to discuss any permitting requirements for the expanding concentrated animal feeding operation. Please see the following web-page for more information:
http://www.waterboards.ca.gov/coloradoriver/water_issues/programs/cafo/

Please note that additional comments may arise during the environmental review process for this project. If you or the applicants have any questions or concerns, please do not hesitate to call us at 442-265-1888.

Sincerely,

Alphonso Andrade
Environmental Health Compliance Specialist II

CC: Doug Wylie, P.E., Senior WRC Engineer, RWQCB
Jose Figueroa-Acevedo, P.E., WRC Engineer, RWQCB

EEC ORIGINAL PKG

PC ORIGINAL PKG
PC ORIGINAL PKG

ORIGINAL EEC PKG

IID

A century of service.

www.iid.com

Since 1911

September 29, 2017

Ms. Diana Robinson
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Molola Bros. Cattle Feeders Project ZC #17-0006, CUP #17-0017 and IS #17-0026

Dear Ms. Robinson:

On September 20, 2017, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Zone Change #17-0006, Conditional Use Permit #17-0017 and Initial Study #17-0026. The applicant, Molola Bros. Cattle Feeders, proposes to apply for a building permit for additional cattle pens and for a composting area at the southeast corner of SR 115 and Griffin Road and north of Gonder Road, 6.5 miles southeast of Brawley, CA.

The IID has reviewed the applications and has the following comments:

1. IID water facilities that could be impacted with the composting operations sited on the south field, APN 047-090-004-000, are the Orange Lateral, Orange Drain and Oxalis. The rezoned north field, APN 041-020-028-000, to be used for a feedlot, may impact the Ohmar Lateral, Orange Lateral and Ohmar Drain water facilities.

2. No offsite drainage discharge is allowed into IID drains from cattle yards and feedlots. This includes existing and proposed expansion tailwater pipes and tile lines.

3. To insure there are no impacts to IID facilities, applicant should submit Imperial County approved grading/drainage and fencing plans to IID Water Department Engineering Services for review and comment prior to CUP finalization. IID WDES can be contacted at (760) 339-9265 for further information on this matter.

4. To verify that the proposed operations will manage storm water runoff, applicant should submit the project's Storm Water Pollution Prevention Plan to IID Water Department Engineering Services prior to CUP finalization.

5. 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.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

6. 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; requires an encroachment permit, or encroachment agreement (depending on the circumstances). The permit application and its instructions are available at the website http://www.iid.com/home/showdocument?id=271. Additional information regarding encroachment permits or agreements can be provided by the IID Real Estate Section, which can be contacted at (760) 339-9239.

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

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

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept
Vicken Kasarjian – Manager, Energy Dept
Charles Allegranza – Manager, Energy Dept., Operations
Jamie Asbury – Deputy Manager, Energy Dept., Operations
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Carlos Vasquez - Planning and Engineering Manager, Energy Dept.
Jesse Montaño – Transmission, Planning and Engineering Oversight
Enrique De Leon – Asst Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Michael P. Kemp – Superintendent, Real Estate & Environmental Compliance
Harold Walk Jr. – Supervisor, Real Estate
Randy Gray – ROW Agent, Real Estate
Jessica Lovacchio – Environmental Project Mgr Sr., Water Dept.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

STATE OF CALIFORNIA — Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710

October 5, 2017

Diana Robinson, Planner I
Imperial County Planning and Development Services Department

Sent by E-mail: dianarobinson@co.imperial.ca.us

RE: Proposed Initial Study #17-0026 Moiola Bros. Cattle Feeding Project, near the Town of Brawley; Alamorio USGS Quadrangle, Imperial County, California

Dear Ms. Robinson:

A records search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst
(916) 373-3714

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Native American Heritage Commission
Native American Contact List
Imperial County
10/5/2017

Barona Group of the Capitan Grande
Edwin Romero, Chairperson
1095 Barona Road
Lakeside, CA, 92040
Phone: (619) 443 - 6612
Fax: (619) 443-0681
cloyd@barona-nsn.gov
Kumeyaay

Campo Band of Mission Indians
Ralph Goff, Chairperson
36190 Church Road, Suite 1
Campo, CA, 91906
Phone: (619) 478 - 9046
Fax: (619) 478-5818
rgoff@campo-nsn.gov
Kumeyaay

Ewiiaapaayp Tribal Office
Robert Pinto, Chairperson
4054 Willows Road
Alpine, CA, 91901
Phone: (619) 445 - 6315
Fax: (619) 445-9126
Kumeyaay

Ewiiaapaayp Tribal Office
Michael Garcia, Vice Chairperson
4054 Willows Road
Alpine, CA, 91901
Phone: (619) 445 - 6315
Fax: (619) 445-9126
michaelg@leaningrock.net
Kumeyaay

Iipay Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507
Santa Ysabel, CA, 92070
Phone: (760) 803 - 5694
cjlinton73@aol.com
Kumeyaay

Iipay Nation of Santa Ysabel
Virgil Perez, Chairperson
P.O. Box 130
Santa Ysabel, CA, 92070
Phone: (760) 765 - 0845
Fax: (760) 765-0320
Kumeyaay

Inaja Band of Mission Indians
Rebecca Osuna, Chairperson
2005 S. Escondido Blvd.
Escondido, CA, 92025
Phone: (760) 737 - 7628
Fax: (760) 747-8568
Kumeyaay

Jamul Indian Village
Erica Pinto, Chairperson
P.O. Box 612
Jamul, CA, 91935
Phone: (619) 669 - 4785
Fax: (619) 669-4817
Kumeyaay

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas,
P.O. Box 775
Pine Valley, CA, 91962
Phone: (619) 709 - 4207
Kumeyaay

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
8 Crestwood Road
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
LP13boots@aol.com
Kumeyaay

La Posta Band of Mission Indians
Javaughn Miller, Tribal Administrator
8 Crestwood Road
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
jmiller@LPtribe.net
Kumeyaay

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Initial Study #17-0026 Mikola Bros. Cattle Feeders Project, Imperial County.

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Native American Heritage Commission
Native American Contact List
Imperial County
10/5/2017

Manzanita Band of Kumeyaay Nation
Nick Elliott, Cultural Resources Coordinator
P. O. Box 1302 — Kumeyaay
Boulevard, CA, 91905
Phone: (619) 766 - 4930
Fax: (619) 766-4957
nickmepa@yahoo.com

Manzanita Band of Kumeyaay Nation
Angela Elliott Santos, Chairperson
P.O. Box 1302 — Kumeyaay
Boulevard, CA, 91905
Phone: (619) 766 - 4930
Fax: (619) 766-4957

Mesa Grande Band of Mission Indians
Virgil Oyos, Chairperson
P.O Box 270 — Kumeyaay
Santa Ysabel, CA, 92070
Phone: (760) 782 - 3818
Fax: (760) 782-9092
mesagrandeband@msn.com

Mesa Grande Band of Mission Indians
Mario Morales, Cultural Resources Representative
PMB 366 35008 Pala Temecula Rd. — Kumeyaay
Pala, CA, 92059
Phone: (760) 622 - 1336

San Pasqual Band of Mission Indians
John Flores, Environmental Coordinator
P. O. Box 365 — Kumeyaay
Valley Center, CA, 92082
Phone: (760) 749 - 3200
Fax: (760) 749-3876
johnf@sanpasqualtribe.org

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
P.O. Box 365 — Kumeyaay
Valley Center, CA, 92082
Phone: (760) 749 - 3200
Fax: (760) 749-3876
allenl@sanpasqualtribe.org

Sycuan Band of the Kumeyaay Nation
Lisa Haws, Cultural Resources Manager
1 Kwaaypaay Court — Kumeyaay
El Cajon, CA, 92019
Phone: (619) 312 - 1935
lhaws@sycuan-nsn.gov

Sycuan Band of the Kumeyaay Nation
Cody J. Martinez, Chairperson
1 Kwaaypaay Court — Kumeyaay
El Cajon, CA, 92019
Phone: (619) 445 - 2613
Fax: (619) 445-1927
scllva@sycuan-nsn.gov

Viejas Band of Kumeyaay Indians
Julie Hagen,
1 Viejas Grade Road — Kumeyaay
Alpine, CA, 91901
Phone: (619) 445 - 3810
Fax: (619) 445-5337
jhagen@viejas-nsn.gov

Viejas Band of Kumeyaay Indians
Robert Welch, Chairperson
1 Viejas Grade Road — Kumeyaay
Alpine, CA, 91901
Phone: (619) 445 - 3810
Fax: (619) 445-5337
jhagen@viejas-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Initial Study #17-0026 Mickle Bros. Cattle Feeders Project, Imperial County.

EEC ORIGINAL PKG
PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

150 SOUTH NINTH STREET
EL CENTRO, CA 92243-2850

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

AIR POLLUTION CONTROL DISTRICT

September 26, 2017

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

SUBJECT: Zone Change #17-0006/Conditional Use Permit #17-0001/Initial Study #17-0026

Dear Mr. Minnick,

Thank you for submitting Zone Change #17-0006/Conditional Use Permit #17-0001/Initial Study #17-0026 to the Air District for review and comments. Based on the information submitted, the proposed project is located on APN's 041-020-028-000 (northern parcel) and 041-090-004-000 (southern parcel) which is from Griffin Road to Noland Road, east of Highway 111 and bisected by Gonder Road, approximately 6.5 miles southeast from the City of Brawley. The applicant, Moiola Bros Cattle Feeders, is proposing a zone change of these two parcels from A-2-R to A-3. This zone change is necessary for the applicant to apply for a building permit for additional cattle pens on the northern parcel to house 18,000 additional cattle. The southern parcel would be used for composting operations after approval of the conditional use permit.

After reviewing, while Moiola Bros Cattle Feeders does have an existing permit with the Air District, the addition of 18,000 cattle to the already existing 20,000 cattle would require a permit modification. Please have the applicant submit a permit application to our Engineering Division at their earliest convenience. In regards to the Conditional Use Permit/Initial Study, in order to assess potential air quality impacts from the proposed composting operations we highly encourage the applicant to review our CEQA Air Quality Handbook, which can be found on our website (www.co.imperial.ca.us/AirPollution) under the Planning tab. If the applicant has any questions, please contact our office at (442) 265-1800.

Sincerely,

Axel Salas
APC Environmental Coordinator

RECEIVED
SEP 26 2017
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment A.
Revised Zone Change Application

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

CHANGE OF ZONE

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

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

1.	PROPERTY OWNER'S NAME: Mioh Bros. Cattle Feeders	EMAIL ADDRESS: cg4557600@gmail.com	
2	MAILING ADDRESS (Street / P O Box, City, State): 1594 Gonder Rd. Brawley	ZIP CODE: 92227	PHONE NUMBER: 760.344.1919
3.	ENGINEER'S NAME: Agent. Cecilia Vogel — CA. LICENSE NO.	EMAIL ADDRESS: cg4557600@gmail.com	
4	MAILING ADDRESS (Street / P O Box, City, State): 652 Lee Rd Imperial CA	ZIP CODE: 92251	PHONE NUMBER: 760.455.7600

5. ASSESSOR'S PARCEL NO.: 041.090.004.000	ZONING (oxisting): A2r	ZONING (proposed): A3
6. PROPERTY (site) ADDRESS: TBD # 041-090-004-000		SIZE OF PROPERTY (In acres or square foot): 160 Acres
7. GENERAL LOCATION (i.e. city, town, cross street): Gonder Road & Hwy 115 Brawley		
8. LEGAL DESCRIPTION: E ½ of TR 102 T14S R15E 160 AC.		

8. DESCRIBE CURRENT USE ON / OF PROPERTY (list and describe in detail): existing Farmland and Hay storage

9. PLEASE STATE REASON FOR PROPOSED USE (be specific): Expansion of Cattle Pens New Cattle Scale. Parking, Breakroom, restrooms will remain at Existing Feedlot across the Street. No new Buildings. new reservoir water Pond #(2) Pot. Basins

10. DESCRIBE SURROUNDING PROPERTY USES: north existing Cattle Feedlot east Farmland South Farmland West one residence and Farmland

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

Tom Meidl — Print Name
12-20-17 — Date
Signature

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN
B. PRELIMINARY TITLE REPORT (6 months or newer)
C. FEE
D. OTHER

REVISED

APPLICATION RECEIVED BY:	D.R.	DATE 01/04/18	REVIEW / APPROVAL BY OTHER DEPT'S required. ☐ P. W. ☐ E. H. S. ☐ A P. C D. ☐ O E. S ☐ ☐
APPLICATION DEEMED COMPLETE BY:		DATE	
APPLICATION REJECTED BY:		DATE	
TENTATIVE HEARING BY:		DATE	
FINAL ACTION: ☐ APPROVED ☐ DENIED		DATE	

ZC # 17-0006

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

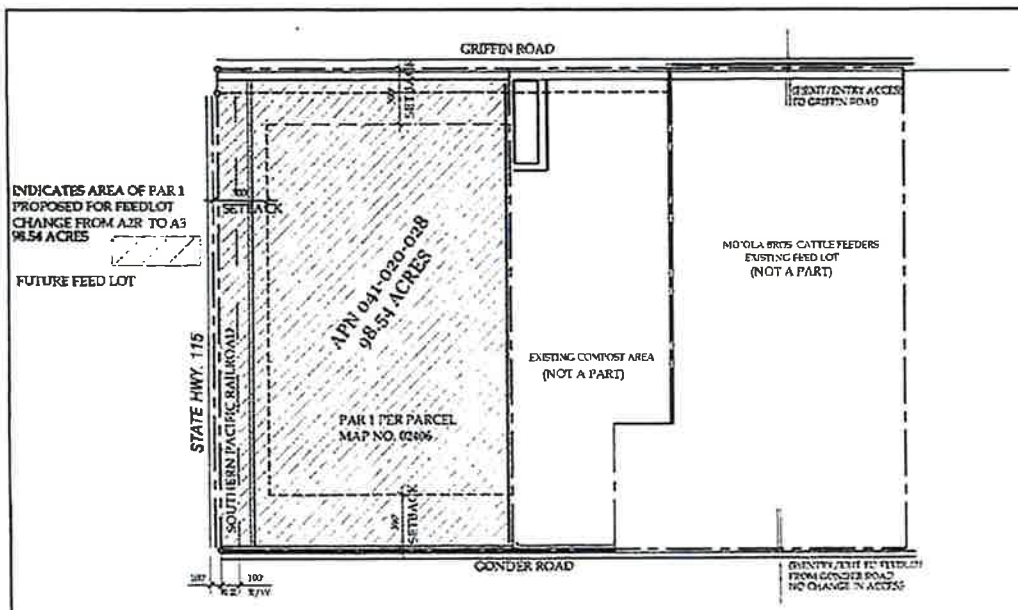
ORIGINAL EEC PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

EEC ORIGINAL PKG

ORIGINAL EEC PKG



PACKET 1

BUILDING CODE YEAR: 2019

a. THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE (CBC) ADOPTS THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2019 CALIFORNIA AMENDMENTS

b. THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE (CEC) ADOPTS THE 2017 NATIONAL ELECTRICAL CODE (NEC) AND THE 2019 CALIFORNIA AMENDMENTS

c. THE 2019 EDITION OF THE CALIFORNIA MECHANICAL CODE (CMC) ADOPTS THE 2018 UNIFORM MECHANICAL CODE (UMC) AND THE 2019 CALIFORNIA AMENDMENTS

d. THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE (CPC) ADOPTS THE 2018 UNIFORM PLUMBING CODE (UPC) AND THE 2019 CALIFORNIA AMENDMENTS

e. THE 2019 EDITION OF THE CALIFORNIA ENERGY EFFICIENCY STANDARDS

PACKET 1

PROPERTY OWNER:

MOIOLA BROS CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:

ZONE CHANGE FROM A2R TO A3 (98.54 ACS)

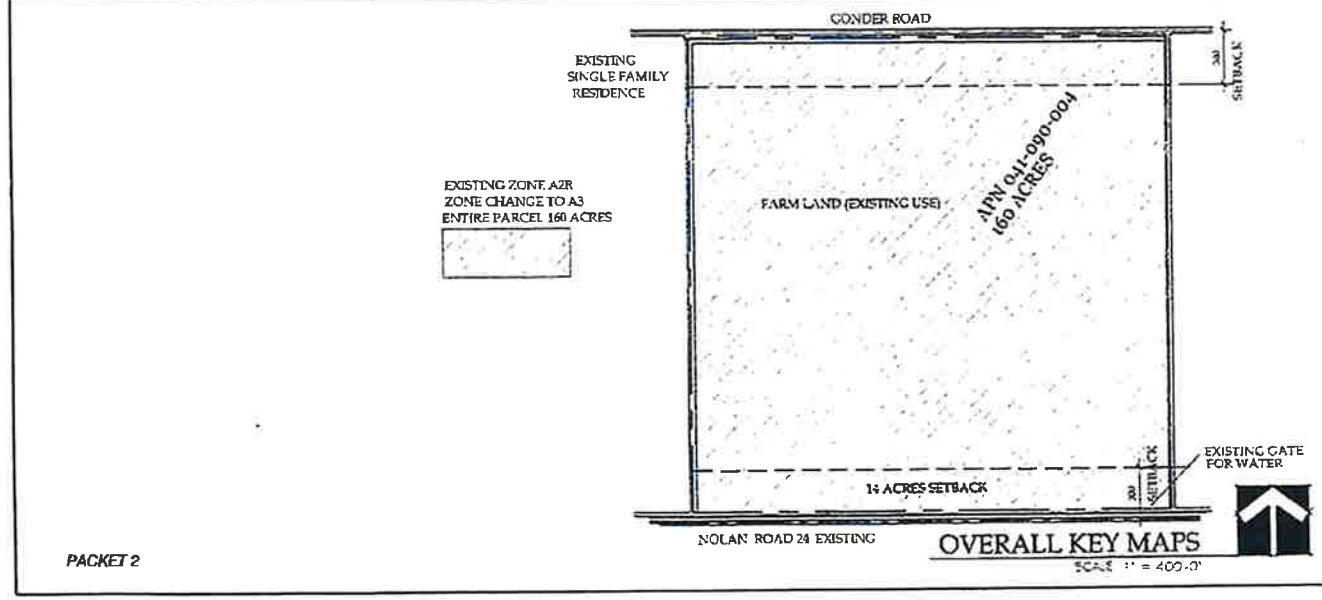
ACCESS TO REMAIN FROM (E)FEEDLOT NO NEW ACCESS IS NEEDED FOR CATTLE

ACESSORS PARCEL NUMBER:

041-020-028-000

PROPERTY ADDRESS

NO ADDRESS - AGRICULTURAL LAND



PACKET 2

PACKET 2

PROPERTY OWNER:

MOIOLA BROS CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:

ZONE CHANGE FROM A2 TO A3 (160 ACS)
FOR NEW CATTLE PENS EXTENSION OF EXISTING FEED LOT ACROSS THE STREET, 36,000 CATTLE

ACCESS TO REMAIN FROM (E)GONDER ROAD NO NEW ACCESS
NEW BRIDGE AT CENTER OF PROPERTY TO BE ADDED
NEW WATER RESERVOIR AND NEW RETENTION PONDS
REMAINDER AREA WILL BE ALL CATTLE PENS WITH TWO SCALES

ACESSORS PARCEL NUMBER:

063-090-004-000

PROPERTY ADDRESS

NO ADDRESS - AGRICULTURAL LAND

#	REVISIONS	BY:

SHEET #: 1

JANUARY 16, 2020

Attachment B.
References

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

November 13, 2006

Mr. Jeff Lamoure
County of Imperial
Division of Environmental Services
939 Main St.
El Centro, Ca. 92243

Re: Notification of Intent to Compost

Dear Mr. Lamoure,

Pursuant to Title 14, CCR, Division 7, Chapter 3.1, Section 18103.1, Bull Enterprises, Inc. hereby notifies you as LEA of our intent to compost agricultural materials under Section 17852 (a)(25) "Agricultural Materials Composting Operation".

The name of the operation is Bull Enterprises, Inc., Moiola Yard. The location of the operation is Moiola Cattle Feeders, 1594 Gonder Rd., Brawley, California. The operator's name and address is Bull Enterprises, Inc., 1701 Bowker Rd. El Centro, Ca. The phone number of the operator is 760-353-9235.

The owner of the site is Moiola Cattle Feeders, 1594 Gonder Rd., Brawley, Ca. Their phone number is 760-344-1919.

The feedstock to be composted will be agricultural materials including but not limited to manures and crop residues. The authority to operate under the notification tier comes under section 17856 (b) "Agricultural Materials Composting Operations, which use only agricultural materials may be sold or given away in unrestricted quantities.

Bull Enterprises, Inc. will utilize the windrow composting method at this site. Windrows of approximately 12-14 feet wide by 6 feet tall by 800 feet long, wetted to approximately 35-50% moisture and turned as necessary to achieve a minimum of 131 degrees for a minimum of 15 days and five turns. Most products will achieve much higher temps and turnings. Hours of operation are Monday thru Saturday from 5:00 am to 8:00 pm. Anticipated peak volume will be approximately 50,000 tons, with annual volume of approximately 100,000 tons.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

State of California
CIWMB 169 (Rev 4/04)

California Integrated Waste Management Board

ENFORCEMENT AGENCY NOTIFICATION

Enforcement Agency:		Official Use Only	
		SWIS Number:	
County:		Date Received:	

I. GENERAL INFORMATION

Operation Name:	Bull Enterprises Inc Moiola Yard						
Address:	1599 Gordon Rd	City:	Brawley	State:	Ca	Zip:	
Phone:	760-353-9235	Fax:	760-352-9844				
Operator Name:	Bull Enterprises, Inc						
Address:	1701 Bowker Rd	City:	El Centro	State:	Ca	Zip:	92243
Phone:	760-353-9235	Fax:	760-352-9844				
Land Owner:	Moiola Cattle Feeders						
Address:	1594 Gordon Rd	City:	Brawley	State:	Ca	Zip:	
Phone:	760-344-1999	Fax:					

II. OPERATION INFORMATION

Authorizing Eligibility (give Section of 14 CCR Division 7, Chapter 3 or 5.1): See back for more details	17856
Type(s) of Waste/Material Handled:	Manure - Crop Residue
Volume of Waste/Material Handled:	100,000 tons
Peak Loading: 200,000 ☐ Cubic Yards ☒ Tons	Annual loading: 100,000 ☐ Cubic Yards ☒ Tons
Days and Hours of Operation: Mon-Saturday 5am-8pm	Operation Acreage: 60
Brief Description of the Operation: Windrow composting method	

See attached notification

III. DOCUMENTATION OF LOCAL NOTIFICATION (check one and submit with EA Notification)

- ☐ Proof of Compliance with the California Environmental Quality Act (CEQA).
- ☐ Correspondence from the local planning department that compliance with CEQA is not required for the operation to obtain local land use approval.
- ☒ Written notice to the local planning department of the operator's intent to commence operations.

IV. OWNER/OPERATOR CERTIFICATION

I hereby certify under penalty of perjury that the information provided is true and accurate to the best of my knowledge and belief.

Signature of Land Owner:		Date:	
Signature of Operator:		Date:	11/13/06

* Completion of this form is not required by regulation; however, it will provide the enforcement agency with the information required by 14 CCR 18103.1
* A separate Notification is required for each eligible operation.

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Bull Enterprises

From: *"Jeff Lamoure" <jefflamoure@imperialcounty.net>*
To: *<bullentinc@beamspeed.net>*
Sent: *Monday, November 13, 2006 4:10 PM*
Attach: *EA Notification Form.doc*
Subject: *Molds Composting Operation*

Gary,

Attached is the Notification Application Form. Complete the form and submit it along with your Notification of Intent to Compost. As for the required information in the faxed notification, please include hours and days of operation, anticipated peak and annual volumes (dry wt is fine) and a brief description of the operation (.i.e., raw material will be placed into windrows that will range between 5ft to 8ft in height and up to 100 yards long, etc...), general information. Send the "notice of intent", notification application form along with the $300 filing fee certified mail.

Let me know if you have any questions.

Jeff Lamoure
Imperial County Environmental Health Services
Local Enforcement Agency - Permitting and Enforcement
939 Main Street, El Centro, CA 92243
Tel:(760)482-4203 Fax:(760)352-1309
jefflamoure@imperialcounty.net

This e-mail contains confidential information intended only for the individual or entity named within the message. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination or copying of this communication is prohibited. If this communication was received in error, please notify us by reply e-mail and delete the original message.

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.430 / Virus Database: 268.14.4/532 - Release Date: 11/13/2006 3:08 PM

11/13/2006

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

I hereby certify under penalty of perjury that the information provided is true and accurate to the best of my knowledge and belief.

Garry L. Forney
President
Bull Enterprises, Inc.

Tom Moiola
Moiola Cattle Feeders

Cc; I/C Planning Dept

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

IMPERIAL COUNTY
PUBLIC WORKS DEPARTMENT

155 S. Eleventh Street, El Centro, California 92243
(760) 482-4462 FAX (760) 352-1272
ipw@imperialcounty.net

MEMORANDUM

May 9, 2007

RECEIVED
MAY 09 2007
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

TO: Jurg Heuberger, Planning Director

FROM: Manuel Ortiz, Assistant County Engineer

SUBJECT: Drainage Letter: For; Parcel No.02406, C.U.P.#06-0019 & Zone Change No.06-0003; James and Virginia Moiola; APN 041-020-018-001; Griffin Road, Gonder Road; Project #4609 A

Enclosed, please find the approved drainage letter for the above-mentioned project. This letter satisfies this department drainage concerns. The applicant should contact Mr. Steve Butler, Civil Engineering Technician of this office to secure an Encroachment Permit.

Should you have any questions, please do not hesitate to contact this office. Thank you for your assistance.

Attachment

LL

cc: Steve Butler- Civil Engineering Technician
Charles Lovett- Surveying

P:\WORDDOCS\2007\LUIS LEAL\memo planning (drainage letter)CUP#06-0019.doc

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

HALE ENGINEERING
dba TESCO
ECHNICAL ENGINEERING & SURVEYING COMPANY
242 N. 8th Street P.O. BOX 3308
El Centro, CA 92244-3308
Tel.: (760) 352-2718 Fax: (760) 352-2917

7 MAY 2007

County of Imperial
Department of Public Works
155 South 11th Street
El Centro, CA 92243

File:05-S-85

Attn: **William S. Brunet, P.E.**
Director of Public Works

Re: **General Condition No. 4/ Parcel Map No. 02406**

Dear Mr. Brunet:

In the matter of General Condition No. 4 of Conditions of Approval for Parcel No. 02406 there is no drainage/grading plan proposed at the time of this division.

The project is division of Parcel 1 of Parcel Map No. M-1616 on file in Book 6, Page 73 of Parcel Maps in the office of the Imperial County Recorder and lies within a portion of Tract 147 Township 14 South, Range 15 East, SBM, and contains 147.83 gross acres. The division is to create 2 parcels. Parcel 1 or western parcel is cultivated agriculture land and Parcel 2 contains a composting facility operating under Conditional Use Permit CUP 06-0019 recorded December 12, 2006 as Document No. 2006-057482, Official Records. No physical changes are proposed to existing topography at the time of this division.

Parcel 1 contains 98.54 gross acres. Parcel 1 is bound along South side by the concrete lined Orange Canal with Gonder Road being south of the canal. Parcel 1 is bound on East side by concrete delivery ditch No. 23B. Parcel 1 is bound along north line by the Ohmar Drain and Griffin Road. A dirt drainage ditch lies on the west adjacent to the now-abandoned Inter-Urban Railroad. Irrigation drainage water is directed toward a concrete drainage box in the northwest corner of the field with an outlet into the Ohmar Drain.

Parcel 2 contains 49.29 gross acres. The composting facility occupies 37.27 acres with it's northerly limit being offset 360 feet south of north boundary of Parcel 2 and its southerly limit being offset 352 feet north of south boundary of Parcel 2. Parcel 2 is bound along South line by concrete lined Orange Canal. It is bound along East line by concrete delivery ditch No. 23D. The Ohmar Drain and Griffin Road are along north line of Parcel 2. A 1½ foot high field road and concrete delivery ditch No. 23B are along west line of the parcel.

The site lies within Zone C of FIRM Community Panel No. 060065 625B, dated 15 MARCH 1984. Zone C is defined as areas of minimal flooding.

Since there is no change in existing land use proposed for either parcel at this time, it is my recommendation that any proposal of fixed works, embraced within the practice of civil engineering, as related to Imperial County Planning Commission's General Condition No. 4,

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

a drainage study/plan by a civil engineer or architect, licensed to practice in the category of work performed, be required at the time application(s) for future development and/or building permits are requested.

Sincerely,

Hale Engineering & Surveying dba TESCO

Harrison P. Barton, PLS
Vice President Imperial Valley Division

REGISTERED LAND SURVEYOR
HARRISON P. BARTON
No. 5397
Exp. 9-30-08
STATE OF CALIFORNIA

This letter satisfies this Department Drainage Concerns
M.o
5/09/07

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Robert Bruce Smith
681 Marilyn Avenue
Brawley, CA 92227

RECEIVED
HAND-DELIVERED
FEB 15 2018
AFTER EEC MTG
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES
D.R.

February 15, 2018

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

RE: Moiola Bros. Cattle Feeders; Zone Change #17-0006; Conditional Use Permit #17-0017
APNS: 041-090-004-000 and 041-020-028-000

Dear Mr. Minnick,

My name is Bruce Smith, and my family owns the farm ground commonly known as Oxalis 23 and the residence located at 1593 East Gonder Road, both of which are located directly across Gonder Road from the current location of the Moiola Bros. feedlot. My family built and occupied this residence before the feedlot existed. Please see the photograph taken on September 28, 1954 which I have attached as Appendix A. My family has suffered from the continued expansion of this feedlot. As you can see by the photograph taken in June 2005 attached as Appendix B, the feedlot consisted of approximately 58 acres. In four short years, the feedlot grew to approximately 91 acres, as shown in the 2009 photograph attached as Appendix C. I strongly urge the County to deny the applicant Moiola Bros. request for a zone change.

Upon review of the Project Report (i.e., the agenda materials), which were only made available to me on the afternoon of Monday, February 12, 2018 and only after repeated requests to the Planning Department, I have discovered many inaccuracies and areas of concern which I believe necessitate the County's denial of the zone change. I have attempted to address and bring to your attention those inaccuracies and areas of concern below.

Purpose of the zone change

After reading the Project Report, it is impossible to understand the purpose of rezoning approximately 258.4 acres from A-2-R to A-3. The revised zone change application states the reason for the requested zone change is "expansion of cattle and pens", with no mention of a new composting operation. Currently, the Moiola Bros. feedlot covers approximately 100 acres for approximately 20,000 cattle. If the Moiola Bros. are only adding an additional 18,000 head of cattle, why do they want to rezone 258.4 acres, more than double their current acreage? If the zoning change is granted, the Moiola Bros. will be able to build more cattle pens on the 258.4 acres without another public hearing. They have already built new cattle pens on the parcel that was re-zoned to A-3 in 2006 for their composting operation.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Description and location of the project

According to page 8 of the Initial Study & Environmental Analysis, in the section entitled "Description of project", the zone change application includes two parcels: assessor's parcel number 041-020-028-000 located north of Gonder Road (at times referred to as the "North parcel" or "Parcel A") and assessor's parcel number 041-090-004-000 located south of Gonder Road (at times referred to as the "South parcel" or "Parcel B"). The applicant intends to rezone both parcels from A-2-R to A-3 to submit for a building permit for additional cattle pens on both the north and south parcels. The feedlot has an existing cattle head count of 20,000 and they would like to add 18,000 more. The purpose of the zone change application is to be able to have room for the feedlot expansion. This description clearly indicates the purpose of the zone change is to expand the feedlot and to place cattle pens on both the north and south parcels.

The "Project Summary" section on page 10 of the Initial Study indicates the applicant wants to add cattle pens on the Parcel A (the north parcel) which is adjacent to the existing feedlot and composting facility and on the south portion (40 acres) of Parcel B (the south parcel). Parcel B is currently used as farmland and for hay storage. The section continues "the existing feed lot on parcel identified as APN 041-020-029-000 has a current cattle head count of 20,000 and the applicant would like to add 18,000 more, but on the parcel south on Gonder Road. The grazing of cattle is a permitted use under the A-3 Zone. According to the applicant, the feedlot expansion permit application would be submitted after the zone change application, if approved." Does this mean that the new cattle pens will be located on the north or south parcel? The first two paragraphs of the Project Summary indicate the cattle pens will be located on the north parcel and the south portion (40 acres) of the south parcel; however, the third paragraph indicates the new 18,000 head of cattle will be located only on the south parcel. The summary is inconsistent as to the location of the new cattle pens. Additionally, it is noted that the existing feed lot is located on APN 041-020-029; however, the majority of the existing feedlot lies in APN 041-020-019-000.

Moreover, the "Environmental Setting" section on page 10 reads "The project site is surrounded mostly by agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and are owned by the applicant Moiola Bros. There are five (5) residences nearby, the closest one being 0.25 miles southeast of the proposed location for the cattle pen addition, and approximately 0.45 miles northwest of the proposed location for the composting activities." This paragraph only adds to the inconsistency by seemingly indicating there will be cattle pens on the north parcel and composting on the south parcel.

Exhibit "B" Site Plan

Page 12 of the Initial study includes a parcel map of the site plan. Parcel Map Packet 1 indicates APN 041-020-028-000 (the north parcel), 98.54 acres, is to be used for future feed lot. The map shows the (E) Entry/Exit to feedlot from Gonder Rd, and indicates there will be no change in access. However, the access is drawn in the wrong place on the map.

Parcel Map Packet 2 indicates APN 041-090-004-000 (the south parcel), 160 acres, the requested zone change (from A2 to A3 for all 160 acres) is for new cattle pens (as an extension of existing feedlot across the street), for 36,0000 cattle. Further, it states "Access to remain from Gonder Rd. No new access. New bridge at center of property to be added. New water reservoir

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

and new retention ponds, remainder area will be all cattle pens with two scales." Does this mean there will be additional 36,000 head of cattle added to the Moiola Bros operation? Previously throughout the Initial Study there are only references to an 18,000 head of cattle addition. How many cattle does the applicant plan on adding to the current operation? And where will the cattle be located? On both the north and south parcels as indicated by the Site Plan? There are inconsistencies as to the location throughout the Initial Study. Moreover, the current "20,000" head feedlot with water reservoir and feed mill (no retention basin) occupies approximately 100 gross acres. Why does the applicant need an additional 258.4 acres to add 18,000 cattle? Is it because they are actually adding 36,000 cattle as suggested by the Site Map? The number and location of the cattle must be clarified.

The Initial Study continues with an evaluation of the environmental impacts of the project. According to the Initial Study, it was found that many of the impacts of the project were deemed "Less Than Significant Impact" or "No Impact". It is beyond comprehension some of these impacts could be considered less than significant as more fully detailed below.

II. Agriculture and Forest Resources:

The project would reduce the number of crops that could be planted and the cultural practices that could be used on the surrounding farm ground.

III. Air Quality, sections a), b), and c):

To believe that doubling the head count (from 20,000 to 38,000) and nearly tripling the area of the feedlot will not have significantly detrimental effect on the air quality is incomprehensible. This increase to the total head count of the cattle, combined with the increase to the size of the composting operation will without a doubt significantly increase the haze, dust, nightly green fog (PM 10), odor, flies, and insects. The Valley is a non-attainment area. I have attached as Appendix B reports from three air quality monitors closest to the site. The closest one is located at Green Road and Silliman Road, approximately 4.5 miles northeast of the project site. All three reports indicate PM10 levels *above* the CARB standards.

III. Air Quality, section d); XII. Noise; and XVI. Transportation/Traffic:

Doubling the head count of the cattle and nearly tripling the area of the feedlot will increase traffic on and off site. In 2006 I counted 40 trucks in one day, and that was when the feedlot only spanned approximately 60 acres. The layout of the feedlot creates a lot of traffic. Currently all products (feed ingredients, feed, feeder cattle, fat cattle, fuel, supplies, tools, manure, compost, etc.) come through the same entrance/exit on Gonder Road. Some of these vehicles will ingress and egress multiple times in one day while in the process of weighing in, going to the off-load location, returning to the scale to weigh again, and then finally to leave the property. Feed and employees must be transported to the multiple satellite sites. According to the application, the employee parking, restrooms, and break room will remain at the current location thereby requiring multiple trips through the Gonder Road entrance/exit by employees working at the different sites. Moreover, the existing entrance is directly north of a private driveway on Gonder Road. Gonder Road is a narrow and poorly maintained paved county road. Trucks commonly drive off the road and onto the private driveway to make the left turn into the narrow entrance to the feedlot. Additionally, it is very common to have trucks parked on either side of Gonder Road as they wait to enter or leave the feedlot.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

I estimate an increase of 18,000 head of cattle will also result in an increase the vehicle traffic to an excess of 250 vehicles a day. Clearly, by doubling (or more) the amount of cattle and nearly tripling the area of the feedlot, there will be a significant increase in traffic on Gonder Road. There will also be a significant increase in the noise and vibration levels for anyone in the area.

III. Air Quality, section e)

The question asked on the Initial Study, Environmental Checklist (page 16) is whether the project will create objectionable odors affecting a substantial number of people. However, nuisance is defined by Imperial County Ordinance 91302.01 "anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property...". This ordinance does not apply only to a substantial number of people, it merely requires something be indecent or offensive to the senses. Clearly, 38,000 head of cattle and a huge composting operating would be both indecent and offensive to the senses. Moreover, the area surrounding the project site are home to a substantial number of people, who would, without a doubt, find this project creates objectionable odors. As shown on Appendix E attached hereto, there are thirty residences and a school within 2.3 miles from the project site. I have also included a chart below showing the residences and their various distances from the project site.

		DISTANCE			DISTANCE
RESIDENCE	1	0 FT	RESIDENCE	16	1.3 MILES
RESIDENCE	2	0 FT	RESIDENCE	17	1.3 MILES
RESIDENCE	3	0 FT	RESIDENCE	18	1.5 MILES
RESIDENCE	4	0 FT	RESIDENCE	19-21	1.6 MILES
RESIDENCE	5	500 FT	RESIDENCE	22	1.7 MILES
RESIDENCE	6	2500 FT	RESIDENCE	23	1.9 MILES
RESIDENCE	7	0.77 MILES	RESIDENCE	24	1.9 MILES
RESIDENCE	8	1 MILES	RESIDENCE	25	2 MILES
RESIDENCE	9-10	1 MILES	RESIDENCE	26	2.1 MILES
RESIDENCE	11-12	1.2 MILES	RESIDENCE	27	2.1 MILES
RESIDENCE	13	1.2 MILES	RESIDENCE	28	2.3 MILES
RESIDENCE	14	1.2 MILES	RESIDENCE	29-30	2.3 MILES
RESIDENCE	15	1.2 MILES			

Distances are from the closest of the existing feedlot or project site.

IX. Hydrology and Water Quality, sections a), b), c), d), e), f), g), h), i), and j); XVIII. Utilities and Service Systems:

The Project lies just East of State Highway 115 and an abandoned Rail Road bed. The general slope of the land in this area is to the west, towards the Alamo River. The canals in this area lie east-west, but the water flow is also to the west, towards the Alamo River. The old Rail Road bed and Highway 115 are elevated in relation to the surrounding farm ground. When there is a storm, all water runs through the siphons under the Rail Road bed and Highway 115, creating a restriction because there is too much water for the siphons to handle, especially when coupled with debris and other obstructions which find their way into the siphons thereby impeding the free

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

flow of the water. This causes a lake like condition and uncontrolled flooding to the east of the Rail Road bed and Highway 115, possibly flooding the area where the proposed compost operation or cattle pens may be located. If the water breaches feedlot or compost operation, the water will be contaminated and spread to neighboring fields, residences, and the environment. Attached as Appendix F are images from a flooding event that took place in August of 2012. As you can see, the flooding was in the south parcel (of the proposed project site), clearly showing such flooding could result in manure and contaminated storm runoff leaving the site and ending up in a IID drain or in nearby fields.

XIII. Population and Housing:

This project could displace a family by further degrading the local environment. Property values in the areas surrounding the project will be significantly decreased. For me personally, my family's residence and farm ground will be almost surrounded by a huge cattle feedlot and composing operation. My use and enjoyment of the property will be significantly diminished. The value of the farm ground will be decreased, as will any rents I may receive on said property due to the restrictions to farming practices that will be required as a result of the proximity to the expanded farming operation. The County is effectively taking my property if they permit the applicant's zone change application.

XIV. Public Services:

1. Is the operator in compliance? The original site plan for the composting project approved in 2006 called for a fire suppression water pond. Was that installed or were the plans changed? The applicant has built cattle pens and has stored compost on the set back areas required in the 2006 zone change?
3. Magnolia School is 1.8 mile from project site.

The act of rezoning from A-2-R to A-3 both the north and south parcels is effectively permitting a feedlot to be built right next door or across the street from my family residence and farm ground. The total proposed acreage of this rezoning is almost 250 acres, which could result in an of over 100,000 head of cattle not only within close proximity to my property, but to many other residences and even a school. Given the multiple inaccuracies and conflicting information in the Initial Study, and the environmental and societal concerns that automatically result from the Moiola Bros. proposed significant increase to their feedlot and composting operation, before this project can even be considered, the applicant and the planning department must provide an accurate project description, including the intent of the applicant.

Sincerely,

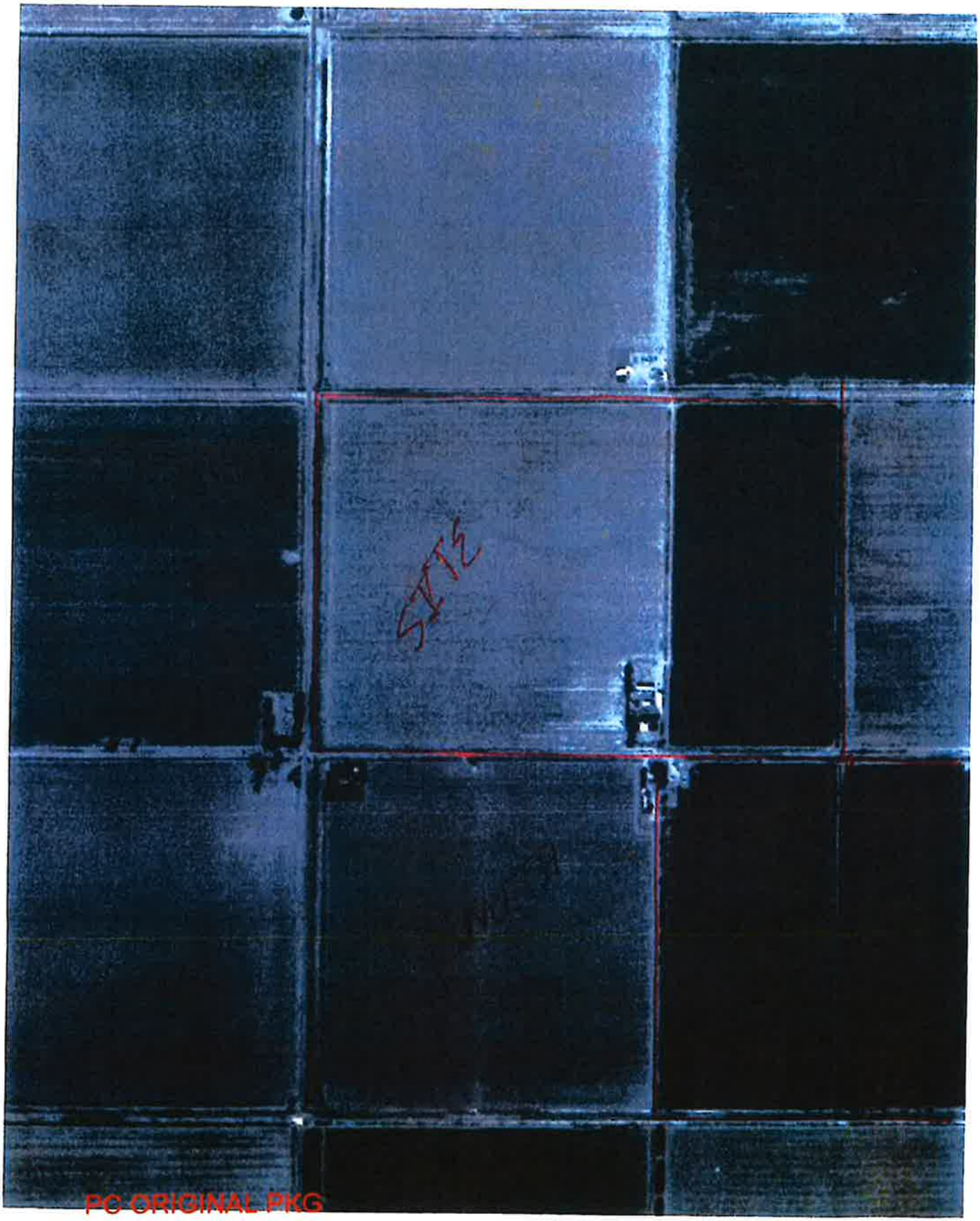
Bruce Smith

Bruce Smith
Smi6655@yahoo.com

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Appendix A

SEPT 28 1954



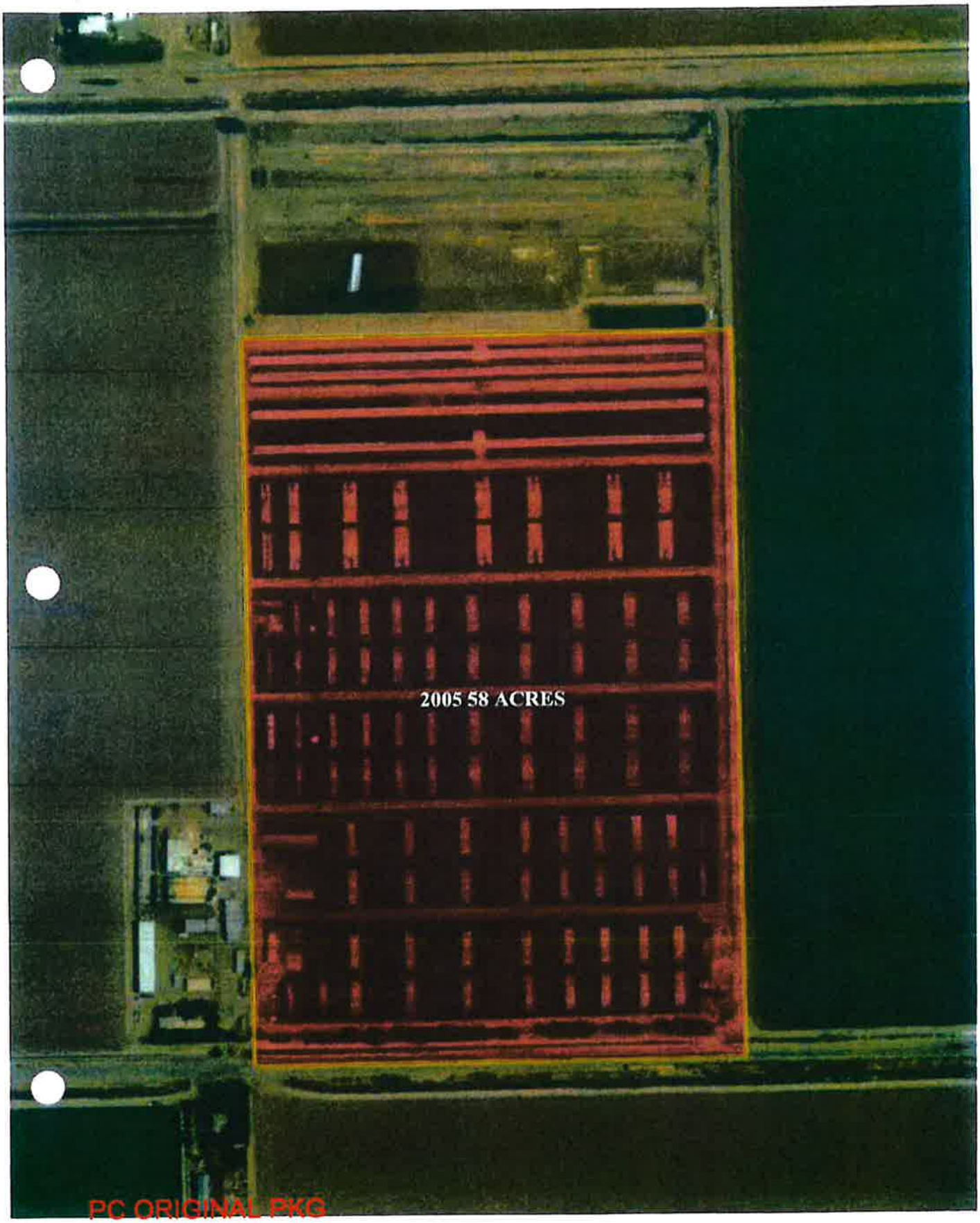
PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Appendix B

J NE 2005 58 ACRL 3



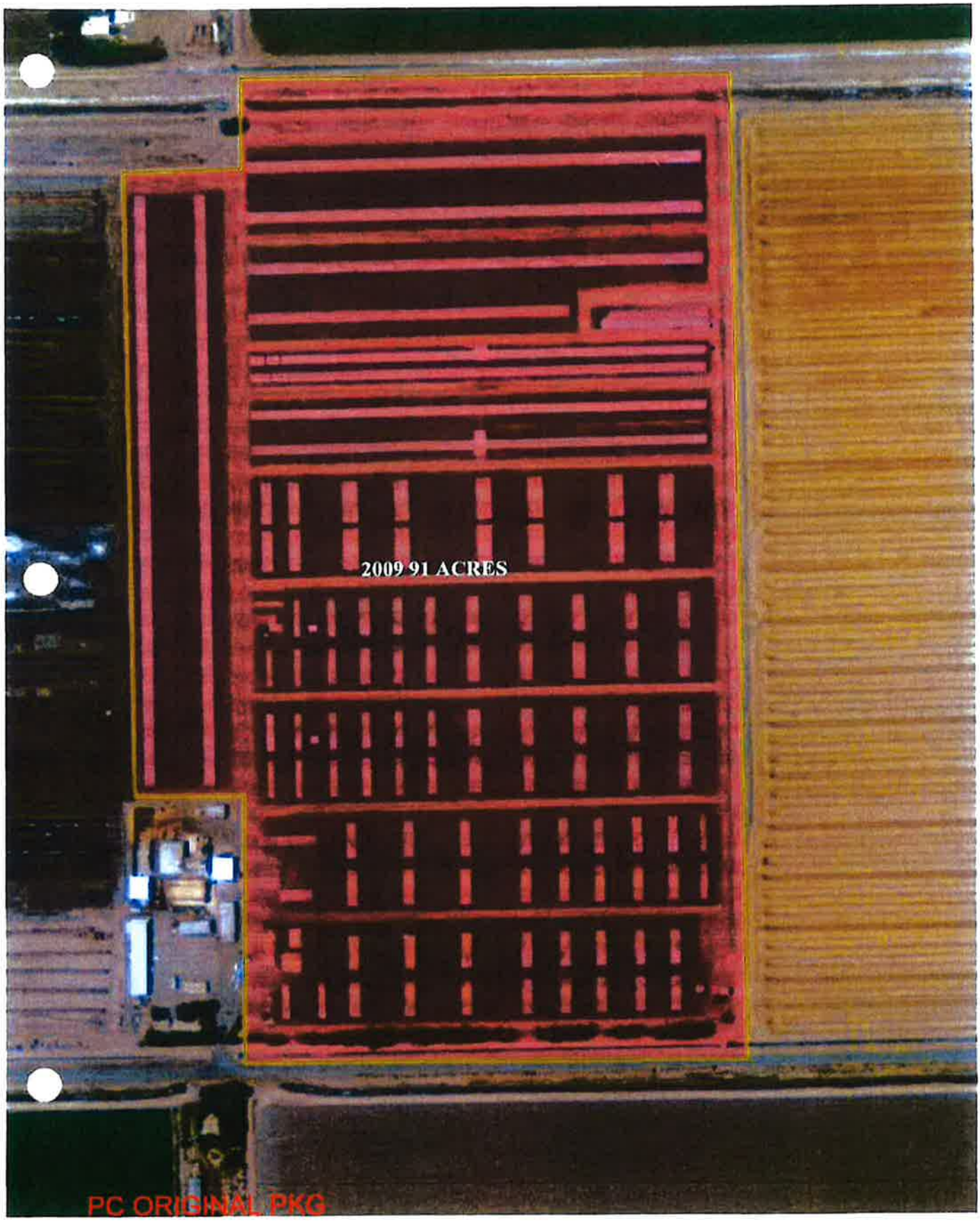
PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Appendix C

2009 91 ACRES



PC ORIGINAL PKG

ORIGINAL EEC PKG

Appendix D

IVAN Imperial AIR QUALITY MONITOR

LOCATION: Green Road and Silliman Road

Approximately 4.5 miles from Project Site

Tuesday, February 13, 2018 at 09:06 AM

The current air quality at this monitor is

39

Health recommendations: It's a good time to be active outside

Current Community Air-Quality Level (CAL) reading for this monitor (updated every 5 min)

CAL 39
PM2.5* 4
PM10* 43

*estimated particulate matter concentration (µg/m³)

Air quality summary for the past 24 hours

CAL
Average 71
Highest 167
Lowest 5

PM2.5*
Average 10
Highest 23
Lowest 1

PM10* *California 24 hour Standard is 50 µg/m³*
Average 105
Highest 288
Lowest <1

*estimated particulate matter concentration (µg/m³)

G/S Rd.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Air quality summary for the past 30 days

CAL

30-day average	32
Highest 24-hour average	155
Lowest 24-hour average	8

PM2.5*

30-day average	8
Highest 24-hour average	2
Lowest 24-hour average	2

PM10* *California Annual Arithmetic Mean Standard is 20* ug/m^3

30-day average	38
Highest 24-hour average	264
Lowest 24-hour average	<1

*estimated particulate matter concentration ($\mu g/m^3$)

Air quality summary for the past 90 days

CAL

90-day average	38
Highest 24-hour average	155
Lowest 24-hour average	0

PM2.5*

90-day average	10
Highest 24-hour average	38
Lowest 24-hour average	<1

PM10* *California Annual Arithmetic Mean Standard is 20* ug/m^3

90-day average	37
Highest 24-hour average	264
Lowest 24-hour average	<1

*estimated particulate matter concentration ($\mu g/m^3$)

G/S Rd.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IVAN Imperial

Brawley North 11th Street and River Drive

Tuesday, February 13, 2018 at 09:58 AM



Current Community Air-Quality Level (CAL) reading for this monitor (updated every 5 min)

CAL 23
PM2.5* 6
PM10* 15

*estimated particulate matter concentration (µg/m³)

Air quality summary for the past 24 hours

CAL
Average 79
Highest 230
Lowest 6

PM2.5*
Average 16
Highest 39
Lowest 2

PM10* *California 24 hour Standard is 50 µg/m³*
Average 124
Highest 376
Lowest <1

*estimated particulate matter concentration (µg/m³)

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Air quality summary for the past 30 days

CAL
30-day average 42
Highest 24-hour average 121
Lowest 24-hour average 16

PM2.5* *California Annual Arithmetic Mean Standard is 12 µg/m³*
30-day average 11
Highest 24-hour average 4
Lowest 24-hour average 4

PM10* *California Annual Arithmetic Mean Standard is 20 µg/m³*
30-day average 47
Highest 24-hour average 196
Lowest 24-hour average 3

*estimated particulate matter concentration (µg/m³)

Air quality summary for the past 90 days

CAL
90-day average 46
Highest 24-hour average 121
Lowest 24-hour average 1

PM2.5* *California Annual Arithmetic Mean Standard is 12 µg/m³*
90-day average 12
Highest 24-hour average 35
Lowest 24-hour average <1

PM10* *California Annual Arithmetic Mean Standard is 20 µg/m³*
90-day average 45
Highest 24-hour average 196
Lowest 24-hour average <1

*estimated particulate matter concentration (µg/m³)

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IVAN Imperial AIR QUALITY MONITOR

Holtville High School

Approximately 9 miles from Project Site

Tuesday, February 13, 2018 at 09:48 AM

Monitor currently offline

Air quality summary for the past 90 days

CAL

90-day average	49
Highest 24-hour average	87
Lowest 24-hour average	5

PM2.5*

90-day average	13
Highest 24-hour average	29
Lowest 24-hour average	1

PM10* *California Annual Arithmetic Mean Standard is 20* **$\mu g/m^3$**

90-day average	56
Highest 24-hour average	119
Lowest 24-hour average	<1

*estimated particulate matter concentration ($\mu g/m^3$)

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Appendix 7

Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

See footnotes on next page ...

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu g/m^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.

9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.

11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

    Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

PC ORIGINAL PKG

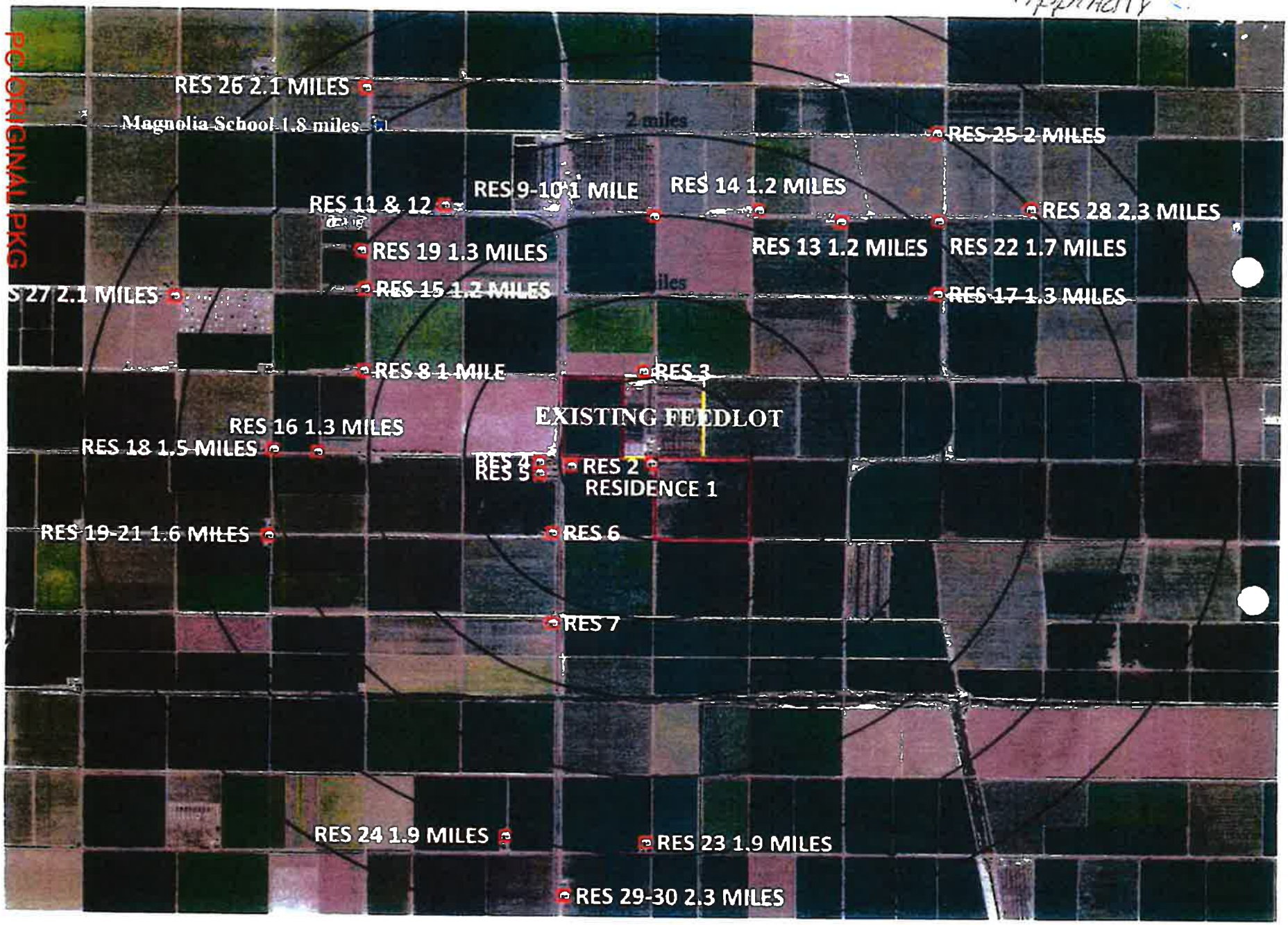
PC ORIGINAL PKG

ORIGINAL EEC PKG

RESIDENCE DENSITY

Appendix E

PC ORIGINAL PKG



PC ORIGINAL PKG

ORIGINAL EEC PKG

APENDIX F

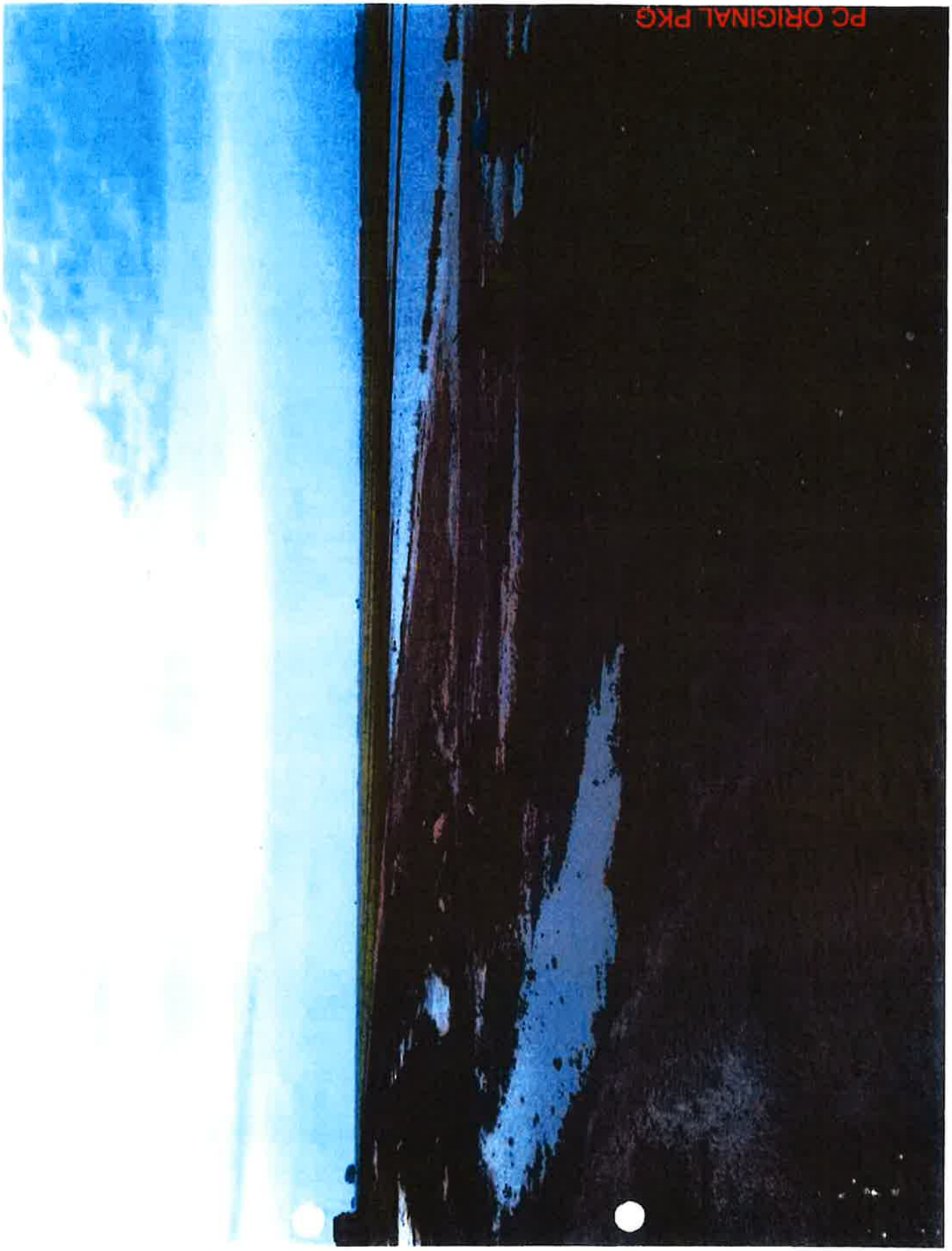
PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Planning and Development Service,

The reasons why I have issues with the expansion of this feedlot to create more capacity are:

1. Our property, which we farm, is a half a mile to the south of the proposed feedlot. It will greatly reduce our ability to grow vegetable crops in the future.There is a buffer zone requirement in the food and safety act and green leafy vegetable production rules. Some large companies require a 1 mile minimum distance from a feedlot and possibly even further in the future to grow vegetable crops. The expansion of the feedlot will affect multiple farmers ability to grow produce now and in the future due to these rules.
2. If this passes, our land values to grow vegetable crops will reduce my total land values substantially, including how much my land would be worth for resale. Property which is able to be used to grow produce costs more to buy and to rent than land which does not have the same capabilities.
3. The dust in the summertime from the feedlot has become excessive. Sprinklers to control the dust already don't seem to be working. How is this expansion of the feedlot going to be any better? It will just exasperate the problem.
4. The amount of traffic on 115 north and south as it intersects at the turn onto Gonder Rd. from cattle trucks, feed trucks, commercial commodity trucks and other vehicles going to and from the feedlot, would greatly increase the traffic and possibility of near accidents often since the vehicles going to and from the feedlot would double with the expansion. If Gonder road were to be closed to isolate the feedlot traffic, and alternative roads were to be put in place, Keystone is the next road to the South and is more than 2 miles away. This would create an inconvenience and additional hazard for people in the area doing business.
5. The amount of flies due to the existing feedlot is extremely bad in the summer months, which would be exacerbated by the huge proposed expansion of the feedlot.
6. The birds are attracted to the feedlot. At germination time, birds are a detrimental factor to the growth of newly planted seed. The current need of constant deterrents of birds to control their feeding is managed by several methods: propane sonic boomers, moving flags, and/or shotgun monitoring by a qualified person. Propane sonic boomers and shooting can disrupt the cattle and affects their ability to gain weight, therefore these methods are asked not to be used in close proximity to the feedlot. Allowing this expansion, would not only increase the amount of birds, it will also move the cattle closer to farmland which needs to use these methods to control birds from affecting the crop.
7. We are against any further development of the existing feedlot at this time or any time. There are other feedlots in the area that are for sale. The owners should consider purchasing one of the feedlots that are for sale already so as to not compromise the farming of nearby farms of others.

Sincerely,

Craig and Jerry Moiola

RECEIVED
FEB 15 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment D.

Revised Initial Study #17-0026

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

Initial Study & Environmental Analysis
For:

Moiola Bros. Cattle Feeders

IS#17-0026
ZC#17-0006

Prepared By:

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

April 2018

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

TABLE OF CONTENTS

PAGE

SECTION 1

I. INTRODUCTION 3

SECTION 2

II. ENVIRONMENTAL CHECKLIST 8
PROJECT SUMMARY 10
ENVIRONMENTAL ANALYSIS 13

I. AESTHETICS *14*
II. AGRICULTURE AND FOREST RESOURCES *14*
III. AIR QUALITY *15*
IV. BIOLOGICAL RESOURCES *16*
V. CULTURAL RESOURCES *17*
VII. GEOLOGY AND SOILS *18*
VII. GREENHOUSE GAS EMISSION *19*
X. HAZARDS AND HAZARDOUS MATERIALS *19*
XI. HYDROLOGY AND WATER QUALITY *21*
XII. LAND USE AND PLANNING *22*
XIII. MINERAL RESOURCES *22*
XIV. NOISE *23*
XV. POPULATION AND HOUSING *24*
XVI. PUBLIC SERVICES *24*
XVII. RECREATION *25*
XVIII. TRANSPORTATION / TRAFFIC *25*
XVIV. TRIBAL CULTURAL RESOURCES *26*
XIX. UTILITIES AND SERVICE SYSTEMS *26*

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE 28
IV. PERSONS AND ORGANIZATIONS CONSULTED 29
V. REFERENCES 30
VI. NEGATIVE DECLARATION - COUNTY OF IMPERIAL 31
VII. FINDINGS 32

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY) 33

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

SECTION 1
INTRODUCTION

A. PURPOSE

This document is a ☐ policy-level, ☒ project level Initial Study for the evaluation of potential environmental impacts resulting with the proposed Zone Change #17-0006 Initial Study#17-0026, where the applicant intends to rezone two parcels currently zoned A-2-R (General Agricultural/Rural Zone) to A-3 (Heavy Agricultural), so that the owners can have room to expand the existing feedlot, once the zone change is processed. Cattle grazing is listed as a permitted use under the A-3 zone. The project area totals approximately 258.54 acres. For purposes of this document, the abovementioned project will be called the "proposed application". (Refer to Exhibit "A" & "B").

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

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

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

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

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

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

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

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

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

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

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

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

preparation of this Initial Study and Negative Declaration.

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

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.

2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".

4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

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

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

negative declaration solely on the issues specific to the later project."

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the 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

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

II. *Environmental Checklist*

1. **Project Title**: Moiola Bros. Cattle Feeders – Zone Change #17-0006 Initial Study #17-0026
2. **Lead Agency**: Imperial County Planning & Development Services Department
3. **Contact person and phone number**: Diana Robinson, Planner II, (442)265-1736, ext. 1751
4. **Address**: 801 Main Street, El Centro CA, 92243
5. **E-mail**: dianarobinson@co.imperial.ca.us
6. **Project location**: The project site is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Route 115 and approximately 1 mile west of Holt Road, from Griffin to Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number(s) 041-020-028-000 (Parcel A) and 041-090-004-000 (Parcel B). See Exhibit A.
7. **Project sponsor's name and address**: Moiola Bros. Cattle Feeders. 1594 Gonder Road, Brawley, CA 92227
8. **General Plan designation**: Agriculture
9. **Zoning**: A-2-R (General Agricultural/Rural Zone)
10. **Description of project**: The zone change application includes two parcels (Parcel A: north of Gonder Road and Parcel B: south of Gonder Road), and the applicant intends to rezone from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) to be able to submit a future building permit for additional cattle pens on the south parcel (Parcel B). The project site area is adjacent to a parcel with an existing feedlot and composting facility, both owned by the applicant. According to the applicant, the feedlot has an existing cattle head count of 20,000 and they would like to add 18,000 more. The purpose of the zone change application is to be able to have room for the feedlot expansion. See attached Application, Project Description Sheet and plans for additional information.
11. **Surrounding land uses and setting**: The project site is surrounded mostly by cultivated agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and are owned by the applicant, Moiola Bros. There are six (6) residences nearby, the closest one being across the street of the existing feedlot and composting facility, and west of the northwest corner of Parcel B, which is where the property owners are planning to build the additional cattle pens in the future. Neighboring parcels include similar zones, such as: A-2 (General Agricultural) and A-3 (Heavy Agricultural). In addition, there is a parcel approximately 0.85 miles southeast of Parcel B, which is currently being used as a feedlot and is also owned by the Moiola Bros. The environmental setting is mostly open flat space due to agricultural fields.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): A) Planning Commission B) Regional Water Quality Control Board
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so has consultation begun?**

    Native American Tribe zones are not near the project site, and members of the Native American Heritage Commission (NAHC) have been contacted and invited to participate in the "Request for Review and Comment" as part of the Initial Study review process. A Sacred Files Search was requested and came back with negative findings. A tribal list was delivered from NAHC so that the project was sent out to them for review and comment. No comments related to significant impacts were received. All the tribes that were listed were contacted either via email, phone or fax and only one tribe member replied. This tribe member belongs to Iipay Nation of Ysabel (Kumeyaay), saying they had no comment regarding the project.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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	☐ 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
☐ Mandatory Findings of Significance		

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

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

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

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

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

Jim Minnick, Director of Planning/EEC Chairman

Date:

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT SUMMARY

A. Project Location: The project site is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Route 115 and approximately 1 mile west of Holt Road, from Griffin to Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number(s) 041-020-028-000 (Parcel A) and 041-090-004-000 (Parcel B) (See Exhibit A).

B. Project Summary: Pursuant to the project description as submitted by the applicant, the proposed project site includes two parcels that are currently being used for agricultural related purposes, and they are located north and south of Gonder Road. The application consists of rezoning those two parcels from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture). The applicant wishes to be able to add cattle pens in the future, on Parcel B, (parcel south of Gonder Road), which is currently used as farmland and for hay storage. It is identified as Assessor's Parcel Number (APN) 041-090-004-000, and is south of the existing feedlot and composting facility.

Once the zone change process has been completed and if approved, the applicant intends to apply for a building permit application to add cattle pens.). Pursuant to Division 5 Chapter 9 Section 90509.06, there shall be a 300-foot setback from centerline of adjacent street(s) for any animal, livestock pens, so any future cattle expansion project shall have to reflect the previously referenced setback.

According to the applicant, the existing feedlot on parcel identified as APN 041-020-019-000, has a current cattle head count of 20,000 and as per the applicant's project description, the property owners would like to add 18,000 more, but on Parcel B, the parcel south of Gonder Road. The grazing of cattle is a permitted use under the A-3 Zone. According to the applicant, the feedlot expansion permit application would be submitted after the zone change application, if approved. See attached Applications, Project Description Sheet and plans for additional information.

C. Environmental Setting: The project site is surrounded mostly by agricultural fields. There are two (2) parcels within a 2 mile radius of the site that are being used for cattle related purposes, and are owned by the applicant, Moiola Bros. Cattle Feeders. There are six (6) residences nearby, the closest one being across the street of the existing feedlot and composting facility, and west of the northwest corner of Parcel B, which is where the property owners are planning to build the additional cattle pens in the future. Neighboring parcels include similar zones, such as: A-2 (General Agricultural) and A-3 (Heavy Agricultural). In addition, there is a parcel approximately 0.85 miles southeast of Parcel B, which is currently being used as a feedlot and is also owned by the Moiola Bros. Cattle Feeders. The environmental setting is mostly open flat space due to agricultural fields.

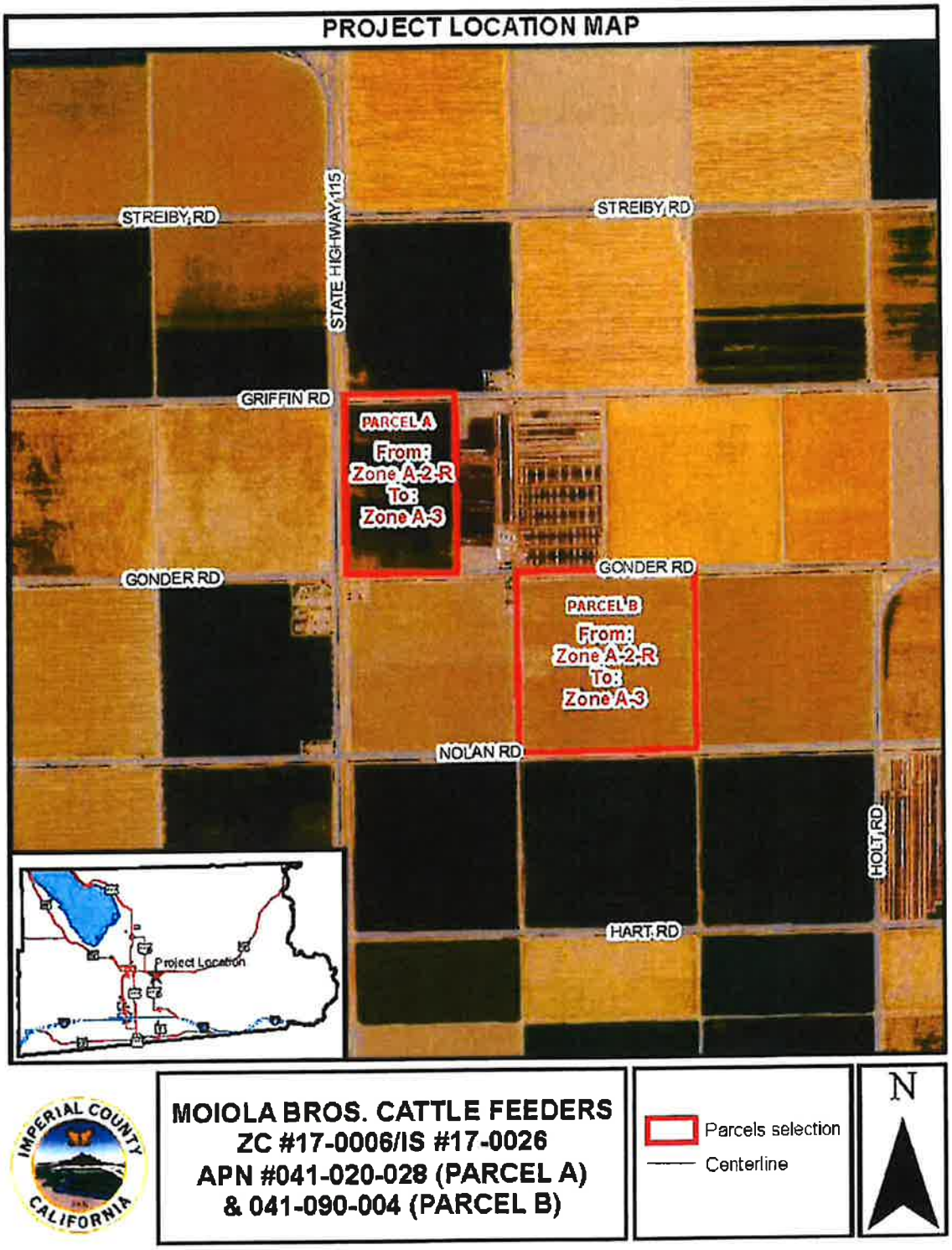
D. Analysis: The project site is zoned A-2-R (General Agricultural/Rural Zone) per Zoning Map #31 (Title 9, Section 92531.04), and is surrounded by similar agricultural zoning areas (A-2 and A-3). The approval of the proposed application for a zone change would allow for cattle grazing after the zone change application has been reviewed and approved of. Cattle grazing is listed as a permitted use in the A-3 zone according to Title 9, Division 5, Chapter 9, Section 90509.01 n), but is not part of this proposed application.

The proposed application may be consistent with the Imperial County General Plan's designation, and the Imperial County's Land Use Ordinance. In addition, the adoption of the CEQA Initial Study for this project would be consistent with applicable County and State ordinances and regulations.

E. General Plan Consistency: Complementing to the analysis stated above, the project site is designated as "Agriculture", according to the County's General Plan Land Use Map. The proposed project is not expected to conflict with the County's General Plan, and can be found consistent with the Agricultural Element's Goals and Objectives, especially Goal 10, which addresses cattle production on agricultural land (pages 35 and 36) and with its Implementation Programs and Policies.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Exhibit "A"
Vicinity Map

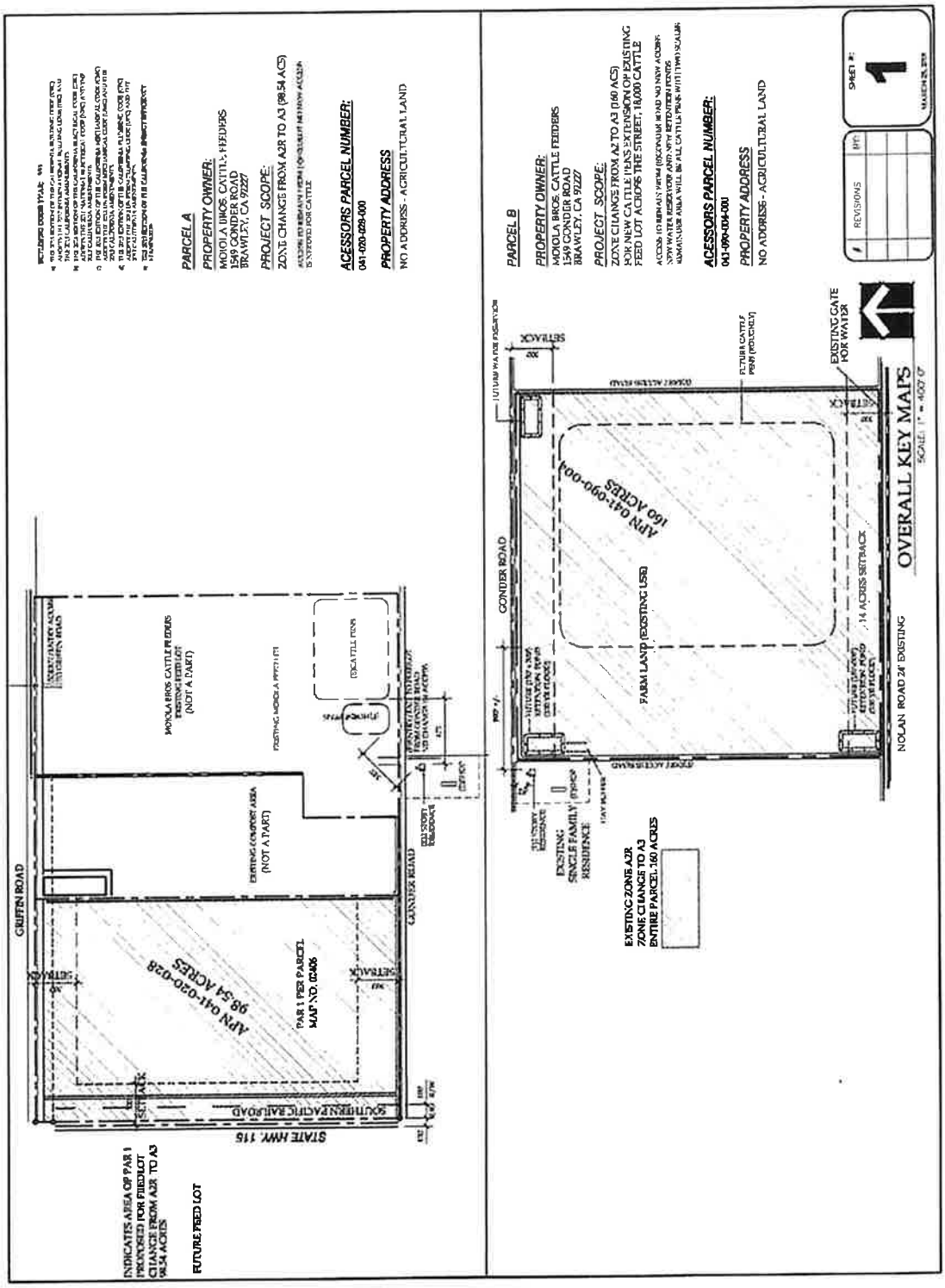


PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Exhibit "B"
Revised Site Plan



PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

I. ***AESTHETICS*** ***Would the project:***

a) Have a substantial adverse effect on a scenic vista or scenic highway? ☐ ☐ ☒ ☐

a) According to the Caltrans' Guidelines for the Official Designation of Scenic Highways[1], the merits of a nominated highway are evaluated on how much of the natural landscape a passing motorist sees and the extent to which visual intrusions impact the "scenic corridor", which Caltrans defines as "...The area of land generally adjacent to and visible from the highway. It is usually limited by topography and/or jurisdictional boundaries..." The project is located approximately 1.5 miles south of State Route 78, and is directly east of State Route 115. State Route 78 is listed as having the potential to becoming a state-designated scenic highways but the segments that are eligible for future Scenic Highway Designation status, lie towards the San Diego County line and its junction with State Route 86, and is considered scenic because of its view of the Salton Sea. There are no additional scenic views surrounding the proposed project. The existing vista would not be significantly altered as a consequence of the approval of the proposed zone change and future feedlot expansion since the surrounding area has been used as a feedlot in the past; therefore, less than significant impacts are expected.

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

b) The proposed project site is not within a state scenic highway and there are no scenic resources such as trees, rock outcroppings or historic buildings located near the proposed project; therefore, no impacts are expected.

c) Substantially degrade the existing visual character or quality of the site and its surrounding? ☐ ☐ ☒ ☐

c) The proposed project consists of a zone change from A-2-R to A-3. The application is consistent with the surrounding uses and with the County's General Plan and Land Use Ordinance. The proposed project would not substantially degrade the existing visual character since the adjacent parcel of the project site is already being used for grazing and composting. The applicant wishes to expand cattle grazing after the zone change to the parcel south of Gonder Road. The approval of the project would cause for the existing visual character to change but not substantially; therefore, less than significant impacts are expected.

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

d) All sources of lighting that may be used for the proposed feedlot after the zone change process, including security and operational lighting as required by State Codes and County Ordinances, shall be shielded or directed onsite to minimize offsite interference from unacceptable levels or light or glare. Compliance with said codes and ordinances would cause for less than significant impacts.

II. ***AGRICULTURE AND FOREST RESOURCES***

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. –Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ☒

a) The project site appears as "Farmland of Statewide Importance" according to the California Department of Conservation Farmland Mapping Program[2], and is surrounded by the same classification, except for the existing composting area, which appears as by "Other Land". The nearest parcel that is designated as "Prime Farmland" is located approximately 0.75 miles southeast of the project site. The proposed project does not convert prime farmland, unique farmland, farmland of statewide importance (farmland), to non-agricultural use, nor does it include modifications from farmland to non-agricultural land. No impacts are being anticipated regarding conversion to non-agricultural use.

[1] Imperial County General Plan Circulation and Scenic Highways Element, pgs. 30 & 93 http://www.icpds.com/CMS/Media/Circulation-Scenic-Highway-Element-(2008).pdf

[2] California Important Farmland: 1984-2014 Maps https://maps.conservation.ca.gov/agriculture/

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

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

b) The project site is zoned A-2-R (General Agricultural/Rural Zone), which is used to designate areas that are suitable and intended primarily for agricultural purposes (limited) and agricultural related compatible uses. The proposed project does not conflict with existing zoning for agricultural use and is not under a Williamson Act contract, according to the Williamson Act map created in 2012 by ICPDS for the Imperial County Board of Supervisors Order #10a; therefore, no impacts are expected.

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))? ☐ ☐ ☐ ☒

c) No forest land is available in or near the vicinity of the project, and the site's current use, zoning and land use designation, do not support the definitions provided by Public Recourses Code for timberland or forestland, or Government Code Section for "Timberland Production". The proposed project is mostly surrounded by open and flat agricultural lands, and would not cause for any forest land to be converted into non-forest use. No impacts are expected to occur.

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

d) As previously stated, there is no forest land in the area of the project location and no conversion to non-forest use would occur as a consequence of the approval of the proposed project; therefore, no impacts would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? ☐ ☐ ☐ ☒

e) The implementation of the project would not result in changes to the environment which could result in the conversion of farmland to non-agricultural use since the scope of work of the proposed project proposes to continue with agricultural related activities. In addition, the proposed project is consistent with its zoning and land use designation, so no impacts are expected to occur regarding forest land to non-forest use.

III *AIR QUALITY*

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☒ ☐

a) The proposed rezone, and future cattle pen addition would not conflict with or obstruct implementation of any applicable air quality plans. The property owner and operator of the existing feedlot and the existing composting facility have been in compliance with the County's requirements and Implementations. A permit modification would be requested by APCD at the time of the building permit for the cattle pen addition. It is recommended that the applicant review the APCD's CEQA Air Quality Handbook[3]. Continual compliance with requirements and implementations from County and APCD, would bring the project impacts to less than significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☐ ☒ ☐

b) The scope of work for the project is such that uncontrolled vehicular emissions are unlikely to exceed APCD's thresholds or violate any County standards. The zone change would not cause for any violations of air quality. Compliance with ICAPCD's requirements and Rule VIII would cause for the impacts of the future cattle pen addition project to be less than **significant.**

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? ☐ ☐ ☒ ☐

c) Per CEQA Air Quality Handbook, the Imperial Valley is a non-attainment area under applicable federal and state ambient

[3] Imperial County Air Pollution Control District Rules and Regulations http://www.co.imperial.ca.us/AirPollution/RULEBOOK/CompleteRuleBook.pdf

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

air quality standards, and according to CEQA Guidelines, a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved air quality attainment or maintenance plan[4]. Compliance with all applicable APCD requirements would bring the project's impacts to less than significant.

d) Expose sensitive receptors to substantial pollutants concentrations? ☐ ☐ ☒ ☐

d) The potential pollutants that could possibly affect the nearest sensitive receptors, which are the residents located within a quarter mile of the project site, include diesel exhaust and volatile organic compound (VOC) emissions which are typically related to trucks and machinery. The zone change application would cause for no impacts, although vehicles would be used to transport the cattle in the future cattle pen expansion project. These emission levels would be in low quantities and would be expected to disperse rapidly; therefore, less than significant levels are expected.

e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

e) In addition to the statement above, the zone change would not cause for the creation of objectionable odors, but the future cattle pen expansion project would create odors that could affect the nearest sensitive receptors a quarter mile away. Compliance with all County and APCD's regulations would bring the impacts to a less than significant level.

IV. *BIOLOGICAL RESOURCES Would the project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☐ ☒ ☐

a) The Imperial County General Plan's Conservation and Open Space Element[5] Figure 1 "Sensitive Habitats Map" shows that the project site is not within a designated sensitive habitat and Figure 2 "Sensitive Species Map" shows the project site being within the Burrowing Owl Species Distribution Model, although after communication with U.S. Fish and Wildlife staff member, it was confirmed what there were no federally listed species in the area. The proposed project consists of a zone change which, if approved, could allow a for a cattle pen expansion with the submittal and approval of a building permit. This use would not substantially modify the habitat since there is an existing feedlot and composting facility adjacent to the project site; therefore, less than significant impacts are expected to occur.

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? ☐ ☐ ☐ ☒

b) In the Riparian Bird Conservation Plan, riparian refers to areas that are "transitional between terrestrial and aquatic ecosystems, providing linkages between water bodies and adjacent uplands and include portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems"[6] The project site is surrounded by flat agricultural fields and is not located within or near any riparian habitat or sensitive natural community since, as previously mentioned, wetland and riparian habitats occur within water systems and the nearest body of water is the Alamo River, which is approximately 3.25 miles west of the project site. No impacts are expected to occur.

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? ☐ ☐ ☐ ☒

c) The proposed project site is mostly surrounded by agricultural flat lands, and is far from wetlands. The future cattle pen addition project might include water for its operations such as dust mitigation, but the amount of water used for those purposes would be minimal and subject to APCD's rules and regulations. Water would also be used to hydrate the cattle in contained areas so the water would not filter into the waters of the United States or affect marsh, vernal pool or coastal wetlands; therefore, no impacts can be expected.

[4] CEQA Guidelines §15064 (h) (3)
[5] IC General Plan Conservation and Open Space Element Figure 1 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
[6] California Riparian Habitat Restoration Handbook page 8 http://www.water.ca.gov/urbanstreams/docs/ca_riparian_handbook.pdf

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d)	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

d) The proposed application would not impact the movement of resident or migratory fish, since the project site is located more than 3 miles away from the nearest body of water. As previously mentioned, the project site is within the burrowing owl distribution model but no burrowing owls have been seen in the past, making it unlikely for the special-status species to appear; therefore, less than significant impacts are expected.

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

e) Compliance with all of the County's regulations and requirements regarding local policies and/or ordinances protecting biological resources, would bring the project's impacts to less than significant, although there are no tree preservation policies applicable to the project site area.

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?	☐	☐	☐	☒

f) According to the Conservation and Open Space Element of the Imperial County General Plan, the majority of the Habitat Conservation efforts are focused on the Salton Sea and the rivers of Imperial County and the project site is not located in the close vicinity to those bodies of water; therefore, no impacts are expected.

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

a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒

a) The Imperial County General Plan's Conservation and Open Space Element Figure 6 "Known Areas of Native American Cultural Sensitivity Map"[7] shows that the project site is not within any known areas of Native American Cultural Sensitivity, however, a Sacred Lands Search request was sent to Native American Heritage Commission (NAHC) for the area of potential project effect (APE), and came back on October 05, 2017 with negative results, meaning absence of specific site information in the Sacred Lands File. A Tribal Consultation List was provided and contacted and so far, only one tribe has made a comment regarding this project site, and it was from the Kumeyaay Tribe, saying they had no comment. The project does not appear to be in the sphere of influence of any tribe, or anywhere near it; therefore, no impacts are expected to occur.

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

b) According to the National Register of Historic Places, the project site is not listed in the California Register and the project does not involve performing excavations or any type of work that could disturb, if any, archaeological resources. In addition, the project site does not appear to be within the vicinity of any Tribal Land, as shown on the California Tribal Lands Map[8] from the U. S. Environmental Protection Agency. The project site area does not appear to be within any of the California Indian Tribal Homelands and Trust Land Map of the U.S. Bureau of Indian Affairs[9]. The proposed project will not cause a substantial adverse change in the significant of an archaeological resource as defined in §15064.5; therefore, no impacts are expected to occur as a consequence of the zone change approval.

c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

c) The proposed project site is located in an area that has been previously disturbed, and no paleontological resources were found. The proposed project would be subject to California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98. Compliance with the above referenced codes would lessen the impacts to less than significant.

[7] Imperial County General Plan Conservation and Open Space Element Fig 6 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf
[8] California Tribal Lands Map https://www3.epa.gov/region9/air/maps/pdfs/air1100040_3.pdf
[9] California Indian Tribal Homelands Map http://www.water.ca.gov/tribal/docs/maps/CaliforniaIndianTribalHomelands24x30_20110719.pdf

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

d) Even though no cemeteries are within the vicinity of the proposed site, the proposed project would be subject to California Health and Safety Code §7050.5, CEQA §15064.5, and California Public Resources Code §5097.98. Compliance with said State codes would bring the project impacts to less than significant.

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

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:	☐	☐	☒	☐

a) According to the State of California Special Studies Zones Fault Activity Map (2010)[10], the proposed project is located approximately 4 miles southwest of the Brawley Fault Zone, which would not affect the zone change project. In the event that a structure is proposed in the area, it shall be designed to comply with the California Uniform Building Code (Section 1626 through 1635), which requires development to incorporate the most stringent earthquake resistant measures. Adherence with the previously referenced Building Codes or any other applicable requirements, would reduce any seismic impact to a less than significant level.

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?	☐	☐	☐	☒

1) As previously mentioned, the project site is located in the vicinity of a known fault and the proposed zone change would not expose people or structures to potential substantial adverse effects and neither would the future cattle pen expansion project as it would not be near people or structures. In case of future development, the project shall show compliance with California Public Resources Codes 2621.5 and 2623. The proposed zone change would cause no impacts regarding rupture of a known earthquake fault.

2) Strong Seismic ground shaking?	☐	☐	☐	☒

2) The Imperial Valley of southern California is known to be seismically active with numerous faults of the San Andreas Fault system traversing the region. As stated before, the project site is located close to a known fault and could potentially be affected by seismic ground shaking. The nature of the project does not involve grading and/or construction work, and the future cattle pen addition would not require major earthwork activities as to expose people or structures to injury or death related to seismic ground shaking; therefore, no impacts are expected to occur.

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

3) Liquefaction only occurs in saturated soils and its effects are most commonly observed in low-lying areas near bodies of water, such as rivers, lakes, bays and oceans.[11] According to the Department of Conservation Regulatory Maps, the project site is not within the designated Tsunami areas, and the nearest body of water (Alamo River) is located 3.25 miles west of the proposed project; therefore, no impacts are expected to occur as a consequence of the zone change approval or the future cattle pen addition.

4) Landslides?	☐	☐	☐	☒

4) Also using the Department of Conservation Regulatory Maps, it was found that the site is not located within a landslide hazard zone and being that the topography of the site is mostly flat, it is highly unlikely that landslides would occur; therefore, no impacts would be expected.

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

b) The project site has a very low potential for soil erosion due to its flat topography and mostly undisturbed soils. The ground would not be disturbed for the zone change and would be slightly disturbed in the future cattle pen expansion phase. The project is subject to approval of the County's Building and Public Works Departments regarding drainage patterns as they shall be designed as to prevent soil erosion. Compliance with the previously referenced agencies would cause for the project's impacts to be less than significant.

c) Be located on a geologic unit or soil that is unstable or that	☐	☐	☐	☒

[10] Fault Activity Map of California (2010) http://maps.conservation.ca.gov/cgs/fam/

[11] "Earthquake Hazards and Mitigation" Book by editors R. Ayothiraman and Hemanta Hazarika, page 265 https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/16/nrcs143_019308.pdf

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?

c) The project site is not known to be located on geological units or soil that is unstable, and the conditions for lateral spreading, subsidence, liquefaction and collapse are not present. All of these conditions occur when the scope of work involves water (either extracting, moving, loading or any other activity related to a natural source of water). In this case, water would not be part of the zone change application and would be used in the future cattle pen addition, as a dust control measure as per APCD's requirements. The proposed zone change would not cause impacts related to landslides, lateral spreading, subsidence, liquefaction or collapse.

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

d) The proposed zone change application would not cause for substantial risk to life or property as it would not be affecting any physical conditions of the site. The future cattle pen expansion project site shall be subject to the latest Uniform Building Codes; therefore, less than significant impacts are expected.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☒ ☐

e) No septic tanks or other alternative waste water disposal systems are being proposed as part of the scope of work for the zone change application and the water disposal at the time of the future cattle pen expansion project would be subject to Environmental Health's requirements. Compliance with all County requirement regarding water disposal would cause for the impacts to be less than significant.

VII. *GREENHOUSE GAS EMISSION Would the project:*

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐

a) Greenhouse gas emissions produced by human activities principally come from combustion, soil erosion, animal agriculture, among others.[12] The zone change application would not cause for the site to be impacted with greenhouse gas emissions, however, the future cattle pen expansion might require trucks going in and out of the property for site preparation and then to move the cattle, although it is not expected to generate greenhouse gas emissions that would exceed APCD's thresholds or have significant impacts to the environment. APCD requires permits conditions that ensure emissions are kept at a level that is less than significant. Compliance with APCD would cause for to less than significant impacts to occur.

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

b) There are no regional or local climate action plans, or general or specific plan provisions to reduce GHG emissions in the study area, other than the regulations under AB 32, which has a target of reducing GHG emissions to 1990 levels by 2020[13]. The California Environmental Protection Agency (CEPA) Air Resources Board's AB 32 Scoping Plan was updated but it does not include an applicable threshold for GHG emissions for a project with these characteristics and duration. [14] All future site preparation activities needed for the cattle pen expansion project, are subject to the Imperial County Air Pollution Control District's recommendations for the reduction of pollutant emissions. Compliance with APCD and all applicable County's requirements would bring the Impacts to less than significant.

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

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

12 Greenhouse Gas Definition – Wikipedia https://en.wikipedia.org/wiki/Greenhouse_gas#Impacts_on_the_overall_greenhouse_effect
13 Assembly Bill 32 Overview https://www.arb.ca.gov/cc/ab32/ab32.htm
14 CEPA AB 32 Scoping Plan https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

a) The proposed zone change application does not have the potential to create a significant hazard to the public or environment through the transportation, use or disposal of hazardous materials, since they are not part of the scope of work; therefore, no impacts are expected to occur.

b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☐ ☒

b) As stated above, there are no hazardous materials included in any part of the zone change application and/or future cattle pen expansion project; therefore, no impacts are expected to occur in regards to hazardous materials.

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

c) The nearest school, Magnolia Union Elementary School, is approximately 1.80miles northwest of the project site but since no hazardous emissions are anticipated, no impacts are expected.

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? ☐ ☐ ☐ ☒

d) Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update a list of hazardous waste and substances sites from the DTSC EnviroStor Database. After using the EnvironStor Database[15] for the project site, it was found that it was not included in the database. In addition, the zone change application does not have the potential to create a hazard to the public; therefore, no impacts are expected to occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☒

e) According to Figure 1A of the 1996 Imperial County Airport Land Use Compatibility Plan (ALUC Plan), the project is not located within two miles of an airport, nor is it located within an airport land use plan. The nearest airport is the Brawley Municipal Airport, which is located approximately 7.5 miles northwest of the project site area. This proposed project would not result in a hazard for people residing or working in the airport and its surroundings. No impacts are expected to occur.

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? ☐ ☐ ☐ ☒

f) The proposed project is not within any known private airstrip. The project is outside the Airport Influence Area, and the proposed rezone and future composting facility would not cause for a safety hazard to people working or residing near a private airstrip; therefore, no impacts are expected to occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☐ ☒

g) The proposed project shall comply with all County requirements and regulations related to any applicable emergency plan to avoid impairing its implementation. The access points to the site on the parcel north of Gonder Road would continue to be the same as they are for the existing feedlot and composting facility, as well as the same access as for the existing agricultural fields on the parcel south of Gonder Road. The proposed rezone and future cattle pen expansion would not interfere with the emergency points or access used by employees around the facility; therefore, no impacts are to be expected.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ☐ ☐ ☐ ☒

h) The project site is located within a Local Responsibility Area (LRA) Moderate Zone and a LRA Unzoned area according to the Fire Hazard Severity Zone Map[16]. Zones are classified based on a combination of how a fire will behave and the probability

[15] EnviroStor Database http://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Sacramento&tour=True
[16] FRAP Fire Hazard Severity Zones http://frap.fire.ca.gov/webdata/maps/imperial/fhszl06_1_map.13.pdf

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

of flames and embers threatening buildings, as well of the likelihood of the area burning. Since no wildlands are surrounding the project vicinity, less than significant impacts are to be expected.

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

a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☒ ☐

a) The proposed zone change does not include any water or waste water, but the future cattle pen expansion project would include water for the cattle and as dust mitigation measure. The water would be obtained from the southeast end of the property, since there is a field gate and main canal (Oxalis). The applicant mentioned they take water from the canals and that this water is not metered. The applicant and property owner are subject to compliance with all local, state and federal laws, causing for impacts to be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☒ ☐

b) Groundwater use is not a part of the scope of work of this project, and there are no known groundwater or domestic wells near the project site area. As previously mentioned, water would be obtained from the Oxalis canal, and no groundwater would be depleted or interfered with. Additionally, groundwater is usually found within 8 to 10 feet in depth, and the future cattle pen expansion project would not use groundwater as it is currently obtained from canals; therefore, less than significant impacts are expected.

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

c) According to the Imperial County Public Works requirements, a grading/drainage plan is required to assure drainage patterns are designed to avoid alterations of streams or to negatively affect the surrounding water sources. Compliance with all County Building (ICPDS) and Public Works (PW) departments on future cattle pen expansion project would cause for the impacts to be less than significant.

d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ☐ ☐ ☒ ☐

d) As previously stated, adherence to the approved grading/drainage plan for the project would prevent any negative alterations to the existing drainage patterns. No streams or rivers are nearby, and the drainage pattern shall comply with all State and Local codes, including Public Works Department's (PWD) regulations; therefore, less than significant impacts are expected to occur.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ☐ ☐ ☒ ☐

e) As previously stated, the Permittee shall comply with ICPDS and PWD regarding grading/drainage plans to prevent or avoid contribution of runoff or polluted water, or alter stormwater drainage systems in a negative manner. For those reasons, less than significant impacts are expected.

f) Otherwise substantially degrade water quality? ☐ ☐ ☐ ☒

f) The zone change application would not cause for the water quality to be degraded. The property owner and applicant shall show compliance with all local, state and federal laws to prevent degradation of any water supply at the time of future permit submittal, and are responsible for third parties who would take care of the site preparation activities (e.g. feedlot expansion, composting, etc.) No impacts are expected as a cause of the zone change proposal approval.

* Per comment letter from Regional Water Quality Control Board, dated July 20, 2017

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
g)	Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

g) No housing is being proposed for this project; therefore, no impacts are expected.

h)	Place within a 100-year flood hazard area structures which would impede or redirect the flood flows?	☐	☐	☐	☒

h) The project site is approximately 3 miles eastof the nearest 100-year flood hazard area (Zone A) of the FEMA Flood Insurance Rate Map Panel 625 of 1175[17], and is located on Zone C, which means it is an area of minimal flooding. No impacts are expected regarding flood flows as a consequence of the zone change approval.

i)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

I) In addition to the statement above, there are no dams or levees near the proposed site; therefore, the approval of the proposed zone change is not expected to cause impacts or expose people or structures to any risk of loss, injury or death, as a result of the failure of a levee or dam.

j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

j) According to the California Emergency Management Agency and the Department of Conservation, the project site is not within a Tsunami Inundation Area for Emergency Planning. Seiches or mudflows could occur in or near the Salton Sea, but the project site is approximately 18.5 miles southeast of the Salton Sea, which would not affect the proposed project. For those reasons, no impacts are expected to occur due to inundation by seiche, tsunami or mudflow.

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

a)	Physically divide an established community?	☐	☐	☐	☒

a) The project would not physically divide any established community since it is approximately 7 miles southeast of an established community, in Brawley; therefore, no impacts can be expected.

b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

b) The proposed project does not conflict with any applicable land use plan, policy or regulation for the purpose of avoiding or mitigating an environmental effect. The proposed zone change is consistent with the intent of the Imperial County General Plan's Agricultural Element and its goals and objectives. The future cattle pen expansion is also consistent with the County Land Use Ordinance Title 9 Division 5, Chapter 9 Section 90509.01 n), as it lists "...cattle or livestock grazing..." as a permitted use; therefore, no impacts are expected.

c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

c) The project would not conflict with any habitat conservation plan or natural community conservation plan since there are none that apply to the area; for that reason, no impacts are expected to occur.

XI. *MINERAL RESOURCES Would the project:*

a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

a) The project site area is not located in or near any existing mineral resource areas as shown on the Imperial County Conservation and Open Space Element, Figure 8 "Existing Mineral Resources"[18], and the approval of the zone change nor

[17] Federal Emergency Management Area (FEMA) http://www.icpds.com/CMS/Media/45-FEMA-1100.pdf

* Per comment letter from Regional Water Quality Control Board, dated July 20, 2017

[18] Imperial County Conservation and Open Space Element Figure 8 http://www.icpds.com/CMS/Media/Conservation-&-Open-Space-Element-2016.pdf

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

future cattle pen expansion would not affect the availability of a known material resource that would be of value to the region; therefore, no impacts are expected.

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?	☐	☐	☐	☒

b) As previously stated, the proposed project would not result in the loss of availability of locally-important mineral resources as identified in the Imperial County General Plan Conservation and Open Space Element, Figure 8 "Existing Mineral Resources". No impacts are expected to occur.

XII. ***NOISE*** ***Would the project result in:***

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?	☐	☐	☒	☐

a) The proposed rezone would not generate any noise, and the future cattle pen expansion project would create temporary noise levels during the site preparation and during the cleaning of the pens. Any noise levels would be temporary and within business hours, these levels shall not exceed the thresholds established in the Imperial County General Plan "Noise Element" and shall comply with all applicable regulations. The future addition of cattle pens shall not exceed the Construction Noise Standards of 75 dB Leq, when averaged over an eight (8) hour period, and measured at the nearest sensitive receptor, which is located approximately a quarter mile of the project site. Adherence to the "Noise Element" standards would bring the impacts to a less than significant level.

b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

b) As previously stated, temporary noise levels and vibration could result from the site preparation and when trucks would enter and exit the feed for cleaning purposes, but these noise levels would have to be maintained within the County's allowed threshold to avoid nuisances regarding excessive groundborne vibration. Adherence to the "Noise Element" standards would bring the impacts to a less than significant level.

c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

c) According to the applicant, noise of increased traffic related to site preparation and cattle pen cleaning would not permanently affect the existing ambient noise levels; therefore, less than significant impacts are expected to occur.

d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

d) As previously stated, compliance of the Imperial County General Plan and Land Use Ordinance, as well as the implementation of the Noise Element and of standard construction practices would ensure that the temporary noise levels associated with site preparation and trucks remain less than significant.

e)	For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

e) In addition to the statements above, the project site is not located within 2 miles north of an airport and the proposed zone change project nor future cattle pen expansion project, would not expose people residing or working in the area to excessive levels of noise; therefore, no impacts are expected.

f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

f) No known private airstrip is located near the vicinity of the project; therefore, no impact is expected.

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

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

XIII. ***POPULATION AND HOUSING*** ***Would the project:***

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☐ ☒

a) The proposed project consists of a zone change and a future cattle pen expansion if the zone change is approved. The proposed application and future use is consistent with the area and the Imperial County's General Plan. The project would not induce substantial population growth as a consequence of the zone change approval nor would the future cattle pen addition cause for population growth as the intent is that the same employees that are currently overlooking the existing feedlot, work on the feedlot addition and that no new employees he hired; therefore, no population growth is expected to occur. In addition, the nearest community is approximately 4 miles away from the project site; therefore, no impacts are expected.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

b) Since no housing being proposed in the scope of work for the zone change nor the future cattle pen expansion project; no impacts regarding population growth are expected either directly or indirectly after the approval of the proposed project.

c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

c) The proposed project does not involve any housing or will cause for the need to replace housing; therefore, no impacts are expected.

XIV. ***PUBLIC SERVICES***

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: ☐ ☐ ☒ ☐

a) The project would not cause for the need of any provisions or cause for alterations involving governmental facilities. It would not permanently affect any type of public service, except during the site preparation phase, when traffic would temporarily increase. For those reasons, less than significant impacts are to be expected.

1) Fire Protection? ☐ ☐ ☒ ☐

a1) The project application does not involve any buildings or structures, except for the future cattle pens. The applicant and operator of the existing feedlot and composting facility have showed compliance with Fire Protection and have a fire protection system on site. Continual compliance with the Fire Department's rules and regulations would bring the project's impacts to less than significant levels.

2) Police Protection? ☐ ☐ ☐ ☒

a2) The proposed project consists of a zone change and a future cattle pen expansion. A request for review and comment on the project was sent to the Imperial County Sheriff's Office and our office received a reply indicating that the project would have no significant impact; therefore, no impacts are expected.

3) Schools? ☐ ☐ ☐ ☒

a3) The project site is within the vicinity of the Magnolia Union Elementary School, but would not directly or indirectly induce any population growth in the area, causing no impacts to schools.

4) Parks? ☐ ☐ ☐ ☒

a4) The proposed project does not include any relation to a park or parks, and would not cause for the need to alter one; therefore, no impacts are being expected.

5) Other Public Facilities? ☐ ☐ ☐ ☒

a5) No other public facilities would be affected by the proposed project; therefore, no impacts are expected.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

XV. ***RECREATION***

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☐ ☒

a) An increase in use of recreational facilities is generally caused by population growth in an area, but the project site is not located in or near any residential areas, parks or any recreational facilities, and would not cause for the existing neighborhood or parks to be physically deteriorated as a consequence of the project approval; therefore, no impacts are expected.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? ☐ ☐ ☐ ☒

b) As stated previously, no recreational facilities are being included in the scope of work or would cause for the need to construct or expand existing recreational facilities; therefore, no impacts are expected.

XVI. ***TRANSPORTATION / TRAFFIC Would the project:***

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ☐ ☐ ☒ ☐

a) The proposed zone change would cause no additional impacts on the project regarding transportation, however, the proposed future cattle pen expansion project would impact the traffic temporarily for site preparation, such as the required earthwork, the installation of the cattle pens and all applicable site improvements. According to the applicant, if the zone change application is approved, the owners intend to submit for a cattle expansion building permit application as soon as possible. The applicant also mentioned that they intent to transport the cattle into the proposed site by trucks. The Imperial County Public Works shall determine specific requirements in regards to neighboring roads, to see if they can handle the additional traffic and loads and to determine whether the existing driveways to the parcels in subject, are acceptable. The temporary trips needed for the site preparation are expected to be below the acceptable thresholds by the County. Caltrans would need to evaluate and review any future cattle expansion project to assess if a permit is needed with their Department. The applicant shall contact the above referenced agencies for compliance. There are no pedestrian or bicycle paths in or near the vicinity; therefore, less than significant impacts are expected during the zone change application process.

b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestions/management agency for designated roads or highways? ☐ ☐ ☒ ☐

b) The Zone Change application would not conflict with any congestion management program. However, as previously mentioned, any future cattle expansion project would cause for a temporary traffic increase on Gonder Road during site preparation and other related activities that would not require temporary closure of any streets, highways or roads, and would not need a congestion management program. No conflict is expected with the approval of the Zone Change application. Conformance with Imperial County Public Works and Caltrans at the time of the building permit submittal and process would cause for the project impacts to be less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ☐ ☐ ☐ ☒

c) The proposed project would not affect air traffic patterns since it consists of a zone change and a future cattle pen expansion project; therefore, no impacts are expected to occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ☐ ☐ ☐ ☒

d) No design features have been proposed that could damage or cause a substantial burden on traffic; therefore, no impacts are being expected.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
e) Result in inadequate emergency access?	☐	☐	☒	☐

e) The access to the site would be from Gonder Road, and would not affect the existing feedlot and composting facility's access or block any gates in case of an emergency. The emergency access to the property is located on Gonder Road and the applicant shall agree not block any access used for emergency; therefore, less than significant impacts are expected.

f) Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

f) Conformance with applicable agencies such as Imperial County Public Works and Caltrans would cause for the proposed project to prevent any conflict with adopted policies, plans or programs regarding public transit. Compliance with the above agencies' requirements regarding traffic and transportation would cause for less than significant impacts.

XVII. *TRIBAL CULTURAL RESOURCES*

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:	☐	☐	☒	☐

a) The project site is not within the vicinity of any area that has been geographically defined as sacred or object of value to California Native American Tribe, according to the Imperial County General Plan Conservation and Open Space Element, Figure 6 "Known Areas of Native American Cultural Sensitivity". Efforts of consultation with tribes and with Native American Heritage Commission were performed since September 20, 2017 and a Sacred Lands Search was requested and came back with negative results; therefore, less than significant impacts are expected.

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or	☐	☐	☒	☐

1) The proposed site does not seems to be eligible under Public Resources Code Section 21074 or 5020.1 (k). The Native American Heritage Commission was contacted regarding this project and a Tribal Consultation List was received. Communication was sent out to these tribes since September 20, 2017, but no responses regarding negative impact were received; therefore, less than significant impacts are to be expected.

2) 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 is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☐	☒	☐

2) The Native American Heritage Commission Sacred Lands was contacted for a record search for the area of potential project effect (APE) and they answered back with negative results. A list of tribal consultation was sent and these tribes were contacted but we did not receive any responses regarding negative impact were received; therefore, less than significant impacts are expected.

XVIII. *UTILITIES AND SERVICE SYSTEMS Would the project:*

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

a) The existing feedlot operation is regulated under Regional Board Confined Animal Feeding Operation (CAFO) General Permit (R7-2013-0800). The permittee would need to update the cattle head count via annual report requirement, at the moment of permit submittal for the future cattle pen expansion project. In addition, all wastewater systems from the proposed future cattle pen expansion project shall be designed according to County standards, to retain water on-site. Compliance with all County standards and any Regional Water Quality Control Board, would bring the project's impacts to less than significant levels.

b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the	☐	☐	☐	☒

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
	construction of which could cause significant environmental effects?				
	b) No new or expansion of water treatment facilities to the existing project site will be required under this project since there will be no need to provide potable drinking water. According to the applicant, water is currently being taken from the canals for the existing feedlot and composting facility, is not metered, and is used as dust suppressors around the composting facility. No impacts to water treatment facilities are expected to occur.				
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
	c) The proposed zone change would not cause for any changes regarding storm water, but once the zone change is processed and, ifapproved, the applicant would have to update the cattle head count via annual report requirement. The propose project shall need to comply with all applicable agencies to ensure that wastewater and storm water are properly handled to avoid a negative environmental effect. Compliance with all applicable agencies would bring the project's impacts to less than significant levels.				
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
	d) According to the applicant, the water for the future cattle pen expansion project will be obtained from the southeast end of the property, where there is a field gate and main canal (Oxalis Lateral). The existing feedlot and composting facility get water from the Orange Lateral and is not metered. Compliance with all County's requirements related to water supply for the proposed future cattle pen expansion shall bring the project's impacts to less than significant levels.				
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
	e) The proposed zone change would not cause for any changes in the current wastewater system. The wastewater system for the future cattle pen expansion project shall be designed to cover the project's projected demand. The approval of a Grading and Drainage Study/Plan would cause for the project's impacts regarding the discharge of the unused wastewater, to be less than significant.				
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
	f) The proposed zone change would not produce solid waste, and the cattle manure from the proposed future cattle pen expansion project shall continue to be handled as per Conditional Use Permit #06-0019. Continual compliance with the County regarding solid waste disposal to an approved landfill would bring the project's impacts to less than significant.				
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐
	g) The proposed project shall comply with all federal, state and local statues and regulations. Compliance with said codes shall cause for impacts to be less than significant.				

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

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

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

SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

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

a)	**Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources 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 projects, 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?**	☐	☐	☐	☐

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Diana Robinson, Planner II
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Agriculture Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- Regional Water Quality Control Board
- Native American Heritage Commission
- U.S. Fish and Wildlife

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

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

V. REFERENCES

1. Imperial County General Plan Circulation and Scenic Highways Element, pages 30 and 93
2. California Important Farmland: 1984-2014 Maps
3. Imperial County Air Pollution Control District Rules and Regulations
4. CEQA Guidelines §15064 (h) (3)
5. Imperial County General Plan Conservation and Open Space Element Figure 1
6. California Riparian Habitat Restoration Handbook, page 8
7. Imperial County General Plan Conservation and Open Space Element Figure 6
8. California Tribal Lands Map
9. California Indian Tribal Homelands Map
10. Fault Activity Map of California 2010
11. "Earthquake Hazards and Mitigation" Editors R. Ayothiraman and Hemanta Hazarika, page 265
12. Greenhouse gas effects – Wikipedia
13. Assembly Bill 32 Overview
14. CEPA AB 32 Scoping Plan
15. EnviroStor Database
16. FRAP Fire Hazard Severity Zones
17. Federal Emergency Management Area (FEMA)
18. Imperial County Conservation and Open Space Element – Figure 8

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

VI. NEGATIVE DECLARATION – County of Imperial

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

Project Name: ZC#17-0006 Initial Study #17-0026

Project Applicant: Moiola Bros. Cattle Feeders

Project Location: The project is located approximately 1.5 miles south of State Route 78, approximately 2.5 miles north of E. Keystone Road, directly east of State Highway 115 and approximately 1 mile west of Holt Road, from Griffin and Nolan Roads. It is approximately 7 miles southeast of Brawley; further identified as Assessor's Parcel Number 041-020-028-000 (Parcel A) and 041-090-004-000 (Parcel B). (See Exhibit A for reference)

Description of Project: The zone change application includes two parcels (parcels north and south of Gonder Road), and the applicant intends to rezone from A-2-R (General Agricultural/Rural) to A-3 (Heavy Agriculture) to be able to apply for a building permit for additional cattle pens on both parcels. The project site area is adjacent to a parcel with an existing feedlot and composting facility, both owned by the applicant. The feedlot has an existing cattle head count of 20,000 and they would like to add 18,000 more. The purpose of the zone change application is to have room for additional cattle. See attached Application and plans for additional information.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

VII. FINDINGS

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

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

☐ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

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

NOTICE

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

Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature Date

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment E.

Revised Site Plan from

Moiola Bros. Cattle Feeders

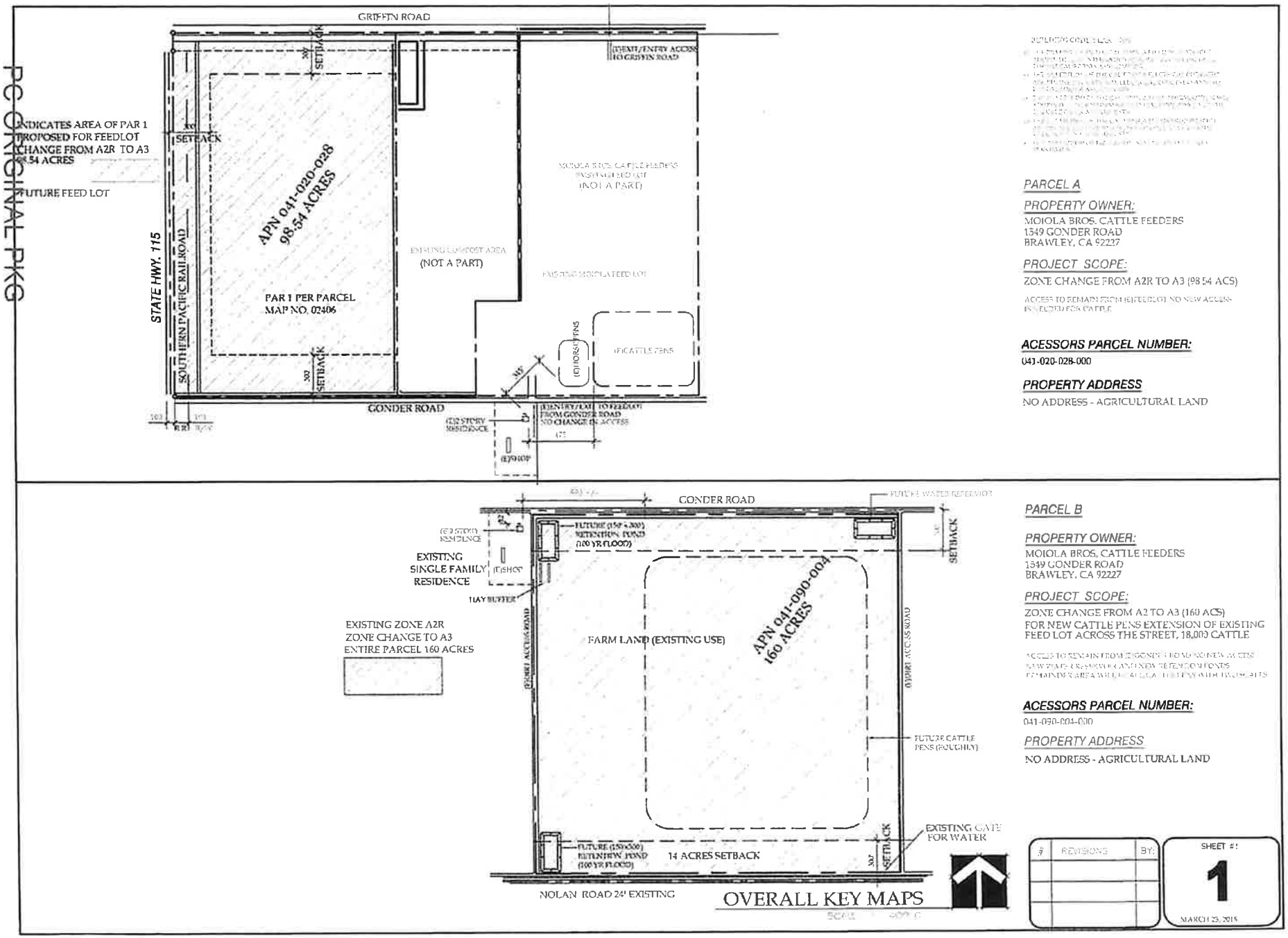
PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

PC ORIGINAL PKG



PC ORIGINAL PKG

Attachment F.

Project Report from 2006 Parcel Map, Zone Change, CUP

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT REPORT

TO: PLANNING COMMISSION **AGENDA DATE:** October 25, 2006

FROM: PLANNING/DEVELOPMENT SERVICES DEPT. **AGENDA TIME** 9:00 am/No. 3

PROJECT TYPE: James & Virginia Moiola (Zone Change #06-0003) SUPERVISOR DIST 3

LOCATION: 1599 E. Griffin Road APN: 041-020-018-001

Brawley, CA PARCEL SIZE: 37.27 acres zoning change area

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) Agriculture

ZONE (existing) A-2 General Agriculture ZONE (proposed) A-3 Heavy Agriculture

GENERAL PLAN FINDINGS ☐ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 10-25-06

☐ APRROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION: HEARING DATE:

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 09-14-06

I.S. NUMBER 06-0029

☒ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	☐ NONE	☒ ATTACHED
AG / APCD	☐ NONE	☒ ATTACHED
E.H.S.	☐ NONE	☒ ATTACHED
FIRE / OES	☐ NONE	☒ ATTACHED
OTHER	(See Attached)	

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU TAKE THE FOLLOWING ACTION:

1. APPROVE THE NEGATIVE DECLARATION ON THE BASIS OF THE INITIAL STUDY AND ANY COMMENTS RECEIVED SHOWING NO SUBSTANTIAL EVIDENCE THAT THE PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS DETERMINED BY THE ENVIRONMENTAL EVALUATION COMMITTEE ON OCTOBER 14, 2006.
2. MAKE THE DE MINIMUS FINDINGS AS RECOMMENDED BY THE OCTOBER 14, 2006 EEC HEARING, THAT THE PROJECT WILL NOT INDIVIDUALLY OR CUMULATIVELY HAVE AN ADVERSE EFFECT ON FISH AND WILDLIFE RESOURCES, AS DEFINED IN SECTION 711.2 OF THE FISH AND GAME CODES.
3. MAKE THE ATTACHED FINDINGS.
4. RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE ZONE CHANGE #06-0003.

PC ORIGINAL PKG

PLANNING/BUILDING DEPT., 801 MAIN ST., EL CENTRO, CA., 92243 760-482-4236 (JURG HEUBERGER, AICP, DIRECTOR)
JH/db/APN/041/020/018/ PROJREPPC (ZC06-0003))

PC ORIGINAL PKG

PC ORIGINAL PKG ORIGINAL EEC PKG

Zone Change # 06-0003

Applicant: James & Virginia Moiola Trust

Location: 1599 E. Griffin Road

Project: The applicant is proposing to operate a manure composting operation located next to an existing feedlot operation.

Zone Change: The parcel 041-020-018-001 is currently zoned A-2 General Agriculture. A portion of this original parcel will be rezoned to (A-3) Heavy Agriculture.

Findings

1. The Zone Change is consistent with both the County General Plan and the adjacent "Urban" area.
2. The Heavy Agriculture Zone is consistent with the permitted uses for a A-3 Heavy Agriculture zone.
3. The site physically suitable of this type of agricultural development.
4. The change of zone will not conflict with any easements required by the public at large for access through or use of the property with the proposed zone change.
5. The zone change is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. The development and improvements are not likely to cause serious health problems.
7. There will be no adverse impacts upon wildlife or natural resources, and no intrusion upon any known habitat, nor is it likely to have a future impact on such resources.

PC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PROJECT SUMMARY

LOCATION:

This project is located on the north side of Gonder Road, the south side of Griffin Road and east of Highway 115 on land described as Par 1 PM 1616 of TR 147 14-15 147.63 AC. The parcel is also identified as APN 041-020-018-001.

THE PROJECT:

It is the intent of the applicant to construct and operate a composting facility by using manure from the adjacent feed lot. The manure will be extracted from the pens and put into windrows approximately 10 feet in width and 4 feet in height. The material is removed from the pens with a moisture content of 28% up to 42%. The compost piles will be aerated mechanically. A specialized mulcher turns and breaks up the manure, and water is also added.

The proposed project is adjacent to an existing large feedlot. The plan is to compost continuously throughout the year.

The conditional use permit application and zone change from an A-2 zone to an A-3 Heavy Agriculture zone is required for a composting facility. The parcel map will divide the existing parcel into 2 parcels. Parcels 1 to be 98.54 acres and Parcel 2 to be 49.29 acres. Parcel 1 will continued to be farmed. Parcel 2 is proposed for use as a compost site in conjunction with existing cattle feeding facility. Additionally, the north 231 feet, and 876 feet along Griffin Road and the south 350 feet and 563 feet along Gonder Road of proposed parcel 2 will not be rezoned to A-3 Heavy agriculture and will not be part of the composting operation.

GENERAL PLAN ANALYSIS:

The General Plan designates this area as an Agriculture area and the zoning is currently an A-2 (General Agriculture). This type of use is allowed by conditional use permit and a re-zoning to A-3 (Heavy Agriculture).

PC ORIGINAL PKG

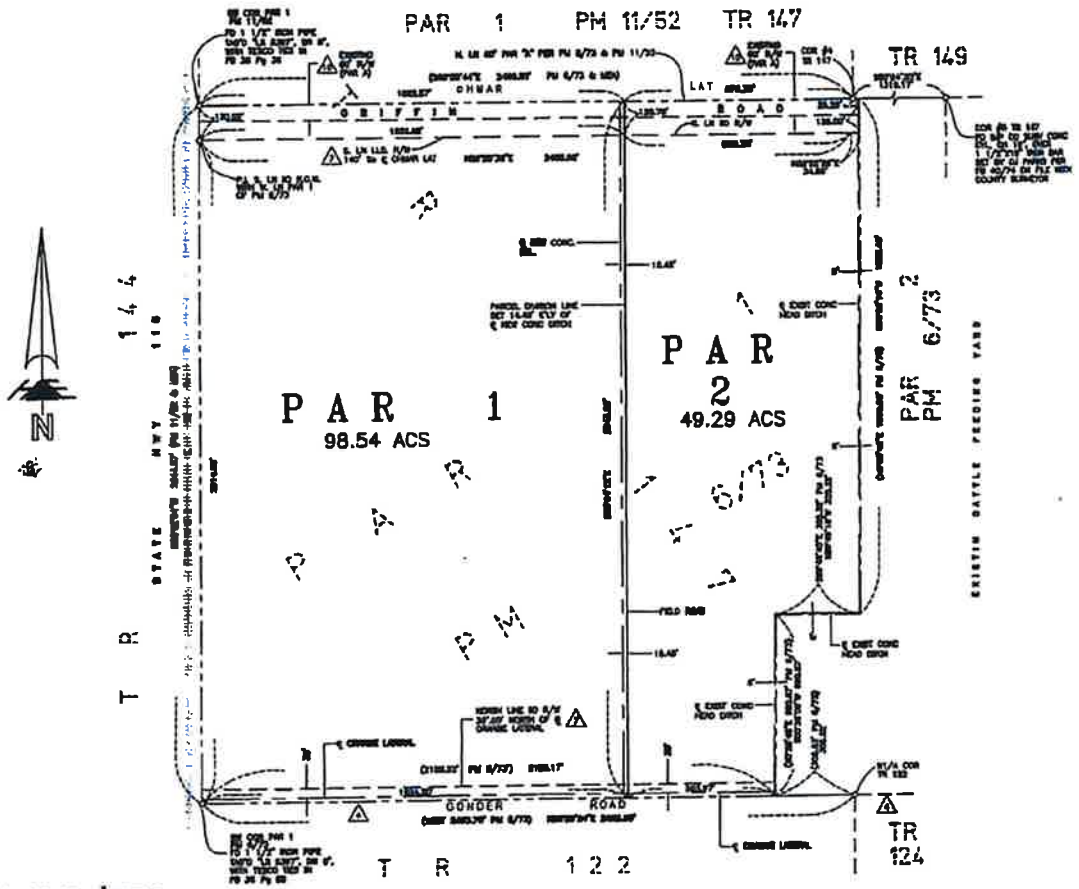
PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

TENTATIVE PARCEL MAP No. 02406

PORTION TRACT 147, T.14S., R.15E., S.B.M., IMPERIAL COUNTY, STATE OF CALIFORNIA





SURVEYOR'S NOTE:

OWNER:

ASSESSOR'S PARCEL NUMBER:

ZONING:

ACREAGE:

UTILITIES:

SCHOOL DISTRICT:

TITLE COMPANY:

LEGAL DESCRIPTION:

SURVEYOR:

PARCELING PURPOSE:

ROAD NOTE:

UNDERGROUND UTILITY NOTE:

ROUND OFF NOTE:

TITLE DATA NOTE:

EASEMENTS

LEGEND

SCALE: 1" = 200'

REVISIONS				
NO	DATE	DESCRIPTION	DRN	APPD

HALE ENGINEERING AND SURVEYING INC.
TESCO

PROPOSED PARCELING PLAT

BEING A DIVISION OF PARCEL 1 OF PARCEL MAP BOOK 6, PAGE 73 WITHIN TRACT 147, T.14S., R.15E., S.B.M., IMPERIAL COUNTY, STATE OF CALIFORNIA

CLIENT: NICOLA BROTHERS CATTLE

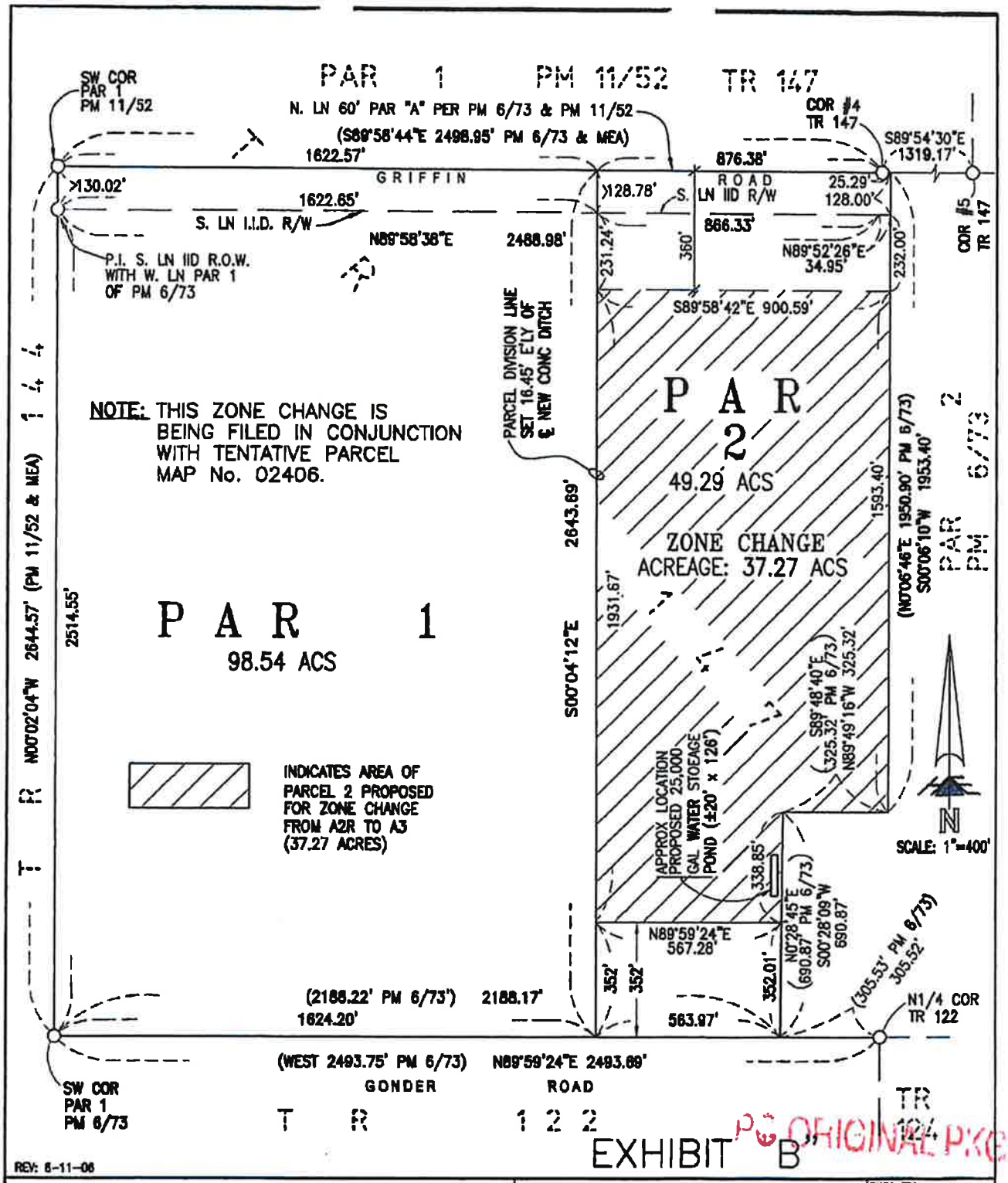
SHEET 1 OF 1 | SCALE 1" = 200' | PROJECT NO. 05-5-88

EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



EEC ORIGINAL PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

§ 83214. A-3 Zone, Heavy Agricultural Zone.

The following regulations shall apply in the A-3 Heavy Agricultural Zone unless otherwise provided in the Division:

(1) USES PERMITTED:

(a) Any use permitted in the A-2 or A-2-R Zones.

(b) All agricultural and grazing uses.

(c) Accessory agricultural uses, including but not limited to the following: animal sales yards, livestock feed yards, hog ranches, cotton gins, dairies, dehydration mills, labor camps, seed mills, fruit and vegetable packing plants. Notwithstanding the foregoing, no livestock feed yard, excepting working corrals or temporary "dry lot" holding corrals, may be located nearer than 330 feet from the center line of any major collector road as defined by the current master or general plan of roads. (Amended by Ord. No. 380, eff. May 20, 1971.)

(2) BUILDING HEIGHT MAXIMUM: As provided by the Airport Approaches Zoning Ordinance.

(3) FRONT YARD MINIMUM FOR RESIDENTIAL SITES: Thirty (30) feet.

(4) SIDE YARD MINIMUM FOR RESIDENTIAL SITES: Thirty (30) feet.

(5) REAR YARD MINIMUM FOR RESIDENTIAL SITES: Thirty (30) feet.

(6) LOT WIDTH MINIMUM FOR RESIDENTIAL SITES: Three hundred (300) feet.

(7) LOT AREA MINIMUM: Forty (40) gross acres. (Parcels existing on the effective date of the aforesaid provision which are smaller than 40 acres are exempt therefrom.) (Ord. No.249, Secs. 11.00-11.07, eff. July 13, 1960; Subsec. 1(a) above was amended by Ord. No. 249.2, eff. Aug. 19, 1963; amended by Ord. No. 464, eff. July 19, 1973.)

§ 83215. C-0 Zone, Professional Office Zone.

The following regulations shall apply in the C-0 Professional Office Zone unless otherwise provided in this Division:

(1) USES PERMITTED:

(a) Any use permitted in the R-4 Zone.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

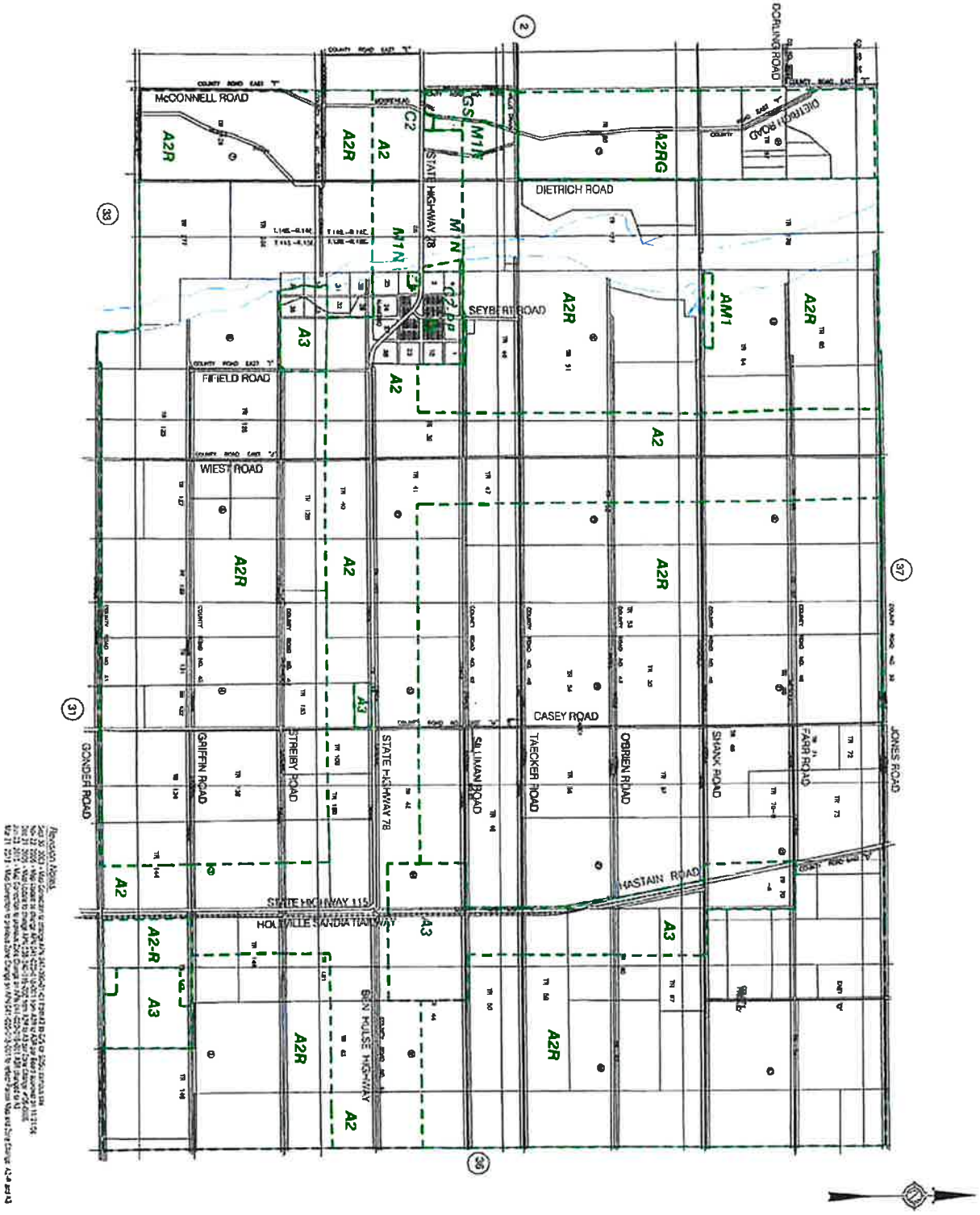
Attachment G.

Revised Zone Map #35

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



NOTE: Efforts have been made to insure zoning accuracy; however, this map may be revised at any time. Therefore this map is generally accurate, for zoning information only! Neither the County of Imperial nor the Planning/Building Department are responsible for erroneous information or improper use of this map.
Adopted by M. O. # 18 (b) on June 9, 1998 effective July 1, 1998.

Director _____

ALAMORIO AREA

Title 9 Division 25 Section 92395.00

MAP 35

Revision Dates:

- Sept. 30, 2003 - Map Correction
- Nov 22, 2006 - Map Update
- Dec 21, 2006 - Map Update
- Jun 23, 2015 - Map Correction

Imperial County Planning/Building Department

K:\ZONEMAPS\ZONE35.DWG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment H.
Comment Letters Received After
EEC's February 15, 2018 Hearing

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Leslie Smith
15910 Black Hawk Ave
Bakersfield, CA 93314
les.smith57@gmail.com
April 24, 2018

RECEIVED
MAY 04 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Subject: ZC 17-0006 / CUP 17-0017 Moiola Cattle Feeders
APNS: 041-090-004-000 and 041-020-028-000

Dear Jim Minnick, Director:

My name is Leslie Smith and I am the owner of Ohmar 24 which sits caddy corner to the northwest of the current Moiola feedlot operation. I am also a member of the family that owns Oxalis 23 and the residence at 1593 Gonder Road, which lie directly to the south of the current operation. As a map will show we are already severely affected by the placement of the feed yard at its present location.

My great grandparents settled at 1593 Gonder Road in the late twenties and built a home farming the surrounding land. He built the two-story home that is there today in the early thirties. In the mid 1950's the Moiola's decided to build their feedlot directly across the street to my then grandfathers residence. My grandfather asked them to please move the location to the east, north, or west to try and keep a buffer between the feedlot and his home. The Moiolas insisted they would built it directly across the street from my families residence and shop. Their nonexistent attempts at being a good neighbor continue to this day. My mom sent letter after letter to the Imperial County Air Pollution Control trying to get them to run sprinklers in an attempt to control the dust all to no avail.

The plan to rezone 250 plus acres from A-2-R to A-3 going from 18,000 to up to 100,000 cattle would make the conditions intolerable. Values of the home and surrounding farm land will plummet resulting in great monetary loss to myself and our family. Not only would the home be uninhabitable, but the number of crops that would be able to be planted would be reduced, as high value vegetable crops would not be an option due to the risk of contamination from the increased air pollution.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

I am asking you to deny these zoning changes to prevent further unfavorable effects on our land values and air quality as well as the increased fly populations, traffic, noise, and odor. There are better options for additional cattle feeding and compost production that will not produce so many negative impacts on the surrounding land owners and homes.

Sincerely,

Leslie Smith

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Planning & Development Service
Imperial County

We are writing this letter because of our concern in the rezoning of property with the following A/P #'s 041-090-004-000 & 041-020-028-000, which is located on Gonder Road in Brawley, Calif.

We feel that rezoning will create diverse effects on the property that surrounds the existing Moiola Feedlot, which is located 1/4 mile to the Northwest of my property and the Del Charro Feedlot is located right across the road to the Southeast of my property.

The dust creates a problem for growing crops, especially vegetables, and definitely is not good for our workers in the area.

Gonder road is badly in need of not only repairs, but repaving. It is full of potholes. The additional traffic will deteriorate the road further. We also feel the value of our farm ground would decrease if it is rezoned from General Agricultural to Heavy Agricultural.

We would appreciate you taking our concerns into consideration before you grant a zone change. I have received this notice to rezone, as I own property within 1/2 mile of Moiola Feedlot.

Thank you

Charles Smith

RECEIVED
MAY 01 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

To Whom It May Concern:

I own the property right next to Moiola Bros. Feedlot located on Gonder Road in Brawley, Calif. I am concerned about rezoning the field directly across to the south, as I would then have feedlot on two sides of my property. This could affect the value of my property in the future.

My irrigators and workers would have to deal with dust coming from the feedlot creating additional adverse conditions for them. As you know we have been trying to keep the dust down on the ditch banks as much as possible.

Over the years the traffic on Gonder Road has completely worn through the pavement leaving numerous potholes. Also, the manure piles tend to draw more flies to the area. I feel the rezoning of this property would degrade the quality of the environment. My husbands father purchased the land before the feedlot was in the area and we have tried to have compatable relations as farmer/cattlemen.

I am not in favor of rezoning and would appreciate you taking my issues into consideration before making a decision.

Charles Smith, Trustee for Pauline Smith Trust

RECEIVED
01 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Dear Ms. Minnick, Director,

These following objections relate to Zone Change #17-0006 & S17-0026 Marola Bros. Cattle Feeders.

This proposal has the ability to adversely lower the income on the landowner or growers agricultural fields. This proposal will limit crop selections and it will also affect any future owners options.

Since there is a buffer zone requirement in the food and safety act, this requirement this requirement should be enforced because the feed-yard expansion will affect many farmers in this area. The farmers will look elsewhere.

A feed-yard directly affects the environment such as: air, drainage, dust and traffic.

Please consider my objections to this change.

Thank you for your consideration.

Sharon Barnbee

RECEIVED
MAR 16 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

ORLANDO B. FOOTE
MERCEDES Z. WHEELER, A.P.C.

MARGARITA HAUGAARD
CHARLOTTE A. GRAHAM
SALLY T. NGUYEN

OF COUNSEL
JILIEN J. RUBIN
P. SCOTT MILLER, JR.

HORTON, KNOX, CARTER & FOOTE, LLP
ATTORNEYS AT LAW

195 SOUTH SECOND STREET
P.O. BOX 1439
BRAWLEY, CA 92227
TELEPHONE (760) 344-2360
TELECOPIER (760) 344-9778
www.hkcf-law.com

EL CENTRO OFFICE
1221 WEST STATE STREET
P.O. BOX 3307
EL CENTRO, CA 92243
TELEPHONE (760) 352-2821
TELECOPIER (760) 705-1333

SAN DIEGO OFFICE
1230 COLUMBIA STREET
SUITE 550
SAN DIEGO, CA 92101-3538
TELEPHONE (619) 595-0220
TELECOPIER (619) 595-0225

March 15, 2018

Via Email
DianaRobinson@co.imperial.ca.us

Diana Robinson, Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

RECEIVED
MAR 15 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

RE: WRITTEN REQUEST FOR NOTICE FOR ALL MATTERS RELATING TO:
APPLICANT: MOIOLA BROTHERS CATTLE FEEDERS
APNS: 041-090-004-000 AND 041-020-028-000
PROJECT #: ZONE CHANGE #17-0006; IS #17-0026; ASSESSMENT #17-0026; AND/OR CONDITIONAL USE PERMIT #17-0017

Dear Ms. Robinson,

Please be advised, this office represents Bruce Smith, one of the owners of the real property (farm ground and a residence) adjacent to the above-referenced proposed project.

BOTH THIS OFFICE AND BRUCE SMITH HEREBY REQUEST NOTICE OF any and all matters, including without limitation, all hearings, appeals, and notices, specifically including Notice of Intent to Prepare Negative Declaration or Mitigated Negative Declaration, Notice of Determination, Notice of Preparation of EIR, Notice of Availability of Draft EIR and Recirculation, and EIR Notice of Determination, regarding the Moiola Brothers Cattle Feeders proposed project identified as Zone Change #17-0006, IS #17-0026, Assessment #17-0026, and/or Conditional Use Permit #17-0017, Assessor's Parcel Numbers 041-020-028-000 and 041-090-004-000.

Please SEND THE NOTICES to:

The interested party (Bruce Smith) at the following address:

Bruce Smith
681 Marilyn Avenue
Brawley, CA 92227

The attorney for the interested party at the following address:

Charlotte A. Graham, Esq.
Horton, Knox, Carter & Foote, LLP
P.O. Box 1439
Brawley, CA 92227

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

I have enclosed an additional copy of this letter. I would appreciate it if you would please mark it as "received" along with the date, and returned the stamped and dated copy to me via email or facsimile. My email address is cgraham@hkcf-law.com and my fax number is (760) 344-9778.

Thank you for your kind and immediate attention to this matter. Please contact me at (760) 344-2360 if you have any questions.

Very truly yours,

HORTON, KNOX, CARTER & FOOTE, LLP

Charlotte A. Graham

CAG/jlw
Enclosure (1)
cc: Bruce Smith (via email)

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

ORLANDO S. FOOTE
MERCEDES Z. WHEELER, A.P.C.

MARGARITA HAUGAARD
CHARLOTTE A. GRAHAM
SALLY T. NGUYEN

OF COUNSEL
JULIEN J. RUBIN
P. SCOTT MILLER, JR.

HORTON, KNOX, CARTER & FOOTE, LLP
ATTORNEYS AT LAW

195 SOUTH SECOND STREET
P.O. BOX 1439
BRAWLEY, CA 92227
TELEPHONE (760) 344-2360
TELECOPIER (760) 344-9778
www.hkcf-law.com

EL CENTRO OFFICE
1221 WEST STATE STREET
P.O. BOX 3307
EL CENTRO, CA 92243
TELEPHONE (760) 352-2821
TELECOPIER (760) 705-1333

SAN DIEGO OFFICE
1230 COLUMBIA STREET
SUITE 550
SAN DIEGO, CA 92101-3536
TELEPHONE (619) 595-0220
TELECOPIER (619) 595-0225

March 15, 2018

Via Email
DianaRobinson@co.imperial.ca.us

Diana Robinson, Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

RE: WRITTEN REQUEST FOR NOTICE FOR ALL MATTERS RELATING TO:
APPLICANT: MOIOLA BROTHERS CATTLE FEEDERS
APNS: 041-090-004-000 AND 041-020-028-000
PROJECT #: ZONE CHANGE #17-0006; IS #17-0026; ASSESSMENT #17-0026; AND/OR CONDITIONAL USE PERMIT #17-0017

Dear Ms. Robinson,

Please be advised, this office represents Bruce Smith, one of the owners of the real property (farm ground and a residence) adjacent to the above-referenced proposed project.

BOTH THIS OFFICE AND BRUCE SMITH HEREBY REQUEST NOTICE OF any and all matters, including without limitation, all hearings, appeals, and notices, specifically including Notice of Intent to Prepare Negative Declaration or Mitigated Negative Declaration, Notice of Determination, Notice of Preparation of EIR, Notice of Availability of Draft EIR and Recirculation, and EIR Notice of Determination, regarding the Moiola Brothers Cattle Feeders proposed project identified as Zone Change #17-0006, IS #17-0026, Assessment #17-0026, and/or Conditional Use Permit #17-0017, Assessor's Parcel Numbers 041-020-028-000 and 041-090-004-000.

Please SEND THE NOTICES to:

The interested party (Bruce Smith) at the following address:

Bruce Smith
681 Marilyn Avenue
Brawley, CA 92227

The attorney for the interested party at the following address:

Charlotte A. Graham, Esq.
Horton, Knox, Carter & Foote, LLP
P.O. Box 1439
Brawley, CA 92227

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

I have enclosed an additional copy of this letter. I would appreciate it if you would please mark it as "received" along with the date, and returned the stamped and dated copy to me via email or facsimile. My email address is cgraham@hkcf-law.com and my fax number is (760) 344-9778.

Thank you for your kind and immediate attention to this matter. Please contact me at (760) 344-2360 if you have any questions.

Very truly yours,

HORTON, KNOX, CARTER & FOOTE, LLP

Charlotte A. Graham

CAG/jlw
Enclosure (1)
cc: Bruce Smith (via email)

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG



Magnolia Union Elementary
4502 Casey Road
Brawley, CA 92227
760-344-2494
brsmith@magnoliatigers.com

Imperial County Building/Planning Department
801 Main Street
El Centro, CA 92243

2-28-2018

To Whom It May Concern:

The purpose of this letter is to inform the Imperial County Planning Department that the Magnolia Union Elementary School District does not object to the current proposed Moiola Feed Lot requested zone change. If you require further information, please contact me at the Magnolia Union Elementary District Office.

Sincerely,
Blaine R. Smith
Supt/Principal

RECEIVED
MAR 05 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Dear Ms. Minnick, Director,

These following objections relate to Zone Change #17-0006 & 17-0026 Morola Bros. Cattle Feeders.

This proposal has the ability to adversely lower the income on the landowner or growers agricultural fields. This proposal will limit crop selections and it will also affect any future owners options.

Since there is a buffer zone requirement in the food and safety act, this requirement this requirement should be enforced because the feed-yard expansion will affect many farmers in this area. The farmers will look elsewhere.

A feed-yard directly affects the environment such as: air, drainage dust and traffic.

Please consider my objections to this change

Thank you for your consideration.

Sharon Barnhart

RECEIVED
MAR 01 2010
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Ronald M Smith and Karen D Smith
1196 Chalupnik Road
Brawley, California 92227

RECEIVED
MAY 09 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

May 8, 2018

Planning & Development Services Dept., County of Imperial
940 Main Street
El Centro, California 92243

RE: Moiola Bros. Cattle Feeders
ZC #17-0006/CUP #17-0017
AP #041-090-004 & 041-020-028

Staff Contact: Diana Robinson, Planner II

As a property owner of adjacent farm ground near the proposed project referenced above, we are concerned with the negative impact this will impose on our crops and the already deteriorated condition of Gonder Road from heavy traffic.

We currently experience the impact of dust drift from the existing feedlot that covers our crops and damages production. The proposed project will only add to the current problems. Also, Gonder Road shows major damage from traffic and this will increase with the added expected traffic of heavy trucks moving cattle and feed. The current travel on Gonder Road is less then desirable.

At this time, we are opposed to any added expansion of the existing feedlot that will negatively impact our crops.

Sincerely,

Ron Smith
Ron Smith

Karen Smith
Karen Smith

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

May 9, 2018

RECEIVED
MAY 09 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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

Re: ***Appeal #18-0001 of the EEC's Determination of a Negative Declaration for Initial Study #17-0026 with regards to Zone Change #17-0006 (#17-0026: Applicant: Moiola Brothers Cattle Feeders APNS: 041-090-004-000 and 041-020-028-000)***
Hearing Date and Time: 5/9/2018 at 9:00 a.m.

Dear Mr. Minnick,

As you are aware, my family and I own the farm ground (Oxalis Canal, Gate 23) and the residence (1593 East Gonder Road), located directly south of Parcel A (the north parcel, APN: 041-020-028-000) and directly west of Parcel B (the south parcel, APN: 041-090-004-000) of the Applicant Moiola Brothers Cattle Feeders' proposed project identified as "Zone Change #17-0006" to be located at 1594 Gonder Road, Brawley, California (APNs: 041-090-004-000 and 041-020-028-000) (the "Project"). This letter is in response to the Imperial County Planning & Development Services Department's Staff Report dated May 9, 2018 regarding Appeal #18-0001 of the EEC's determination of a Negative Declaration for Initial Study #17-0026 for Zone Change #17-0006 (the "County Response").

THE EEC'S FINDINGS AS TO ENVIRONMENTAL IMPACTS OF THE APPLICANT'S PROJECT ARE INCORRECT

1. AESTHETICS

According to the County Response, the Applicant's original application package consisted of two zone change applications and two conditional use permit applications, but at some point the Applicant withdrew one conditional use permit application and thereafter withdrew the second conditional use permit application. The County Response alleges that the environmental document was revised accordingly; however, the Initial Study contains conflicting information regarding where the expanded feedlot will be located (in some instances providing the cattle will be located on both parcels, on only the Parcel A (the north parcel), on Parcel A and the south 40 acres of Parcel B (the south parcel), and/or on Parcel B) and the purpose of the Applicant's project (in some instances describing an expansion of the feed lot and in other areas referencing a composting project). Moreover, the Site Plan included with the Initial Study indicates the Applicant would like to add 36,000 more cattle, when throughout the Initial Study it is stated the purpose of the project is so the Applicant can add 18,000 more cattle to its operation.

California Public Resources Code section 21000 et seq. indicates that where an agency fails to provide an accurate project description, or fails to gather information and undertake an adequate environmental analysis in its initial study to determine whether an environmental impact report is necessary, a negative declaration is inappropriate. This is because an accurate and complete project description is necessary to fully evaluate the project's potential environmental effects.

In this case, the Initial Study completely fails to provide either a description of the project or its location. According to the Initial Study, the Applicant desires to rezone Parcel A and Parcel

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

B from A-2-R to A-3. However, as stated above, there is much conflicting information as to the purpose of the rezoning. Is it to expand the size of the feedlot? By how many cattle? Which parcel will the cattle be located? The County's Response indicates that the Initial Study has been revised to remove the references to the composting project, and that there was mistake in the Site Plan (the Applicant would only like to add 18,000 more cattle, not 36,000). *However, none of these corrections were made to the Initial Study or the Site Plan as of the EEC Hearing on February 15, 2018.*

2. AGRICULTURE AND FOREST RESOURCES

The County Response indicates that according to communication with the Applicant, the Applicant intends to continue using Parcel A (the north parcel) for agricultural purposes, and plans to place cattle pens on Parcel B (the south parcel). Again, this was not made clear in the Initial Study at the time of the EEC Hearing. If the Applicant intends to continue using Parcel A (the north parcel) for agricultural purposes, which is a permissible use in areas zoned A-2-R (see Imperial County Title 9 Division 5 "Zoning", section 90508.01, subsection e)), then what is the purpose of re-zoning said Parcel A?

California Public Resources Code section 21065 defines a project under CEQA as "an activity which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment, and…that involves the issuance to a person of a lease, permit, license, certificate or other entitlement for use by one or more public agencies." CEQA Guidelines, section 15378, subdivision (a) adds that a "project" means "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora, 155 Cal. App. 4th1214, 1222, 66 Cal. Rptr. 3d 645 (2007). Thus, CEQA forbids piecemeal review of significant environmental impacts of a project. "Agencies cannot allow "environmental consideration [to] become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences" (Banning Ranch Conservancy v. City of Newport Beach, 211 Cal. App. 4th 1209, 1222, 150 Cal. Rptr. 3d 591 (2012) citing Bozung v. Local Agency Formation Com., 13 Cal. 3d 263, 283-284, 118 Cal. Rptr. 249 (1975). Improper piecemealing may occur when the purpose of the reviewed project is to be the first step toward future development (Banning, 211 Cal. App. 4th at 1223, 150 Cal. Rptr. 3d 591).

In this case, the Applicant seeks a zone change for Parcel A (the north parcel), but has allegedly informed the County it intends to continue using Parcel A for agricultural purposes, a use allowed under its current zoning. The current Initial Study, and the Negative Declaration recommended by the EEC based on such Initial Study, only analyzed the environmental effects of the addition of 18,000 additional head of cattle. However, if Parcel A is rezoned A-3 as part of the Applicant's current project, the Applicant would be able to add at least 40,000 additional head of cattle on Parcel A. CEQA requires an analysis of the environmental effects of the entire project, including reasonably foreseeable future projects and expansion of an initial project (Laurel Heights Improvement Assn. v. Regents of University of California, 47 Cal. 3d 376, 396, 253 Cal. Rptr. 426 (1988)). In this case, it is reasonably foreseeable that the Applicant will expand its current feedlot, including the addition of at 40,000 or more cattle, on Parcel A (the north parcel). Therefore, the environmental effects of the total amount of cattle the Applicant could add to both Parcel A and Parcel B should be considered, and an Environmental Impact Report recommended for further analysis of such environmental effects.

The Applicant's Response includes a Current Leafy Greens Products Handler Marketing Agreement Metrics which ***PROPOSES, not allows*** (as the Applicant states in its response) a

PC ORIGINAL PKG
PC ORIGINAL PKG ORIGINAL EEC PKG

distance of 400 feet from the edge of a crop to either composting operations or concentrated animal feeding operations. The Applicant also fails to acknowledge that, according to the matrix, this distance should be increased where either the composting or feeding operation is uphill from growing crop (there is a general slope towards the west in the area in which the Applicant's feedlot is located). Additionally, as the Applicant also fails to acknowledge, the matrix indicates a 400-foot distance is ***recommended*** because of the lack of science available at the time the matrix was prepared. Moreover, the Applicant fails to provide the year in which the matrix was proposed. As indicated in my appeal letter, some agricultural processors and distributors require a zone of separation (buffer zone) of a half mile, a mile, or more, between crops and an animal feeding operation or a composting operation. The letter submitted by Craig and Jerry Moiola to the Planning Department on February 15, 2018 and attached hereto as **Attachment 1** indicates that some large companies require a one-mile ***minimum*** buffer zone between the feedlot and vegetable crops.

3. AIR QUALITY, NOISE, AND TRANSPORTATION/TRAFFIC

In addition to the above arguments, the Applicant argues that only 14 cars go in and out of the site for daily operations. However, this figure is completely inaccurate. On May 7, 2018, beginning at 5:36 a.m. and continuing to 6:36 p.m., I videoed approximately 106 trucks and 32 vehicles entering and exiting the Applicant's feedlot. Attached hereto as **Attachment 2** are stills from the video showing the 138 vehicles entering and exiting the Applicant's feedlot. This is 102 **MORE** trucks than the Applicant claimed enter and exit its feedlot in the Applicant's Response Letter dated April 25, 2018. Attached as **Attachment 3** is a chart showing approximately 219 vehicles enter and exit the Applicant's feedlot per day. An increase in 18,000 additional head of cattle will result in an increase in traffic on a road which is poorly maintained and never anticipated for such heavy and frequent use. I estimate that the traffic will be increased to approximately 325 trucks and automobiles if the Applicant adds an additional 18,000 cattle to its current operation. Attached hereto as **Attachment 4** is a chart showing the estimated traffic increase if the Applicant increases its operation by 18,000 cattle. Trucks are, and will continue to, constantly enter and exit the feedlot, delivering and removing cattle, feed, and waste, all of which will result in increased diesel exhaust and VOC emissions. Some of these vehicles will enter and exit multiple times in one day while in the process of weighing in, going to the off-load location, returning to the scale to weigh again, and then finally to leave the site. Clearly, by doubling (or more) the amount of cattle and nearly tripling the area of the feedlot, there will be a significant increase in traffic on Gonder Road. There will also be a significant increase in the noise and vibration levels for anyone in the area.

The increase in traffic, especially by large cattle trucks, will result in increased diesel exhaust and volatile organic compound (VOC) emissions related to said trucks and machinery, which will cause significant impacts to the air quality. Moreover, the increase to the amount of cattle will significantly increase the haze, dust, nightly green fog (PM 10), odor, flies, and insects in the area. The Valley is a non-attainment area. There are three air quality monitors near the Applicant's site, the closest one located at Green Road and Silliman Road, approximately 4.5 miles northeast of the project site. All three reports indicate PM10 levels ***above*** the CARB standards.

4. HYDROLOGY AND WATER QUALITY; UTILITIES AND SERVICES SYSTEMS

The general slope of the land where the Applicant's Project is located is to the west, towards the Alamo River. The canals in this area lie east-west, and the water also flows to the west towards the Alamo River. The Applicant's Project lies just East of State Highway 115 and an abandoned Rail Road bed, both of which are elevated in relation to the surrounding land. When there is a storm, all water runs through the siphons under the Rail Road bed and Highway 115,

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

creating a restriction because the amount of water coupled with debris and other obstructions is too much for the siphons to handle. This causes a lake like condition and uncontrolled flooding to the east of the Rail Road bed and Highway 115, which could potentially result in flooding where the Applicant's expanded feedlot may be located. If the water breaches feedlot, the water will be contaminated and spread to neighboring fields, residences, and the environment. Although the Applicant states in its response that the berm surrounding the feedlot has never overflowed, it is reasonably foreseeable that such a flooding event could occur causing a significant impact on the environment.

5. POPULATION AND HOUSING

The Applicant's Project could displace a family by further degrading the local environment. Property values in the areas surrounding the project will be significantly decreased. For me personally, my family's residence and farm ground will be almost surrounded by a huge cattle feedlot and composing operation. My use and enjoyment of the property will be significantly diminished. The value of the farm ground will be decreased, as will any rents I may receive on said property due to the restrictions to farming practices that will be required as a result of the proximity to the expanded farming operation. The County is effectively taking my property if they permit the applicant's zone change application.

Although the County's Response and the Applicant's Response both state that the Applicant is willing to place a hay buffer between my family's residence and Parcel B (the south parcel, where the Applicant allegedly intends to build cattle pens for 18,000 additional cattle), said hay buffer will not increase the value of my property. Moreover, the hay buffer will do very little to decrease the noise, odors, lights, and other disturbances from proposed addition to the feedlot.

6. PUBLIC SERVICES

My family has owned the above-referenced property since 1924, over 93 years. The residence was built in approximately 1937, *30 years before* the Applicant's current feedlot was built. In 1968, when the feedlot was first built, the cattle pens only occupied 30 acres directly north of my family's property. Since that time, the feedlot and its environmental impacts have continued to grow exponentially (as further detailed below in this response). In 1972, the cattle pens covered approximately 48 acres; in 1976, the cattle pens covered approximately 48 acres; and in 1992, the cattle pens covered approximately 58 acres, almost DOUBLE the feedlot's original size and capacity.

The feedlot remained at 58 acres until 2006, when the feedlot size was expanded to 66 acres (the limit of its A-3 zoning), and the feedlot owners began composting without the proper permit or zoning. Thereafter, later in 2006, the feedlot owners applied for a zone change to re-zone 37.27 acres from A-2-R (General Agriculture/Rural) to A-3 (Heavy Agriculture) and for a conditional use permit for a composting operation. Both the zone change and conditional use permit were for APN 141-020-018-000, which is the parcel east of Parcel A of the Applicant's current project. The Board of Supervisors approved both the 2006 zone change and conditional use permit in connection with a minor subdivision. Parcel 1 (approximately 98.54 acres) was to retain its A-2 zoning, and approximately 37.27 acres of Parcel 2 (total 49.49 acres) was to be rezoned A-3, and the north 231 feet and 876 feet along Griffin Road and the south 350 feet and 563 feet along Gonder Road of Parcel 2 was to retain its original A-2 zoning. The 2006 Zone Map #35 which was included in the 2006 EEC Original Package materials showed a A-2-R zoned setback to the north of the A-3 zoned feedlot location. A copy of the 2006 Zone Map #35 showing the A-3 zoned feedlot included an A-2-R zoned setback (which is highlighted in yellow) is attached hereto as **Attachment 5**.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Unfortunately, according to Zone Map #35 available on the Imperial County Planning and Development Services Department website as of May 7, 2018, the A-2-R zoned setback north of the Applicant's existing feedlot (APN: 041-020-029-000) has been eliminated as has the A-2-R zoned mill located south of the Applicant's existing composting operation (APN: 041-020-018-000), and both are zoned A-3 on said Zone Map #35. A copy of Zone Map #35 printed from the website on May 7, 2018 showing the A-3 designation of the setback and mill highlighted in yellow is attached as **Attachment 6.**

According to the County Response, as of March 21, 2018, Zone Map #35 has been revised to reflect the 2006 zone change, and a copy of said revised Zone Map #35 was attached to the County Response as Attachment G. This revised Zone Map #35 does not match the Zone Map #35 available on the website. More importantly, this revised Zone Map is also incorrect as a A-2-R zoned setback north of the Applicant's existing feedlot (APN: 041-020-029-000) has been eliminated (and now rezoned A-3) as has the A-2-R zoned mill located south of the Applicant's existing composting operation (APN: 041-020-018-000) (and now rezoned A-3). A copy of said revised Zone Map #35 showing the A-3 designation of a portion of the setback and the entire mill is attached hereto as **Attachment 7**. A Zone Map drawn according to the zoning information provided by the 2006 Zone Map #35 and the zone change proposed to the public in the hearings for Zone Change #06-0003 is attached as **Attachment 8**.

In 2006, the Applicant built cattle pens to the north of its existing feedlot covering approximately 6.6 acres (or 63,022 approximately square feet of shade) (see the map attached hereto as **Attachment 9**). Section 91002.07 of Imperial County's Title 9 Division 10 "Building" ordinances states it is unlawful for any person, firm, or corporation to erect or construct a building without first obtaining a permit to do such work from the Building Official. The County argues in its Response that the Imperial County's Title 9 Division 10 "Building" ordinance was adopted on November 24, 1998 and that Section 91002.22 indicates that "Provisions of this Division are not applicable to livestock feed pens, or livestock sun shades less than 2,000 square feet (aggregate), meaning that there were no building permit requirements for cattle pens at the time that the feedlot was first built in 1968." However, although the feedlot was first built in 1968, the cattle pens in question here were built in 2006, eight years after the adoption of Imperial County's Title 9 Division 10 "Building" ordinance, and these cattle pens contained 63,022 square feet of shade, well over the 2,000 square feet exemption of Section 91002.22, and therefore, said cattle pens required a building permit. According to the County Response, there have been no permit applications accepted or approved on this parcel, meaning these cattle pens were built by the Applicant without the proper permits.

Following the 2006 zone change, a set back was created to the north of Parcel 2 which was to maintain is A-2 zoning. In 2007, the Applicant built cattle pens to the north of its feedlot in the set back area zoned A-2, covering approximately 6.7 acres (or approximately 72,900 square feet of shade) (see the map attached hereto as **Attachment 10**). According to Section 90508.01, subsection c. of Imperial County's Title 9 Division 5 "Zoning" ordinances, livestock feed lots are strictly prohibited unless approved by a conditional use permit in areas zoned A-2 General Agriculture) and A-2-R (General Agriculture/Rural). Likewise, Section 90508.02, subsection rr., livestock feedyards to include onsite composting are only permitted in areas zoned A-2 if a conditional use permit is first obtained. In this case, the Applicant did not seek nor obtain a conditional use permit to allow it to build livestock feed lots in an area zoned A-2. Moreover, the Applicant did not seek nor obtain a building permit as required by Section 91002.07. The County in its Response that Title 9 Division 5 "Zoning" ordinances were also adopted on November 24, 1998, so there were no setback requirements imposed on the feedlot prior to that date. Again, the

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

County ignores the fact that these cattle pens were added in 2007, nine years after Title 9 Division 5 was adopted, and one year after the parcel was zoned A-3, thereby requiring a 300-foot set back.

The conditional use permit granted to the Applicant (or its successor) in 2006 authorized the permittee (the Applicant) to operate the site only as described under the conditions set forth in the Agreement for Conditional Use Permit CUP 06-0019 (APN: 041-020-018-001) (the "Agreement"), specifically, the "permit authorizes the Permittee to construct and operate a composting facility using cattle manure…". The Agreement further indicates that "[t]he issuance of this permit does not authorize the Permittee to construct or operate this project…beyond the specified boundaries of the project as shown [on] the application/project description/permit, nor shall this permit allow any accessory or ancillary use not specified herein." In this case, the CUP permitted the Applicant to construct and operate a composting facility. However, in 2008, the Applicant built cattle pens to the west of the existing feedlot, covering approximately 9.3 acres (or approximately 95,100 square feet of shade) (see the map attached hereto as **Attachment 11**). The CUP and Agreement clearly limited the use of the area to composting, not cattle pens. Moreover, as the cattle pens were built well after the adoption of Title Division 10 "Building" ordinances and covered well more than 2,000 square feet of share, building permits were required for these cattle pens. However, no building permit was accepted or approved for these cattle pens.

Although the Applicant's Response includes an attachment from the Imperial County Planning & Development Services indicating that a CUP inspection was performed and the property was in compliance with rules and regulations under CUP #06-0019, I do not see how this is possible given the very strict use conditions of Agreement. CUP #06-0019 and the Agreement only allow the property to be used for a composting facility; no other use is permitted. However, the Applicant has built cattle pens on that portion of the property in complete contravention of the CUP and Agreement. As detailed above, the Applicant has demonstrated its failure to comply with current rules, ordinances, and restrictions on its feedlot and composting operation. The responses in the Initial Study should be based on current data and evidence, not on assumptions that the Applicant will comply with all applicable codes and regulations.

ACTION REQUESTED

I respectfully request the Planning Commission approve Appeal #18-0001 and find that the EEC's February 15, 2018 determination of a Negative Declaration for Initial Study #17-00026 is not appropriate and that an Environmental Impact Report (EIR) must be prepared.

Sincerely,



Bruce Smith

681 Marilyn Avenue
Brawley, CA 92227
(760) 344-6655
Smi6655@yahoo.com

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG

Planning and Development Service,

The reasons why I have issues with the expansion of this feedlot to create more capacity are:

1. Our property, which we farm, is a half a mile to the south of the proposed feedlot. It will greatly reduce our ability to grow vegetable crops in the future.There is a buffer zone requirement in the food and safety act and green leafy vegetable production rules. Some large companies require a 1 mile minimum distance from a feedlot and possibly even further in the future to grow vegetable crops. The expansion of the feedlot will affect multiple farmers ability to grow produce now and in the future due to these rules.
2. If this passes, our land values to grow vegetable crops will reduce my total land values substantially, including how much my land would be worth for resale. Property which is able to be used to grow produce costs more to buy and to rent than land which does not have the same capabilities.
3. The dust in the summertime from the feedlot has become excessive. Sprinklers to control the dust already don't seem to be working. How is this expansion of the feedlot going to be any better? It will just exasperate the problem.
4. The amount of traffic on 115 north and south as it intersects at the turn onto Gonder Rd. from cattle trucks, feed trucks, commercial commodity trucks and other vehicles going to and from the feedlot, would greatly increase the traffic and possibility of near accidents often since the vehicles going to and from the feedlot would double with the expansion. If Gonder road were to be closed to isolate the feedlot traffic, and alternative roads were to be put in place, Keystone is the next road to the South and is more than 2 miles away. This would create an inconvenience and additional hazard for people in the area doing business.
5. The amount of flies due to the existing feedlot is extremely bad in the summer months, which would be exacerbated by the huge proposed expansion of the feedlot.
6. The birds are attracted to the feedlot. At germination time, birds are a detrimental factor to the growth of newly planted seed. The current need of constant deterrents of birds to control their feeding is managed by several methods: propane sonic boomers, moving flags, and/or shotgun monitoring by a qualified person. Propane sonic boomers and shooting can disrupt the cattle and affects their ability to gain weight, therefore these methods are asked not to be used in close proximity to the feedlot. Allowing this expansion, would not only increase the amount of birds, it will also move the cattle closer to farmland which needs to use these methods to control birds from affecting the crop.
7. We are against any further development of the existing feedlot at this time or any time. There are other feedlots in the area that are for sale. The owners should consider purchasing one of the feedlots that are for sale already so as to not compromise the farming of nearby farms of others.

Sincerely,

Craig and Jerry Moiola

RECEIVED
FEB 15 2018
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
ATTACHMENT 1
PC ORIGINAL PKG
ORIGINAL EEC PKG


SUNP0015.JPG


SUNP0020.JPG


SUNP0026.JPG


SUNP0029.JPG


SUNP0032.JPG


SUNP0035.JPG


SUNP0042.JPG


SUNP0044.JPG


SUNP0048.JPG


SUNP0050.JPG


SUNP0056.JPG


SUNP0065.JPG


SUNP0072.JPG


SUNP0074.JPG


SUNP0077.JPG


SUNP0081.JPG


SUNP0082.JPG


SUNP0089.JPG


SUNP0090.JPG


SUNP0092.JPG


SUNP0097.JPG


SUNP0098.JPG


SUNP0104.JPG


SUNP0107.JPG


SUNP0111.JPG


SUNP0118.JPG


SUNP0119.JPG


SUNP0123.JPG


SUNP0128.JPG


SUNP0132.JPG


SUNP0134.JPG


SUNP0137.JPG


SUNP0140.JPG


SUNP0144.JPG


SUNP0149.JPG

PC ORIGINAL PKG

PC ORIGINAL PKG

ATTACHMENT 2

ORIGINAL EEC PKG


SUNP0329.JPG


SUNP0332.JPG


SUNP0334.JPG


SUNP0347.JPG


SUNP0353.JPG


SUNP0357.JPG


SUNP0359.JPG


SUNP0371.JPG


SUNP0377.JPG


SUNP0381.JPG


SUNP0383.JPG


SUNP0387.JPG


SUNP0392.JPG


SUNP0395.JPG


SUNP0399.JPG


SUNP0407.JPG


SUNP0410.JPG


SUNP0413.JPG


SUNP0415.JPG


SUNP0417.JPG


SUNP0419.JPG


SUNP0425.JPG


SUNP0428.JPG


SUNP0434.JPG


SUNP0437.JPG


SUNP0440.JPG


SUNP0443.JPG


SUNP0446.JPG


SUNP0452.JPG


SUNP0458.JPG


SUNP0461.JPG


SUNP0464.JPG


SUNP0468.JPG


SUNP0473.JPG


SUNP0482.JPG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG


SUNP0487.JPG


SUNP0488.JPG


SUNP0489.JPG


SUNP0493.JPG


SUNP0494.JPG


SUNP0501.JPG


SUNP0508.JPG


SUNP0515.JPG


SUNP0521.JPG


SUNP0524.JPG


SUNP0536.JPG


SUNP0539.JPG


SUNP0542.JPG


SUNP0551.JPG


SUNP0561.JPG


SUNP0585.JPG


SUNP0588.JPG


SUNP0602.JPG


SUNP0604.JPG


SUNP0614.JPG


SUNP0617.JPG


SUNP0623.JPG


SUNP0627.JPG


SUNP0629.JPG


SUNP0632.JPG


SUNP0640.JPG


SUNP0651.JPG


SUNP0652.JPG


SUNP0653.JPG


SUNP0655.JPG


SUNP0665.JPG


SUNP0668.JPG


SUNP0690.JPG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG


SUNP0152.JPG


SUNP0159.JPG


SUNP0161.JPG


SUNP0164.JPG


SUNP0168.JPG


SUNP0171.JPG


SUNP0177.JPG


SUNP0179.JPG


SUNP0182.JPG


SUNP0186.JPG


SUNP0188.JPG


SUNP0198.JPG


SUNP0206.JPG


SUNP0209.JPG


SUNP0220.JPG


SUNP0221.JPG


SUNP0224.JPG


SUNP0230.JPG


SUNP0244.JPG


SUNP0246.JPG


SUNP0251.JPG


SUNP0254.JPG


SUNP0258.JPG


SUNP0264.JPG


SUNP0271.JPG


SUNP0277.JPG


SUNP0284.JPG


SUNP0288.JPG


SUNP0291.JPG


SUNP0296.JPG


SUNP0302.JPG


SUNP0305.JPG


SUNP0315.JPG


SUNP0320.JPG


SUNP0326.JPG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

PC ORIGINAL PKG

ATTACHMENT 3

ORIGINAL EEC PKG

ESTIMATED TRAFFIC OF CURRENT FEEDLOT OPERATIONS USING APPLICANTS CATTLE NUMBERS

CATTLE	DAILY		WEIGHT	TIMES	EQUALS	DIV/2000	EQUALS	DIV/25	EQUALS	DIV/365	EQUALS
	INGRESS	EGRESS	LBS	HEAD	LBS	LBS	TONS	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
FEEDERS	0.33	0.33	300	20,000	6,000,000	2,000	3,000	25	120	365	0.33
FAT CATTLE	1.42	1.42	1300	20,000	26,000,000	2,000	13,000	25	520	365	1.42
FEED PRODUCTS	6.58	6.58	6 1000	20,000	120,000,000	2,000	60,000	25	2400	365	6.58

50 % OF FEED TRANSPORTED TO SATELLITE YARD IN FEED TRUCK	DAILY		WEIGHT		TIMES	EQUALS	DIV/2000	EQUALS	TIMES	DIV/13	EQUALS	DIV/365	EQUALS
	INGRESS	EGRESS	LBS	X GAIN	HEAD	LBS	LBS	TONS	50%	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
	6.32	6.32	6	1000	20,000	120,000,000	2,000	60,000	30,000	13	2,308	365	6.32

HAY RETRIEVED FROM OUTSIDE MAIN YARD	DAILY		WEIGHT		TIMES	EQUALS	DIV/2000	EQUALS	DIV/5	EQUALS	DIV/365	EQUALS
	INGRESS	EGRESS	LBS	X GAIN	HEAD	LBS	LBS	TONS	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
	8.22	8.22	1.5	1000	20,000	30,000,000	2,000	15,000	5	3,000	365	8.22

WASTE	DAILY		WEIGHT		TIMES	EQUALS	DIV/2000	EQUALS	TIMES	DIV/25	EQUALS	DIV/365	EQUALS
50% OF MANURE TRANSPORTED FROM SATELLITE YARD TO COMPOST YARD	INGRESS	EGRESS	LBS	X DAYS	HEAD	LBS	LBS	TONS	50%	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
	9.60	9.60	48	365	20,000	350,400,000	2,000	175,200	87,600	25	3,504	365	9.60
COMPOST= 50% OF MANURE	9.60	9.60	48	365	20,000	350,400,000	2,000	175,200	87,600	25	3,504	365	9.60

MISC		
UPS	1	1
USPS	1	

PERSONS		
EMPLOYEES TO/FROM WORK	14	14
SUPERVISORS	12	12
40% EMPLOYEES & EQUIPMENT TO/FROM SATELLITE YARD (2 BREAKS,1 LUNCH, 1 RESTROOM, ECT.)	40	40
DAILY TOTALS	110	109
TOTAL DAILY INGRESS/EGRESS	**219**	

THESE ESTIMATES WERE GENERATED USING A CONSERVATIVE NUMBER OF 6LBS FOR FEED TO GAIN RATIOS AND MANURE GENERATION OF 48LBS DAILY ON AVERAGE WITH A 85% MANURE RECOVERY RATE. ALL FEED MUST BE DELIVERED TO THE FEED MILL. FEED, MEN AND EQUIPMENT FOR SATELLITE YARDS MUST THEN BE TRANSPORTED FROM MAIN YARD TO SATELLITE YARD. HAY DELIVERED AND THEN STORED OUTSIDE MAIN YARD, MUST BE PICKED UP BY A HAY RETRIEVER AND THEN DELIVERED TO FEED MILL AS NEEDED 5 TON AT A TIME. THERE ARE MANY MORE VEHICLES AND EQUIPMENT NOT LISTED ENTERING AND EXITING THE FEEDLOT ON A DAILY BASIS, INCLUDING: CARCASS PICKUP, FUEL DELIVERY, SERVICE PEOPLE, PARTS AND SUPPLY DELIVERY, EQUIPMENT DELIVERY, CATTLE OWNERS, COMMODITY DEALERS, ECT. I USED A CAMERA TO COUNT VEHICLES ON 5/7/2018. THE MOTION SENSOR WAS NOT SENSITIVE ENOUGH, AS IT MISSED A LOT OF VEHICLES, ESPECIALLY SMALL ONES. SOMETIMES SHOWING THE LAST PART OF A TRUCK OR CLOUD OF DUST. CAMERA STARTED AT 5:30 AM AND CAUGHT 106 TRUCKS, AND 32 SMALLER VEHICLES FOR A TOTAL OF 138.

PC ORIGINAL PKG

PC ORIGINAL PKG

ATTACHMENT 4

ESTIMATED TRAFFIC OF FUTURE FEEDLOT OPERATIONS USING APPLICANTS CATTLE NUMBERS

CATTLE	DAILY		WEIGHT	TIMES	EQUALS	DIV/2000	EQUALS	DIV/25	EQUALS	DIV/365	EQUALS
	INGRESS	EGRESS	LBS	HEAD	LBS	LBS	TONS	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
FEEDERS	0.62	0.62	300	38,000	11,400,000	2,000	5,700	25	228	365	0.62
FAT CATTLE	2.71	2.71	1300	38,000	49,400,000	2,000	24,700	25	988	365	2.71
FEED PRODUCTS	12.49	12.49	6 1000	38,000	228,000,000	2,000	114,000	25	4560	365	12.49

50 % OF FEED TRANSPORTED TO SATELLITE YARD IN FEED TRUCK	DAILY		WEIGHT		TIMES	EQUALS	DIV/2000	EQUALS	TIMES	DIV/13	EQUALS	DIV/365	EQUALS
	INGRESS	EGRESS	LBS	X GAIN	HEAD	LBS	LBS	TONS	50%	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
	12.01	12.01	6	1000	38,000	228,000,000	2,000	114,000	57,000	13	4,385	365	12.01

HAY RETRIEVED FROM OUTSIDE MAIN YARD	DAILY		WEIGHT		TIMES	EQUALS	DIV/2000	EQUALS	DIV/5	EQUALS	DIV/365	EQUALS
	INGRESS	EGRESS	LBS	X GAIN	HEAD	LBS	LBS	TONS	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
	15.62	15.62	1.5	1000	38,000	57,000,000	2,000	28,500	5	5,700	365	15.62

WASTE	DAILY		WEIGHT		TIMES	EQUALS	DIV/2000	EQUALS	TIMES	DIV/25	EQUALS	DIV/365	EQUALS
50% OF MANURE TRANSPORTED FROM SATELLITE YARD TO COMPOST YARD	INGRESS	EGRESS	LBS	X DAYS	HEAD	LBS	LBS	TONS	50%	TONS	TRUCKS/YR	DAYS	TRUCKS/DAY
	18.24	18.24	48	365	38,000	665,760,000	2,000	332,880	166,440	25	6,658	365	18.24
COMPOST= 50% OF MANURE	18.24	18.24	48	365	38,000	665,760,000	2,000	332,880	166,440	25	6,658	365	18.24

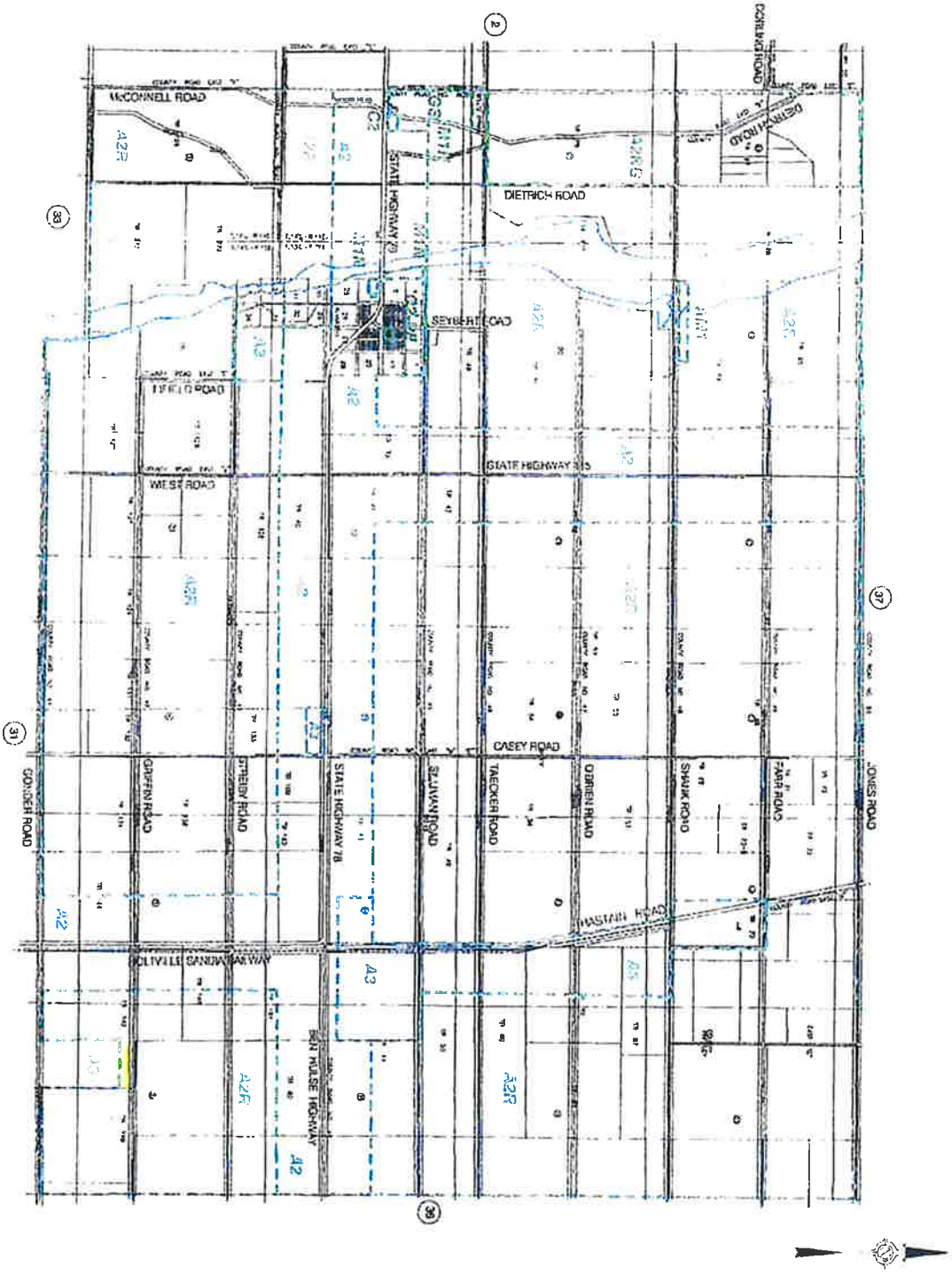
MISC		
UPS	1	1
USPS	1	

PERSONS		
EMPLOYEES TO/FROM WORK	19	19
SUPERVISORS	15	15
40% EMPLOYEES & EQUIPMENT TO/FROM SATELLITE YARD (2 BREAKS,1 LUNCH, 1 RESTROOM, ECT.)	47	47
DAILY TOTALS	163	162
TOTAL DAILY INGRESS/EGRESS	325	

THESE ESTIMATES WERE GENERATED USING A CONSERVATIVE NUMBER OF 6LBS FOR FEED TO GAIN RATIOS AND MANURE GENERATION OF 48LBS DAILY ON AVERAGE WITH A 85% MANURE RECOVERY RATE. ALL FEED MUST BE DELIVERED TO THE FEED MILL. FEED, MEN AND EQUIPMENT FOR SATELLITE YARDS MUST THEN BE TRANSPORTED FROM MAIN YARD TO SATELLITE YARD. HAY DELIVERED AND THEN STORED OUTSIDE MAIN YARD, MUST BE PICKED UP BY A HAY RETRIEVER AND THEN DELIVERED TO FEED MILL AS NEEDED 5 TON AT A TIME. THERE ARE MANY MORE VEHICLES AND EQUIPMENT NOT LISTED ENTERING AND EXITING THE FEEDLOT ON A DAILY BASIS, INCLUDING: CARCASS PICKUP, FUEL DELIVERY, SERVICE PEOPLE, PARTS AND SUPPLY DELIVERY, EQUIPMENT DELIVERY, CATTLE OWNERS, COMMODITY DEALERS, ECT. I USED A CAMERA TO COUNT VEHICLES ON 5/7/2018. THE MOTION SENSOR WAS NOT SENSITIVE ENOUGH, AS IT MISSED A LOT OF VEHICLES, ESPECIALLY SMALL ONES. SOMETIMES SHOWING THE LAST PART OF A TRUCK PASS OR CLOUD OF DUST. CAMERA STARTED AT 5:30 AM AND CAUGHT 106 TRUCKS, AND 32 SMALLER VEHICLES FOR A TOTAL OF 138.

P-1 VER 6

ORIGINAL EEC PKG



NOTE: Efforts have been made to insure zoning accuracy; however, this map may be revised at any time. Therefore this map is generally accurate, for zoning information only! Neither the County of Imperial nor the Planning/Building Department are responsible for erroneous information or improper use of this map.
Adopted by M. O. # 18 (b) on June 9, 1998 effective July 1, 1998.

Director

ALAMORIO AREA

Title 9 Division 25 Section 92335.00

MAP 35

Revision Dates:
Sept. 30, 2003 - Map Corrected

Imperial County Planning/Building Department

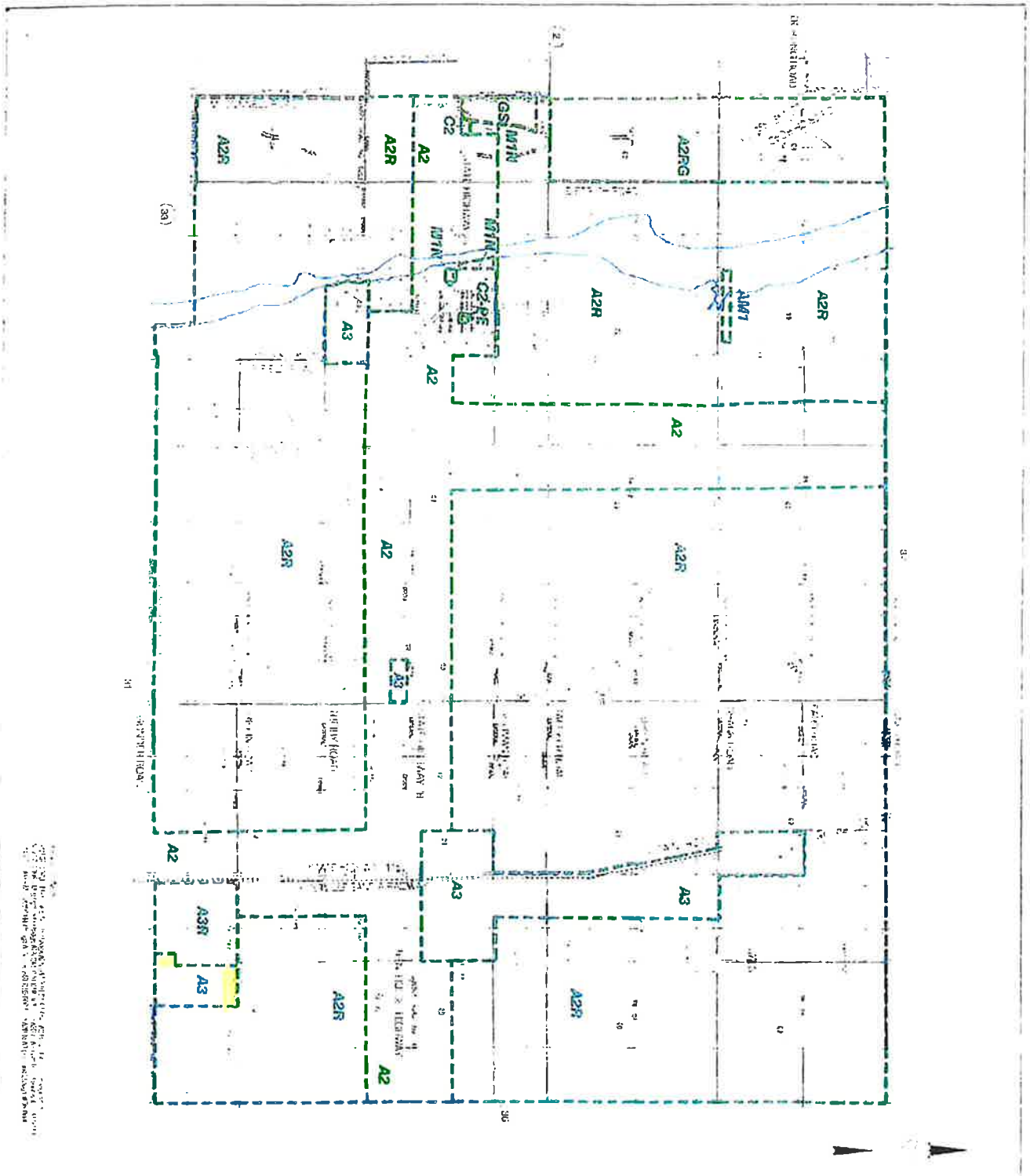
ATTACHMENT 5

K:\ZONEMAPS\ZONES35.DWG

PC ORIGINAL PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



NOTE: Efforts have been made to insure zoning accuracy, however, this map may be revised at any time. Therefore this map is generally accurate for zoning information only. Neither the County of Imperial nor the Planning Building Department are responsible for erroneous information or improper use of this map.
Adopted by M.O. # 15 (b) on June 9, 1998 effective July 1, 1998

Director

ALAMORIO AREA

Title 9 Division 25 Section 9X395.00

Revision Dates

MAP 35

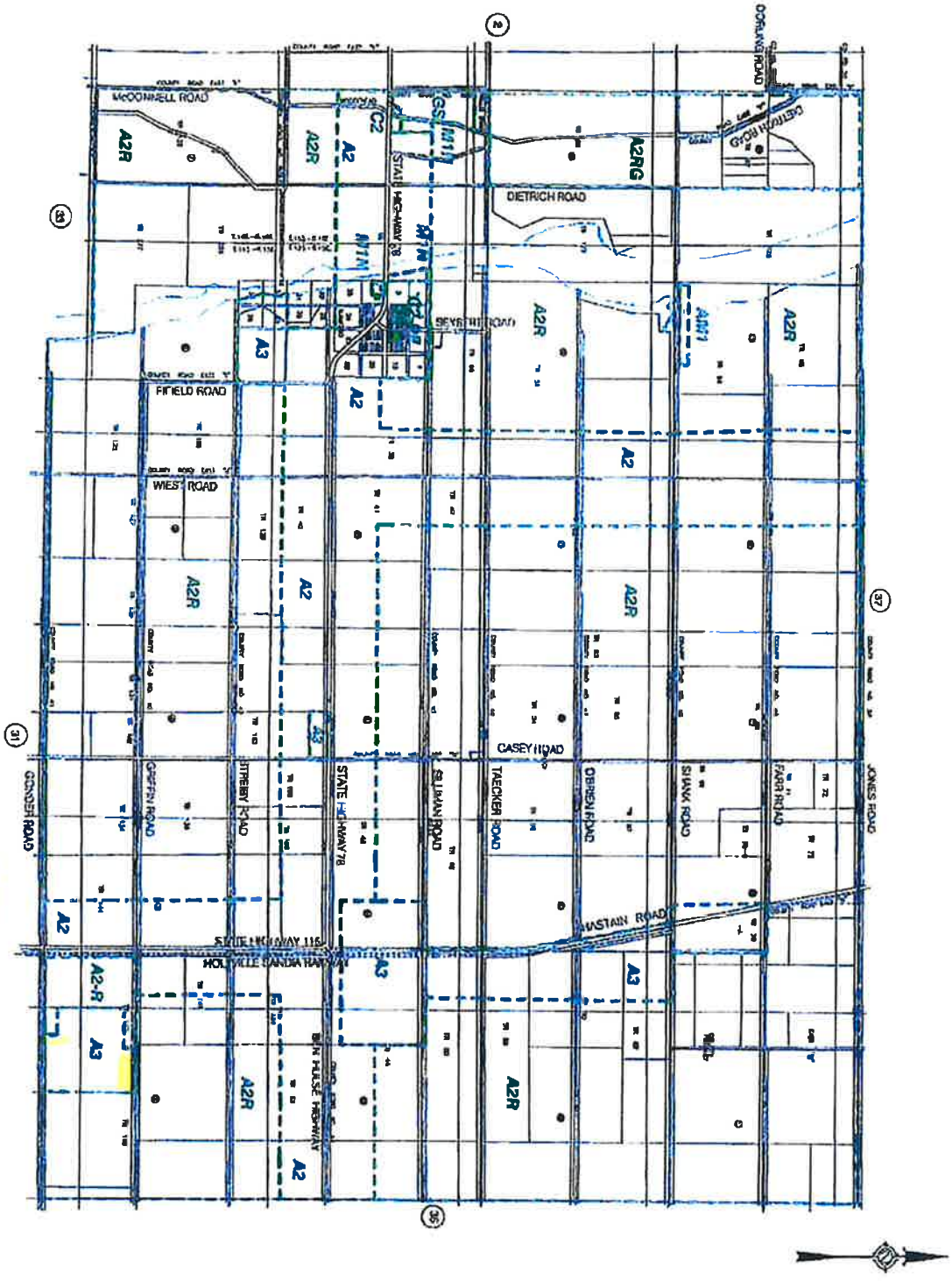
Imperial County Planning Building Department

PC ORIGINAL PKG

ATTACHMENT 6

PC ORIGINAL PKG

ORIGINAL EEC PKG



NOTE: Efforts have been made to insure zoning accuracy; however, this map may be revised at any time. Therefore this map is generally accurate, for zoning information only! Neither the County of Imperial nor the Planning/Building Department are responsible for erroneous information or improper use of this map.
Adopted by M. O. # 18 (b) on June 9, 1998 effective July 1, 1998.

Director _____

ALAMORIO AREA

Title 9 Division 25 Section 92335.00

MAP 35

Imperial County Planning/Building Department

Revision Dates:
Sept 30, 2003 - Map Correction
Nov 22, 2006 - Map Update
Dec 21, 2008 - Map Update
Jun 23, 2015 - Map Correction

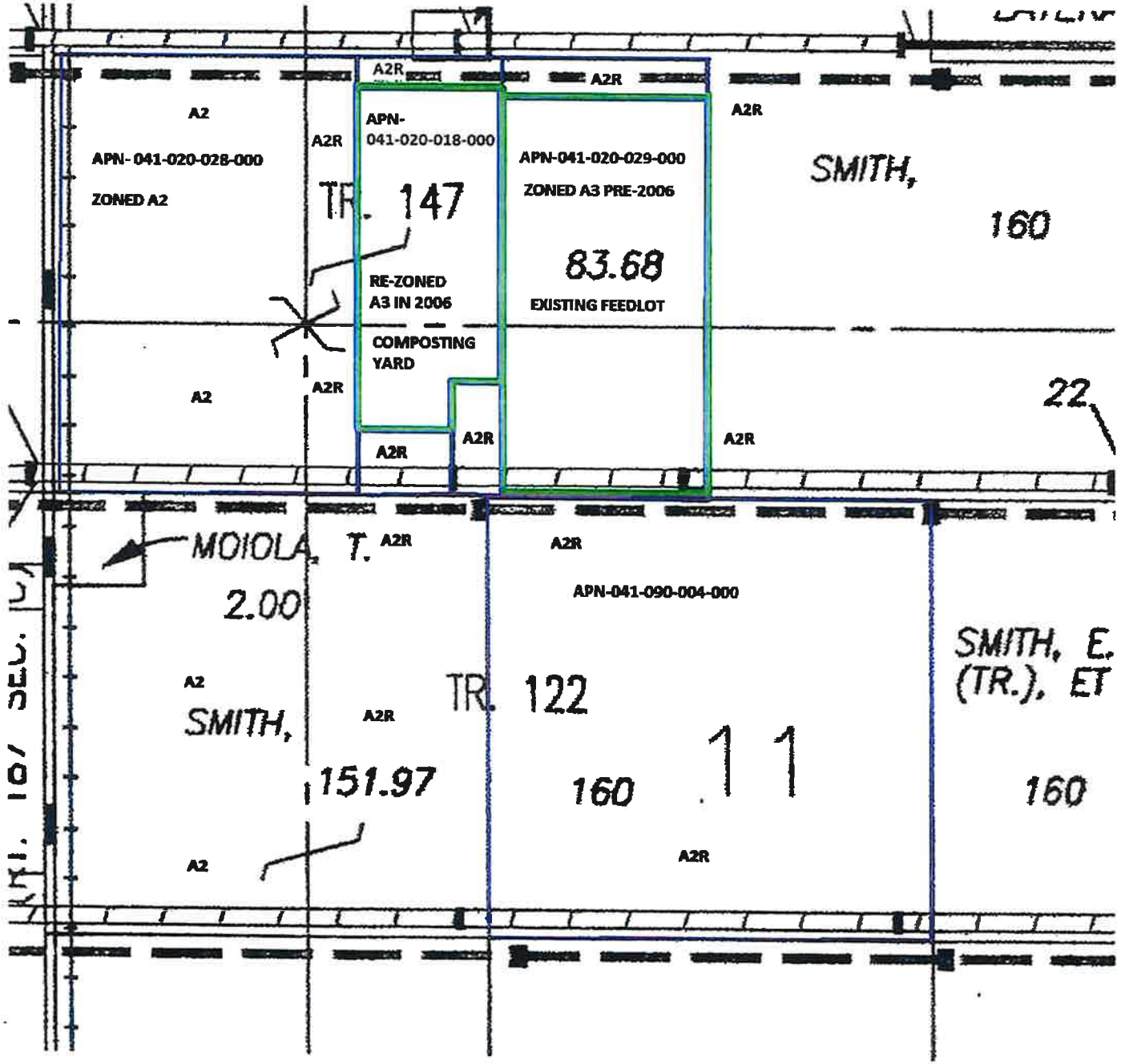
K:\ZONE\MAPS\ZONE35.DWG

PC ORIGINAL PKG

ATTACHMENT 7

PC ORIGINAL PKG

ORIGINAL EEC PKG

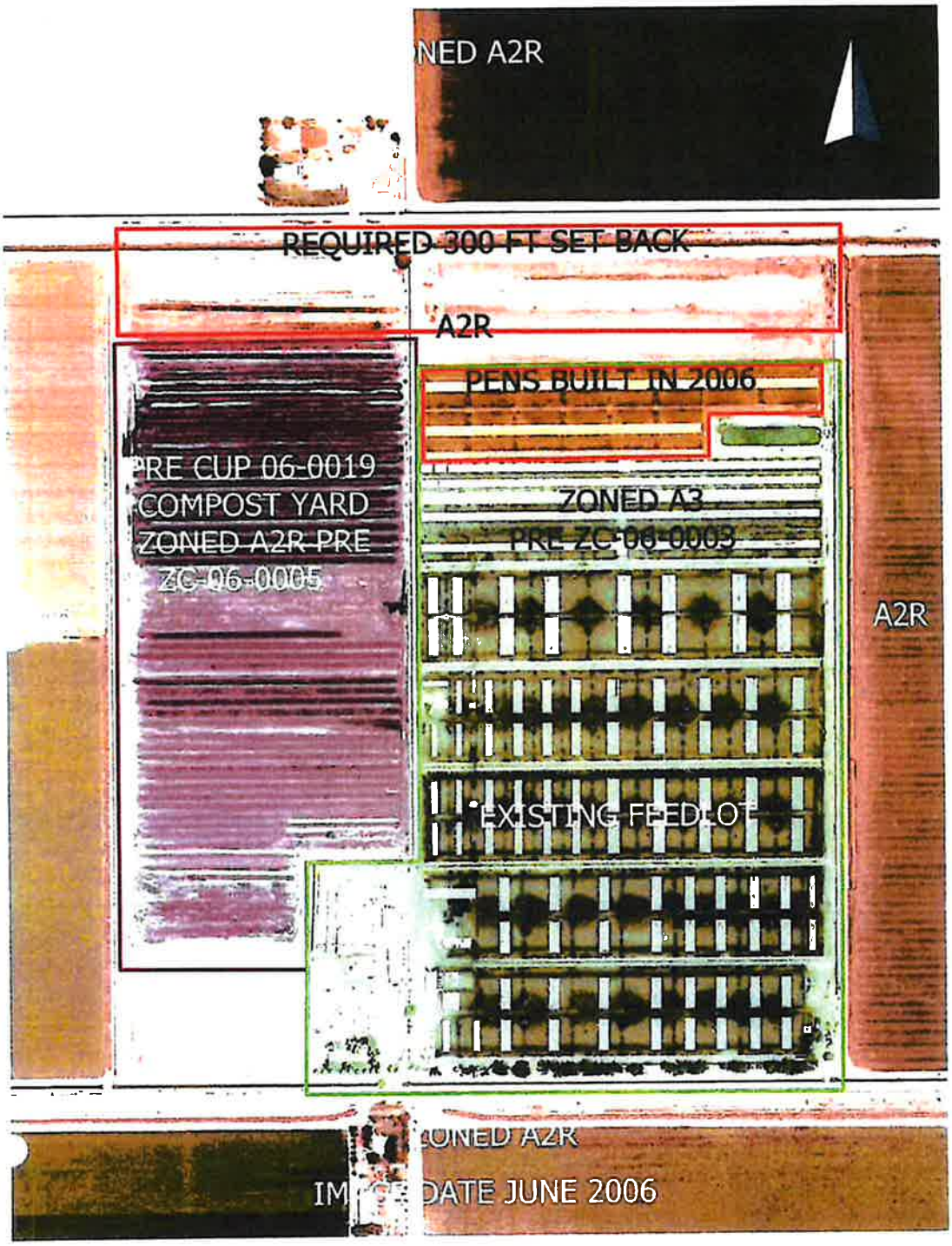


ATTACHMENT 8

ORIGINAL EEC PKG

PC ORIGINAL PKG

PC ORIGINAL PKG



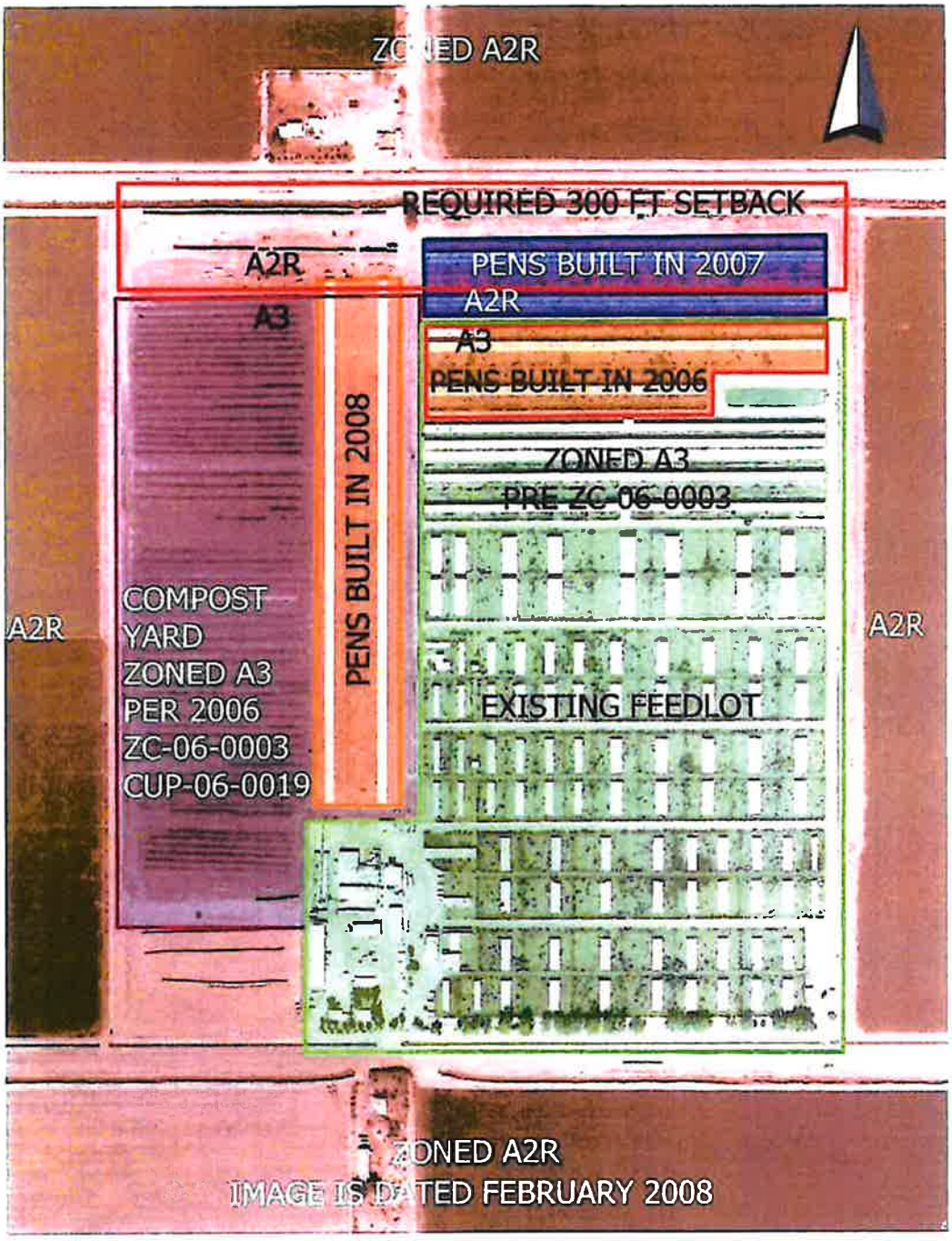
- AREA IN GREEN WAS ZONED A3 PRE 2006 ZC-06-0003, AND
- IS THE EXTENT OF THE FEEDLOT IN 2006 AT FULL USAGE OF ITS A3 ZONING.
- AREA IN PURPLE BEING USED FOR COMPOSTING WAS ZONED A2R ON THE DATE OF THIS IMAGE.
- ZONING WAS CHANGED FROM A2R TO A3 ON 11/21/2006 PER ZC-06-0003 AND BOARD RESOLUTION 1420.
- CATTLE PENS IN RED WERE BUILT IN 2006 AFTER TITLE 9 DIVISION 10 WAS ADOPTED IN 1998
- COVER 6.6 ACRES & HAVE 63,022 SQ. FT OF SHADE, WHICH IS IN EXCESS OF SECTION 91002.22 BUILDING PERMIT EXEMPTION FOR SUN SHADES LESS THAN 2000 SQ. FT.
- A BUILDING PERMIT WAS REQUIRED.
- NO BUILDING PERMIT WAS ISSUED.

PC ORIGINAL PKG

ATTACHMENT 9

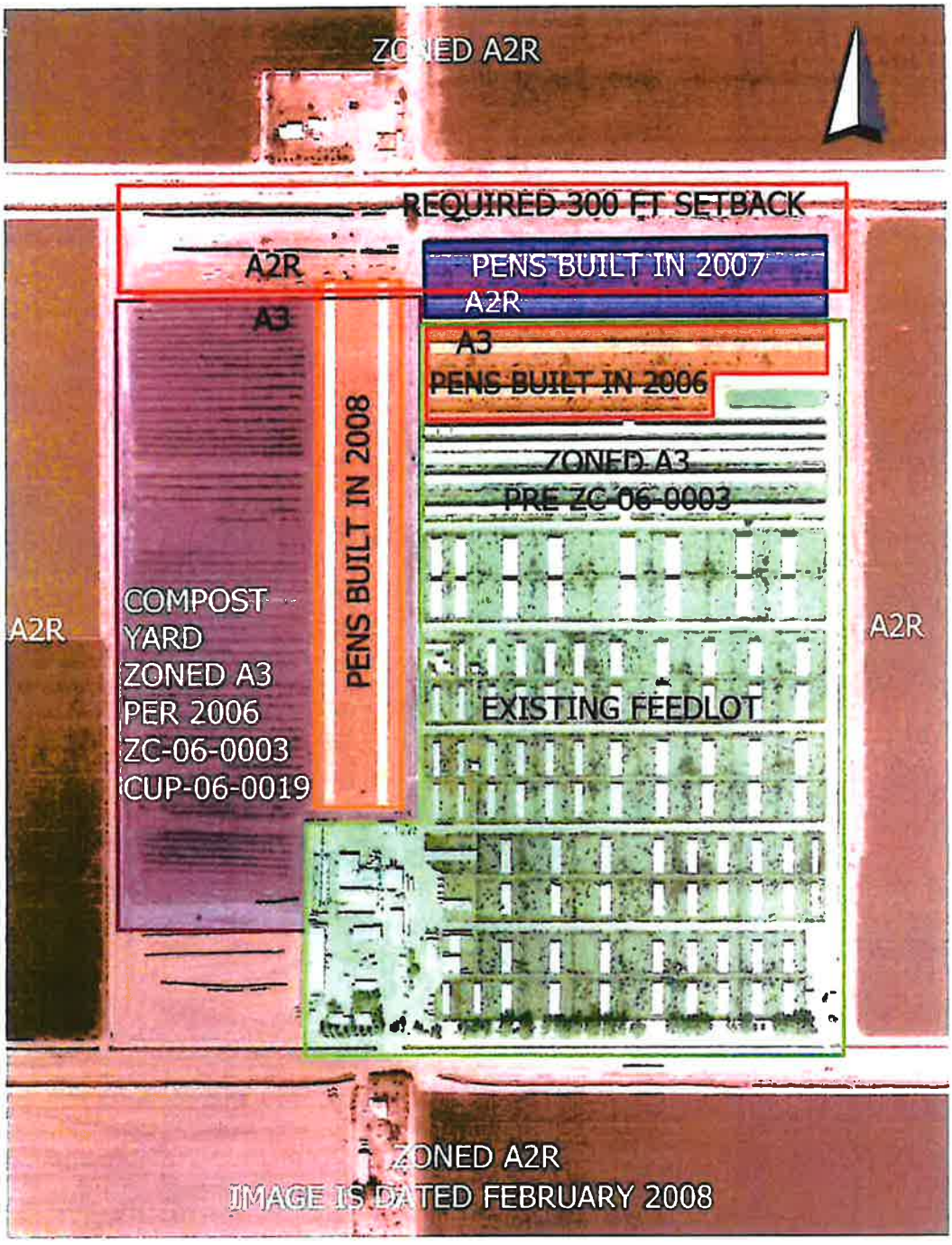
PC ORIGINAL PKG

ORIGINAL EEC PKG



- AREA IN GREEN WAS ZONED A3 PRE 2006 ZC-06-0003 AND IS THE SITE OF THE EXISTING FEEDLOT.
- COMPOSTING AREA IN PURPLE WAS CHANGED FROM A2R TO A3 IN 2006 PER ZC-06-0003
- CATTLE PENS IN BLUE WERE BUILT IN 2007 AFTER TITLE 9 DIVISION 10 WAS ADOPTED IN 1998
- COVER 6.7 ACRES & HAVE 72,900 SQ. FT OF SHADE, WHICH IS IN EXCESS OF SECTION 91002.22 BUILDING PERMIT EXEMPTION FOR SUN SHADES LESS THAN 2000 SQ. FT.
- A BUILDING PERMIT WAS REQUIRED.
- NO BUILDING PERMIT WAS ISSUED.
- THE CATTLE PENS ARE BUILT ON PROPERTY ZONED A2R PER IMPERIAL CO. PRE ZC-06-0003 MAP-35.
- THE CATTLE PENS ARE BUILT ON IMPERIAL CO. REQUIRED 300 FT SET BACK FROM THE CENTERLINE OF ADJACENT STREET FOR ANY ANIMAL, LIVESTOCK PENS.

PC ORIGINAL PKG
PC ORIGINAL PKG
ORIGINAL EEC PKG



- AREA IN PURPLE WAS CHANGED FROM A2R TO A3 IN 2006 PER ZC-06-0003
- CATTLE PENS IN ORANGE WERE BUILT IN 2008 AFTER TITLE 9 DIVISION 10 WAS ADOPTED IN 1998
- COVER 9.3 ACRES & HAVE 95,100 SQ. FT OF SHADE, WHICH IS IN EXCESS OF SECTION 91002.22 BUILDING PERMIT EXEMPTION FOR SUN SHADES LESS THAN 2000 SQ. FT.
- A BUILDING PERMIT WAS REQUIRED.
- NO BUILDING PERMIT WAS ACCEPTED OR APPROVED.
- A PORTION OF THE CATTLE PENS ARE BUILT ON PROPERTY ZONED A2R PER IMPERIAL CO. ZC-06-0003.
- A PORTION OF THE CATTLE PENS ARE BUILT ON IMPERIAL CO. REQUIRED 300 FT SET BACK FROM THE CENTERLINE OF ADJACENT STREET FOR ANY ANIMAL, LIVESTOCK PENS.
- THE CATTLE PENS ARE BUILT ON PROPERTY RESTRICTED TO COMPOSTING BY CUP-06-0019.

PC ORIGINAL PKG

ATTACHMENT 11

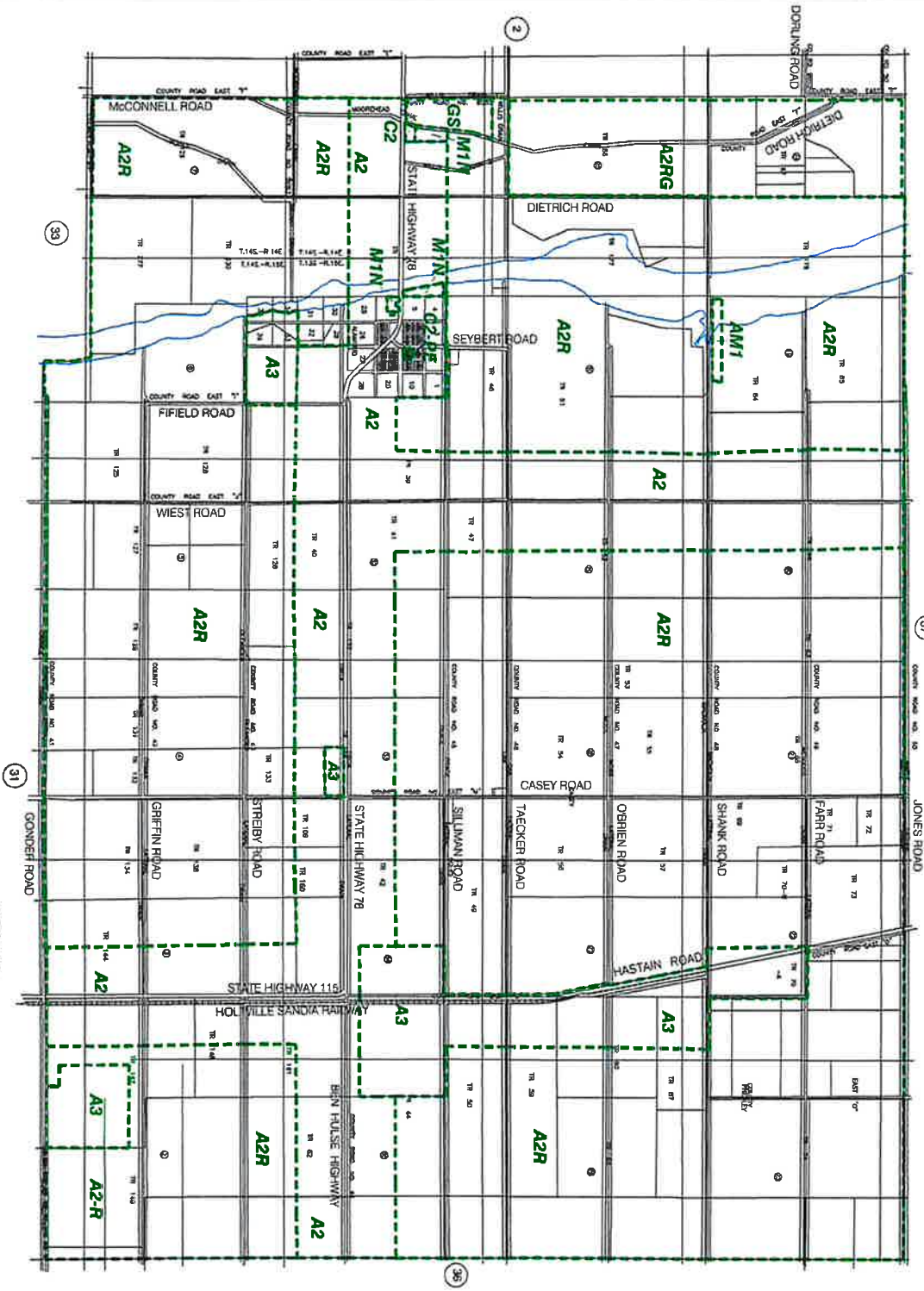
PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment E.
Additional References

PC ORIGINAL PKG

ORIGINAL EEC PKG



NOTE: *Efforts have been made to insure zoning accuracy; however, this map may be revised at any time. Therefore this map is generally accurate, for zoning information only! Neither the County of Imperial nor the Planning/Building Department are responsible for erroneous information or improper use of this map.*
Adopted by M. O. # 18 (b) on June 9, 1998 effective July 1, 1998.

Director _____

ALAMORIO AREA

Title 9 Division 25 Section 92335.00

MAP 35

Imperial County Planning/Building Department

Revision Dates:
Sept 30, 2003 - Map Correction
Nov 22, 2006 - Map Update
Dec 21, 2006 - Map Update
Jun 23, 2015 - Map Correction
Jan 30, 2019 - Map Correction

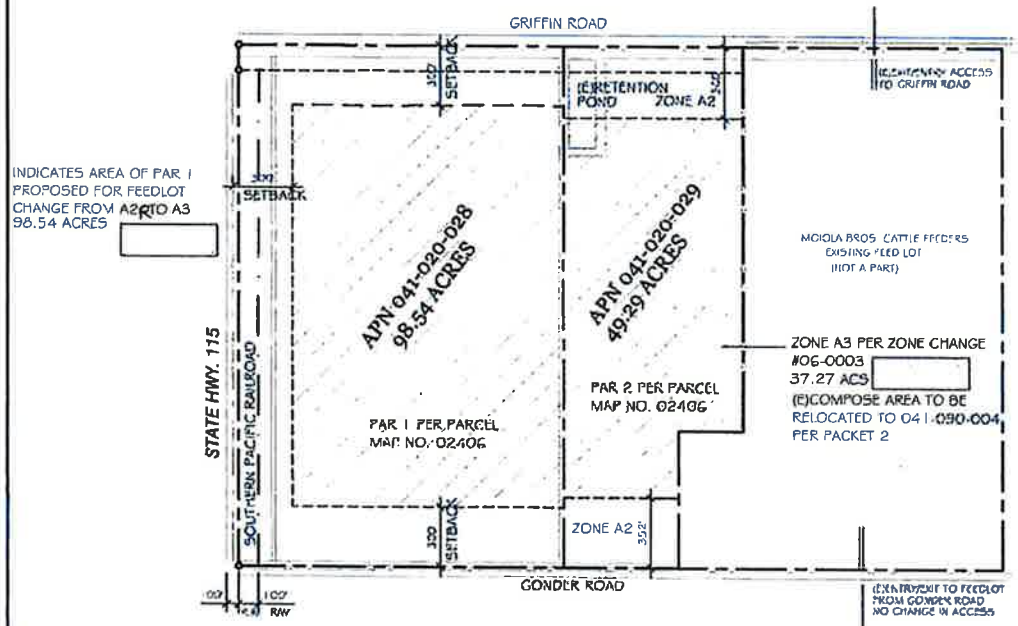
K:\ZONEMAPS\ZONE35.DWG

PC ORIGINAL PKG

ORIGINAL EEC PKG

PC ORIGINAL PKG

ORIGINAL EEC PKG



PACKET 1 - REFER TO SHEET 2 FOR ADDITIONAL INFORMATION

BUILDING CODE YEAR: 2015

a) THE 2015 EDITION OF THE CALIFORNIA BUILDING CODE (CBC) ADOPTS THE 2012 INTERNATIONAL BUILDING CODE (IBC) AND THE 2015 CALIFORNIA AMENDMENTS
b) THE 2015 EDITION OF THE CALIFORNIA ELECTRICAL CODE (CEC) ADOPTS THE 2011 NATIONAL ELECTRICAL CODE (NEC) AND THE 2012 CALIFORNIA AMENDMENTS
c) THE 2015 EDITION OF THE CALIFORNIA MECHANICAL CODE (CMC) ADOPTS THE 2012 UNIFORM MECHANICAL CODE (UMC) AND THE 2012 CALIFORNIA AMENDMENTS
d) THE 2015 EDITION OF THE CALIFORNIA PLUMBING CODE (CPC) ADOPTS THE 2012 UNIFORM PLUMBING CODE (UPC) AND THE 2012 CALIFORNIA AMENDMENTS
e) THE 2013 EDITION OF THE CALIFORNIA ENERGY EFFICIENCY STANDARDS

PACKET 1

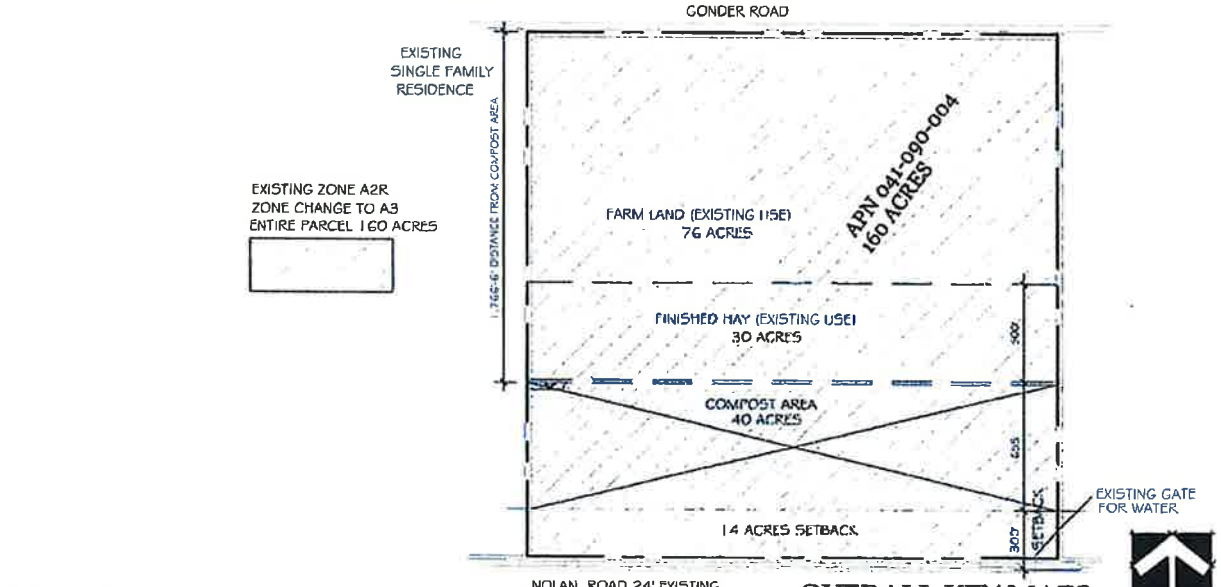
PROPERTY OWNER:
MOIOLA BROS. CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:
ZONE CHANGE FROM A2 TO A3 (98.54 ACS)
PARTIAL TO REMAIN FARMLAND
ACCESS TO REMAIN FROM (E)FEEDLOT NO NEW ACCESS
NEEDED FOR CATTLE

Cattle
30,000 (E)
18,000 new
9.19.17

ACESSORS PARCEL NUMBER:
041-020-028-000

PROPERTY ADDRESS
NO ADDRESS - AGRICULTURAL LAND



PACKET 2 - REFER TO SHEET 3 FOR ADDITIONAL INFORMATION

PACKET 2

PROPERTY OWNER:
MOIOLA BROS CATTLE FEEDERS
1549 GONDER ROAD
BRAWLEY, CA 92227

PROJECT SCOPE:
ZONE CHANGE FROM A2 TO A3 (160 ACS)
PARTIAL TO REMAIN FARMLAND
CUP FOR RELOCATED COMPOST AREA

ACCESS TO REMAIN FROM (E)GONDER ROAD NO NEW ACCESS IS NEEDED FOR COMPOST AREA)

ALL MANURE TO COMPOST COVES FROM MOIOLA CATTLE
COMPOSTING VOLUME = 30,000 TONS / PER YEAR

COMPOST OPERATOR:
COMPOST FROM THE FEEDLOT ONLY WILL BE TREATED ON SITE BY BULL ENTERPRISES INC 11701 BOWKER ROAD, EL CENTRO, CA 92243 760-353-9235
IT IS THEN SHIPPED TO THE COMPOST SITE ON BOWER TO BE SOLD TO CUSTOMERS

ACESSORS PARCEL NUMBER:
041-090-004-000

PROPERTY ADDRESS
NO ADDRESS - AGRICULTURAL LAND

OVERALL KEY MAPS

SCALE: 1" = 400'-0"

#	REVISIONS	BY:

SHEET #: 1

SEPTEMBER 19, 2017

CALIFORNIA
Water Boards

Edmund G. Brown Jr.
GOVERNOR

Matthew Rodriquez
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Colorado River Basin Regional Water Quality Control Board

June 14, 2018

RECEIVED
JAN 30 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

John Moiola
Moiola Bros Cattle Feeders, LTD
1594 Gonder Road
Brawley, CA 92227

Dear Mr. Moiola:

SUBJECT: COMPLIANCE INSPECTION REPORT

As you are aware, an inspection was conducted at Moiola Bros Cattle Feeders, LTD (facility) on May 1, 2018, a copy of the inspection report is enclosed with this letter. Inspections of regulated facilities are part of the National Pollutant Discharge Elimination System (NPDES) program to ensure compliance with an issued permit to discharge to waters of the United States.

No deficiencies were observed during the inspection. Review the enclosed report, and take actions as you consider appropriate.

No follow up communication with the Regional Water Board is necessary at this time. If you have any questions concerning this report, please contact me at (760) 352-1464.

Sincerely,

Kai Dunn for

Jose Gpe. Figueroa-Acevedo
Water Resources Control Engineer
Colorado River Basin
Regional Water Quality Control Board

JFA/tab

Enclosure: Inspection Report

File: WDID No. 7A 13 7777 009, Moiola Bros Cattle Feeders, Board Order No. R7-2013-0800-09

PC ORIGINAL PKG

ORIGINAL EEC PKG

California Regional Water Quality Control Board
Colorado River Basin, Region (R-7)
CAFO Facility Inspection Report

WDR NO.: R7-2013-0800-09
WDID NO.: 7A 13 7777 009

MOIOLA BROS CATTLE FEEDERS
1594 GONDER ROAD
BRAWLEY, CA 92227

DATE OF INSPECTION:	**05/01/2018**
PERMIT EFFECTIVE DATE:	**07/01/2015**
NPDES PERMIT NUMBER:	**CAG017001**
LEGAL RESPONSIBLE OFFICIAL	**TOM MOIOLA**
NAME OF ON-SITE REPRESENTATIVE:	**JOHN D. MOIOLA, MANAGER**
CONTACT INFORMATION:	**JOHN@MOIOLABROS.COM**
	(760) 344-1919
MAILING ADDRESS:	**1594 GONDER ROAD**
	BRAWLEY, CA 92227
INSPECTOR:	**JOSE GPE. FIGUEROA-ACEVEDO**

Inspection Checklist: ☒ **Permit**
Inspection Type: ☒ **(B1) "B" type compliance – (EPA type C) No Sampling of Effluent**

Potential violations noted during this inspection?	☐ **Yes**	☒ **No**
Were water quality samples collected?	☐ **Yes**	☒ **No**

INSPECTION SUMMARY: An inspection of the Moiola Bros. Cattle Feeders Inc. (facility) located at 1594 Gonder Road in the City of Brawley, CA. was conducted on May 1, 2018 by a Regional Board staff engineer. The Facility is bounded by open fields in the south and east, a composting facility in the west and by the Gonder road on the north at Latitude 32 56' 43.2" N, longitude -115 22' 48.2" W. The Alamo River is located about four and a half miles (4.5) at the west of the facility. The Permittee is currently discharging pursuant to Board Order No. R7-2013-0800 National Pollutant Discharge Elimination System (NPDES) adopted on June 2013 General Permit No. CAG017001. Board Order No. R7-2013-0800 become effective on September 30, 2014.

I arrived at the facility around 8:50 a.m., the sky was clear and sunny with an ambient temperature of 79 ºF, the wind was calm and a mild odor to manure was detected. I met Mr. Tom and John Moiola upon arrival at the facility. Mr. Tom Moiola is the owner and legal representative of the facility. The mailing address of Permittee is as identified in the NPDES permit. The facility operates as described in the permit to feed a population of approximately 17,000 cattle. The purpose of the inspection was to determine compliance with the terms stipulated under the General Board Order and to perform a field observation of the overall operation and maintenance of the facility.

INSP. DATA INITIALS: _____ SIGNATURE: _____ DATE: _____

Reviewed by: (1) _____ (2) _____

PC ORIGINAL PKG ORIGINAL EEC PKG

John Moiola is the General Manager and he provided me a copy of the following records: A copy of the existing permit and the Engineering Waste Management Plan, the manure manifest forms, daily and weekly observation of containment structures forms, disposal of dead animal's records, and the latest annual report (2017). All the records and reports provided appeared to be well organized and available for inspection, the manure analyses were not available during the inspection, but were provided on May 29, 2018. A review of these documents indicated that the facility complies with the reporting requirements stipulated in the permit. John Moiola also accompanied me around the facility; that consists of an office, a weight station, a mill, a storage area, the corrals, and the storm water containment structures composed of berms, ditches and a lagoon located in the northwestern corner of the facility. Storm water runoff from the mill/storage area runs by gravity to the northwestern corner. The runoff from the corrals flows to a ditch located along the north of the facility. Storm water runoff is directed through the ditch into the lagoon. The lagoon looked clean and well maintained, a depth marker as required was observed on the corner of the northwestern part of the lagoon. In general, the facility was observed to be clean and well maintained. The storage area as well as the composting facility is in a self-contained area; e.g. runoff from this area will not flow to the lagoon.

All manure is hauled off-site to the composting facility located in the west side of the facility; owned and operated by a third party. Wastewater is disposed by evaporation which is a common wastewater disposal method for Imperial Valley feedlots. Wastewater is not applied to land for irrigation or other farming activities. Corrals are well maintained and manure in the corrals was estimated on the 2" to 4". Mortalities of big animals are collected daily by B.A. Glenn and hauled to a landfill in Arizona. Following requirements stipulated by Imperial County most of the mortalities of small animals are buried on site. Berms and ditches were observed around the periphery of the facility to contain runoff and prevent discharges. No deficiencies were observed during the inspection (Photos Nos. 1 - 6).



Photo No.1.- Moiola Bros east side corrals



Photo No. 2.- Moiola Bros north side corrals

PC ORIGINAL PKG ORIGINAL EEC PKG



Photo No.3.- Moiola Bros south side corrals

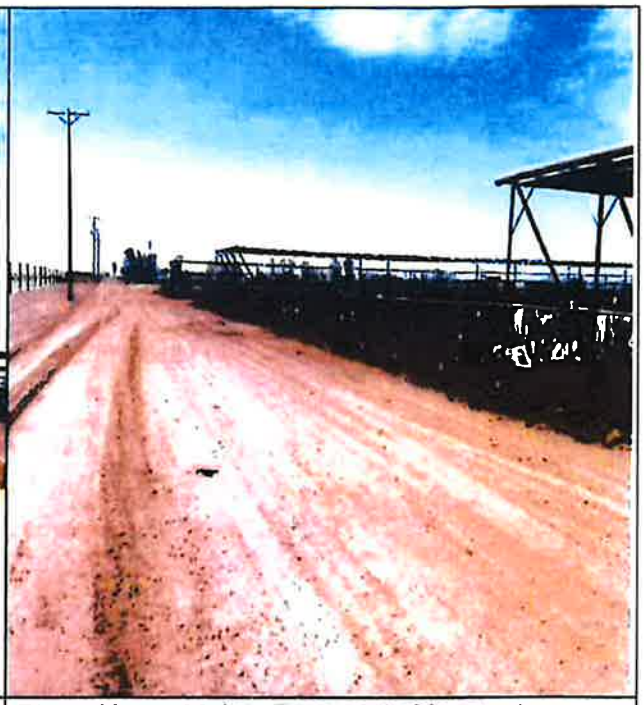


Photo No.4.- Moiola Bros east side corrals



Photo No.5.- Moiola Bros gral appearance corrals

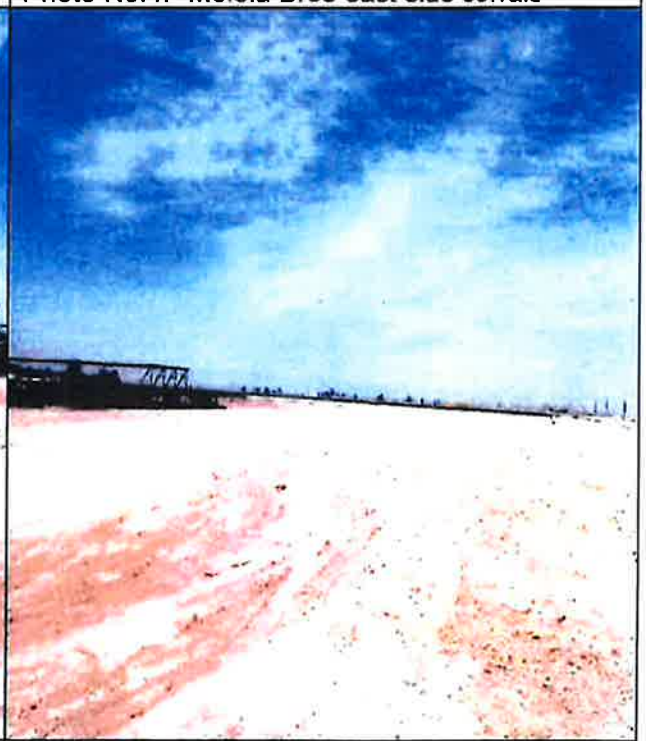


Photo No.6.- Moiola Bros north side corrals

PC ORIGINAL PKG ORIGINAL EEC PKG

ANIMALS ON SITE DURING THE INSPECTION: According to Mr. Moiola an estimated 17,000 cattle and dairy heifers were in an open confinement during the time of the inspection.

SUMMARY OF PERMIT DELIVERABLES:

Annual Report:	The 2017 Annual Report was available on site for review during the time of the inspection.
Notice of Intent:	Facility is an existing enrollee (General Board Order No. R7-2013-0800).
Nutrient Management Plan:	The facility does not land apply manure or wastewater.
Discharge Notification Report:	The facility has not reported any issues of noncompliance.
Composting Site Survey:	The on-site composting operation is run by a third party.

SUMMARY OF RECORD KEEPING REQUIREMENTS:

OPERATIONS AND MAINTENANCE RECORDS:

VISUAL INSPECTIONS. All visual inspection records were available for review.

a. Weekly inspections of all storm water and runoff diversion structures and devices.	☒ IC ☐ OC
b. Daily inspections of all water lines, including drinking and cooling water lines.	☒ IC ☐ OC
c. Action taken to correct any problems found during weekly inspections.	☒ IC ☐ OC
d. Approximate time and duration of any storm-related, off property discharge.	☒ IC ☐ OC
e. Use of Storm Water Management Inspection Log.	☒ IC ☐ OC

ADDITIONAL OPERATIONS AND MAINTENANCE RECORDS

MANURE TRACKING MANIFEST: Manure manifest forms, were available and reviewed.

a. Record each time manure or wastewater is transferred off-site (on-site third party)	☒ IC ☐ OC
b. Name and address of the recipient.	☒ IC ☐ OC
c. Approximate amount transferred.	☒ IC ☐ OC
d. Use of Manure Tracking Manifest.	☒ IC ☐ OC

MANURE NUTRIENT ANALYSIS: Manure nutrient analyses were available on May 29, 2018.

a. Recipient of manure provided with the results of the most current nutrient analysis.	☒ IC ☐ OC
b. Current nutrient analysis is no more than one year old.	☒ IC ☐ OC
c. Records of nutrient analysis maintained on-site.	☒ IC ☐ OC

COMPOSTING INVENTORY REPORT: The facility does not compost on site. All manure is hauled to an on-site, third-party composter located on the west side of the facility. The facility does not land apply manure.

PC ORIGINAL PKG ORIGINAL EEC PKG

PROPER MANAGEMENT OF DEAD ANIMALS: Cow mortalities are collected daily by B.A. Glenn and hauled to a landfill in Arizona. Hauling invoices were available and reviewed during the time of the inspection. Rate of mortality varies from 1 to 2 % per month occurring the most during the summer months.

FACILITY SITE REVIEW

ENGINEERED WASTE MANAGEMENT PLAN (EWMP).

a.	Maintain a copy of your approved EWMP and be in compliance with it.	☒ IC ☐ OC
b.	EWMP fully implemented.	☒ IC ☐ OC
c.	Facility properly contained to prevent runoff.	☒ IC ☐ OC

EFFLUENT/RECEIVING WATERS OBSERVATIONS: Evidence of discharges to receiving waters were not observed.

a.	Evidence of discharge(s)	☒ No ☐ Yes
b.	Evidence of impact to ground or surface water	☒ No ☐ Yes

OPERATIONS AND MAINTENANCE OBSERVATIONS: The lagoon was observed in good condition and well maintained.

a.	Storage ponds maintained to contain a 25-year, 24-hour storm	☐ No ☒ Yes
b.	Freeboard maintained at ≥2 ft.	☐ No ☒ Yes
c.	Depth markers in place.	☐ No ☒ Yes
e.	Handle and dispose of chemicals properly to prevent contaminated discharges	☐ No ☒ Yes

SUMMARY OF THE INSPECTION: The Facility is well operated and maintained, no deficiencies were observed during the inspection.

All the records and reports required by the permit appeared to be well organized and available for inspection. Manure Nutrient analyses are collected on an annual basis and sampled as required. No signs of discharges or other noncompliance issues were observed during the inspection.

The Facility currently discharges pursuant to Order R7-2013-0800 NPDES adopted on June 2013 Permit No. CAG017001. Board Order No. R7-2013-0800 become effective on September 30, 2014.

No further communication or a follow up inspection is recommended at this time, the Permittee is in compliance with the terms and stipulations of the permit. Annual inspections should continue to determine compliance with the terms stipulated under the permit and to document field observations of the overall operation and maintenance of the facility.

PC ORIGINAL PKG ORIGINAL EEC PKG

Facility At-A-Glance Report

SEARCH CRITERIA:

DRILLDOWN HISTORY:
Place ID 241167

General Information

Region	Place ID	Place Name	Place Type	Place Address	Place County
7	241167	Moiola Bros Cattle	Animal Feeding	1594 Gonder Brawley, CA, 92227	Imperial

Related Parties

Party	Party Type	Party Name	Role	Classification	Relationship Start Date	Relationship End Date
29075	Organization	Moiola Brothers Cattle Feeders	Owner	Privately-Owned Business	06/05/1998	

Total Related Parties: 1

Regulatory Measures

Reg Measure ID	Reg Measure Type	Region	Program	Order No.	WDID	Effective Date	Expiration Date	Status	Amended?
205820	Enrollee	7	ANIMWSTCOWS	R7-2013-0800	7A137777009	06/25/2008	09/29/2019	Active	N

Total Reg Measures: 1

Violations

Violation ID	Occurred Date	Violation Type	(-) Violation Description	Corrective Action	Status	Classification	Source

Report displays most recent five years of violations. Refer to the Interactive Violation Report for more data.

Total Violations: 0 **Priority Violations: 0**

*Click the "(+/-) Violation Description" link to expand and contract the violation description.
*As of 5/20/2010, the Water Board's Enforcement Policy requires that all violations be classified as 1, 2 or 3, with class 1 being the highest. Prior to this, violations were simply classified as Yes or No. If a 123 classification has been assigned to a violation that occurred before this date, that classification data will be displayed instead of the Yes/No data

Violation Types

Enforcement Actions

Enf Id	Enf Type	Enf Order No.	Effective Date	Status
395210	Staff Enforcement Letter		02/26/2014	Historical
240119	Notice of Violation		02/08/2002	Historical

Total Enf Actions: 2

Inspections

Inspection ID	Inspection Type	Lead Inspector	Actual End Date	Planned	Violations	Attachment
32758970	B Type compliance inspection	Kai Dunn	05/01/2018	N	0	N/A
15655308	B Type compliance inspection	Jose Figueroa-Acevedo	03/11/2014	N	0	[Attachments]
11285408	B Type compliance inspection	Jose Figueroa-Acevedo	12/13/2012	N	0	[Attachments]
5842860	B Type compliance inspection	Jose Figueroa-Acevedo	09/23/2011	N	0	[Attachments]
4729718	Follow-up inspection (noncompliance)	Jose Figueroa-Acevedo	09/16/2010	N	0	N/A
3913197	B Type compliance inspection	Jose Figueroa-Acevedo	03/25/2010	N	0	N/A
2309288	B Type compliance inspection	Jose Figueroa-Acevedo	03/24/2010	N	0	Download
1777038	B Type compliance inspection	Jennifer Ferrando	03/12/2009	N	0	[Attachments]
330354	A Type compliance inspection	Jose Cortez	09/17/2003	Y	0	N/A
305095	A Type compliance inspection	Jennie Snyder	05/15/2002	Y	0	N/A
305094	B Type compliance inspection	Sheila Ault	04/19/2001	Y	0	N/A
305093	B Type compliance inspection	Suhas Chakraborty	08/22/2000	Y	0	N/A

Total Inspections: 12 **Last Inspection: 05/01/2018**

PC ORIGINAL PKG

ORIGINAL EEC PKG

Engineered Waste Management Plan

Prepared for:

Molola Cattle Feeders
1594 Gonder Road
Brawley, Ca. 92227

Submitted By:

Molola Brothers Cattle Feeders LTD.
1594 Gonder Road
Brawley, Ca. 92227
Ph: (760) 344-1919
Tom Molola

Prepared by:

Terry L. Barrett, P. E.
BJ Engineering & Surveying, Inc.
1850 West Main St., Suite G
El Centro, Ca. 92243
Ph: (760) 353-3552
Fax: (760) 353-3751

RECEIVED
JAN 30 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

PC ORIGINAL PKG
ORIGINAL EEC PKG

Engineered Waste Management Plan

For

Moiola Cattle Feeders

1594 Gonder Road

Brawley, Ca. 92227

SITE ADDRESS:

1594 Gonder Rd., Brawley, Ca. 92227

ASSESSOR PARCEL NUMBER:

041-020-019-000 & 041-020-029-010

LEGAL DESCRIPTION:

That portion of Parcel 1 of Parcel Map no. M-1616, in an unincorporated area of the County of Imperial, State of California, according to map on file in book 6, page 73 of Parcel Maps in the office of the County Recorder of Imperial County shown and designated as Parcel 2 of Parcel Map No. 02406, on file in book 13, page 13, of Parcel Maps in the Office of the County Recorder of Imperial County.

And, Parcel 2, of Parcel Map No. M-1616, In an unincorporated area of the County of Imperial, State of California, on file in book 6, page 73. Of Parcel Maps in the Office of the County Recorder of Imperial County.

PROPERTY OWNER:

Moiola Brothers Cattle Feeders LTD.

CONTACT PERSON:

Tom Moiola
Moiola Brothers Cattle Feeders LTD.
1594 Gonder Rd. Brawley, Ca. 92227
Phone: (760)344-1919

PC ORIGINAL PKG
ORIGINAL EEC PKG

Engineered Waste Management Plan
For
Moiola Cattle Feeders
1594 Gonder Road
Brawley, Ca. 92227

This plan describes the recommended procedures of the operation and management of the Moiola Feedlot wastewater collection retention and disposal system at the Moiola Feedlot.

I. INTRODUCTION

The Moiola feedlot is owned by Moiola Brothers Cattle Feeders LTD. and is managed by Tom Moiola. The property is located at 1594 Gonder Road in the County of Imperial. The feedlot is situated 1 miles South of Highway78 and ½ East of Highway 115, about 7 miles East of the City of Brawley, Ca. (See Exhibit A)

This 130 Acres site in bounded on the South by Orange lateral Canal and Gonder Road, Griffin Road from the North boundary, an agricultural fields are located on the West and East side of the feedlot.

The feedlot is located in the North side of Gonder Road ½ mile east of Highway 115 in the County of Imperial. On the County of Imperial County assessor parcel numbers 041-020-019-0000 & 41-020-029-000, the property is located in the SE corner of Tract 147 T14S, R15E (See exhibit A).
The entire property is approximately 130 acres. The property is comprised majority for animal pens and shade structures, at the south of the property there are two homes, some shade structures shops and one warehouse one office building. The southwest side of the property is utilized for hales and manure stock and that area is not comprise on the calculations (See Exhibit B)

II. OPERATION

The operations consist of feed storage areas; silage area hay bale stockpiles, one existing water pond for animal drinking and general purposes. There are 10 rows of corrals with shades divided by the main feed alleys which are provided with drainage ditches at the center to direct the water via the dirt berm/sleeves located at the edges of the property to the holding pond located at the northwest corner of the property which captures and handles the waste and storm water of the site (See Exhibit B).

PC ORIGINAL PKG
ORIGINAL EEC PKG

The water in the holding pond is pumped to a water tanker truck to spread the site and the alleys to prevent dust and pollution by wind erosion.

III. HYDRAULIC/DRAINAGE REPORT

STORM CALCULATION

RAINFALL:

Q = CiA

A = APX. 4'083,285 SF

i = 2" 25Y/24HR. (0.17') (SEE EXHIBIT C)

STALL AREA = 2'783,460 SF

C = 0.20

Q1 = 0.20 X 0.17' X 2'783,460

Q1 = 94,638 CF

REMAINDER AREA = 1'299,825 SF

C = 0.80

Q2 = 0.80 X 0.17' X 1'299,825

Q2 = 176,776 CF

QT APX. = Q1 + Q2

QT = 271,414 CF = TOTAL VOLUME TO BE DETAINED

PC ORIGINAL PKG

ORIGINAL EEC PKG

RETENTION BASIN CAPACITY:

AREA 1 = 79,807 SF (WATER SURFACE AREA)

AREA 2 = 62,303 SF (BOTTOM AREA)

D = 4.00'

$V = A1 + A2 (D) 2$

$$V = \frac{(79,807 + 62,303) \times (4.00)}{2}$$

RETENTION BASIN VOLUME

V = 284,220 CF

PC ORIGINAL PKG

ORIGINAL EEC PKG

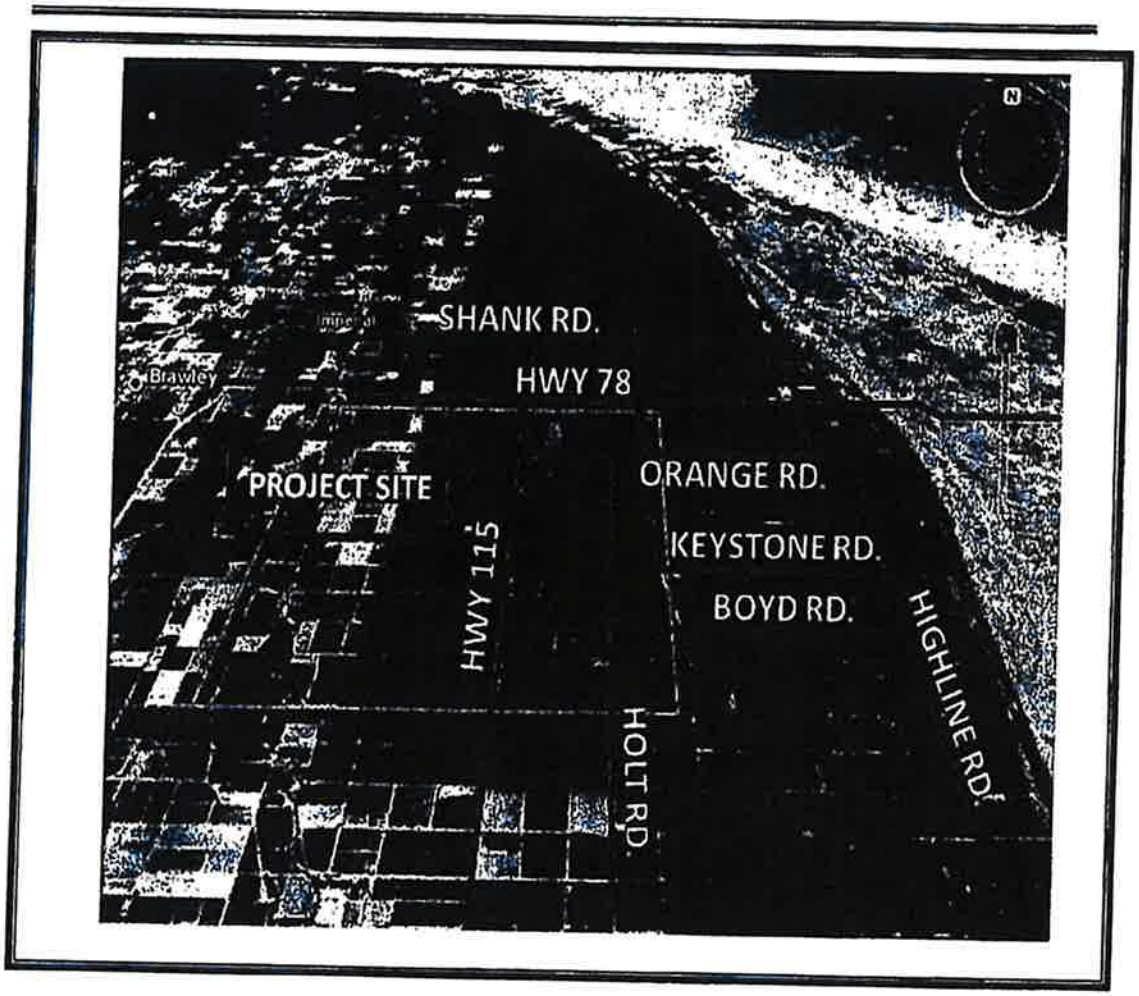


Exhibit A

PC ORIGINAL PKG

ORIGINAL EEC PKG

Attachment F.

Mitigation, Monitoring & Reporting Program

PC ORIGINAL PKG

ORIGINAL EEC PKG

MITIGATION, MONTORING AND REPORTING PROGRAM

MITIGATION MEASURES
PURSUANT TO THE ENVIRONMENTAL EVALUATION COMMITTEE
February 14, 2019
Moiola Bros. Cattle Feeders
[Zone Change #17-0006 Initial Study #17-0026]

(APN 041-090-004-000)

(CEQA – Mitigated Negative Declaration)

Pursuant to the review and recommendations of the Imperial County Environmental Evaluation Committee (EEC) on February 14, 2019, the following Mitigation Measures are hereby proposed for the project:

MITIGATION MEASURE AIR QUALITY – 1 (MM AQ-1)

Pursuant to Section 6.2 Mitigation for Criteria Pollutant Impacts, of the Revised Air Quality and Greenhouse Gas Emissions Study for Moiola Brothers Cattle Feedlot prepared by UltraSystems and dated January 2019, the operator will require that employees and cattle trucks drive only on paved roads.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During Construction and Operations)

MITIGATION MEASURE AIR QUALITY – 2 (MM AQ-2)

Pursuant to Section 6.1 Standard Mitigation Measures for Construction, of the Revised Air Quality and Greenhouse Gas Emissions Study for Moiola Brothers Cattle Feedlot prepared by UltraSystems and dated January 2019, the Construction Equipment and Fugitive PM10 Mitigation Measures, which are from APCD's CEQA Air Quality Handbook (2017) are as follows:

Standard Mitigation Measures for Fugitive PM_{10} Control

a. All disturbed areas, including Bulk Material storage which is not being actively utilized, shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by using water, chemical stabilizers, dust suppressants, tarps or other suitable material such as vegetative ground cover.
b. All onsite and offsite unpaved roads will be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering.
c. All unpaved traffic areas one (1) acre or more with 75 or more average vehicle trips per day will be effectively stabilized and visible emission shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering.
d. The transport of Bulk Materials shall be completely covered unless six inches of freeboard space from the top of the container is maintained with no spillage and loss of Bulk Material. In addition, the cargo compartment of all Haul Trucks is to be cleaned and/or washed at delivery site after removal of Bulk Material.
e. All Track-Out or Carry-Out will be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road within an Urban area.
f. Movement of Bulk Material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers or by sheltering or enclosing the operation and transfer line.
g. The construction of any new Unpaved Road is prohibited within any area with a population of 500 or more unless the road meets the definition of a Temporary Unpaved Road. Any temporary unpaved road shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emission by paving, chemical stabilizers, dust suppressants and/or watering

PC ORIGINAL PKG ORIGINAL EEC PKG

Standard Mitigation Measures for Construction Combustion Equipment

a. Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak hour of vehicular traffic on adjacent roadways
b. Implement activity management (e.g. rescheduling activities to reduce short-term impacts)

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During Construction)

MITIGATION MEASURE AIR QUALITY – 3 (MM AQ-3)

Through the APCD's permitting process, emissions of VOC and Ammonia (NH3) will be reduced and controlled to the extent feasible; therefore, impacts related to the project's VOC and Ammonia (NH3) emissions are considered less than significant.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: Permitting Process and During Construction)

MITIGATION MEASURE GREENHOUSE GAS EMISSIONS – 1 (MM GHG-1)

Pursuant to Section 6.3 Mitigation for Climate Change Impacts, of the Revised Air Quality and Greenhouse Gas Emissions Study for Moiola Brothers Cattle Feedlot prepared by UltraSystems and dated January 2019, GHG emission reductions resulting from implementing of permit conditions should be based upon APCD'S Rule 217 requirements.

(Monitoring Agency: Imperial County Planning & Development Services Department; Timing: During Construction and Operations)

PC ORIGINAL PKG

ORIGINAL EEC PKG