

Addendum to the Mitigated Negative Declaration

**Application for
58-Acre Kirkjan Project
MND Addendum**

LEAD AGENCY:

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Appendix A – Approved 58-Acre Kirkjan MND

CHAPTER ONE – INTRODUCTION

In 2004, the City of Coachella adopted a Mitigated Negative Declaration (MND) for the 58-Acre Kirkjan Project (Environmental Initial Study No. 04-05), referred to herein as “previous project” or “MND”. The 58-Acre Kirkjan MND evaluated the impacts associated with the proposed development of 232 single-family residential uses and associated improvements on 58 acres. The analysis of the 58-Acre Kirkjan project identified several mitigation measures to address and mitigate potentially significant impacts to less than significant levels. The adopted 58-Acre Kirkjan MND is included as Appendix A.

The previous project proposed a change of zone (No. 04-04) and a Tentative Tract Map (TTM No. 32075). The previous project involved redesignating the project site from Agriculture Transition (A-T) to Residential Single-Family (R-S), in order to develop the 232 dwelling units.

The previous/proposed project is located on 58 acres of disturbed vacant land located south of Avenue 50, west of Frederick Street, and north of Avenue 51, in the City of Coachella, California. The Assessor’s Parcel Number (APN) for the site is 768-050-002.

As previously stated, the MND analyzed impacts associated with the proposed development of 232 residential units and associated improvements on 58 acres. The northern portion of the site (approximately 31 acres) has now been developed with 123 single-family residential lots. The revised project proposes to develop 107 of the 109 residential lots and homes analyzed in the MND, along with associated improvements, in the southern portion of the 58-acre site.

In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this addendum addresses the potential environmental impacts associated with the proposed residential community and provides an evaluation of potential environmental impacts in relation to the original project evaluated in the adopted MND, as well as the new environmental topics required by the most current CEQA Guidelines. The addendum is an informational document intended to be used in the planning and decision-making process as provided for under Section 15164 of the CEQA Guidelines. The addendum does not recommend approval or denial of the proposed modifications of the previous project. The conclusion of this addendum is that the proposed changes to the project will neither result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the previously adopted MND. Thus, a subsequent MND is not required.

The location of the project site is shown below in Exhibit 1 and 2.

**Exhibit 1
Vicinity Map**

**Exhibit 2
Aerial Photograph**

CHAPTER TWO – STATUTORY BACKGROUND

The City of Coachella is the CEQA lead agency responsible for the project. Under CEQA, an addendum to a certified Environmental Impact Report (EIR) or a Negative Declaration (ND) may be prepared if minor technical changes or additions to the proposed project are required or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR (or MND) have occurred (CEQA Guidelines Section 15164[b]). An addendum is appropriate if the project changes or modifications do not result in any new significant impacts or a substantial increase in severity of previously identified significant impacts. The addendum need not be circulated for public review (CEQA Guidelines Section 15164[c]); however, an addendum is to be considered along by the decision-making body prior to making a decision on the project (CEQA Guidelines Section 15164[d]).

This MND addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the MND remain substantively unchanged by the revised project description detailed herein and supports the findings that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the previous MND. Further, rather than only focusing on the characterization of whether the project is “new” or “old”, the City has also evaluated the previous environmental document to determine if it retains any relevance in light of the proposed changes, and if any major revisions to the document are required due to the involvement of new, previously unstudied significant environmental effects. The subsequent review provisions of CEQA are designed to ensure that an agency proposing changes to a previously approved project explores environmental impacts not considered in the original environmental document. This assumes that some of the environmental impacts of the modified project are considered in the original environmental document, such that the original document retains relevance to the decision-making process. If it is wholly, irrelevant, then it is only logical that the agency starts over from the beginning. The City has determined that project changes will not require major revisions to the initial environmental document. Accordingly, recirculation of the MND for public review is not necessary pursuant to Section 15164 of the CEQA Guidelines. Therefore, a decision was made by the City of Coachella not to prepare a subsequent Negative Declaration pursuant to Section 15162 of the CEQA Guidelines. To support this decision, the following discussion describes the proposed project modifications and the associated environmental analysis.

CHAPTER THREE – SUMMARY OF ORIGINAL PROJECT

The previous project proposed the development of 232 single family residential dwellings on approximately 58 acres in the City of Coachella. The previous project occupied the area south of Avenue 50, approximately 630 feet east of Van Buren Street, north of Avenue 51, and approximately 960 feet west of Frederick Street.

At the time the MND was written the site was characterized by bare soil and agricultural trees, dirt roads, abandoned residential structures, a maintenance yard, miscellaneous storage areas, and shipping/receiving areas which were utilized during past harvests.

Access to the site was proposed to occur along a north-south trending internal street, Via Prado. Via Prado would provide access to Avenue 50, to the north, and Avenue 51, to the south. Construction of the previous project was proposed to occur in one (1) phase, beginning in 2005. The previous project was proposed to take 12 months to complete.

The previously proposed project proposed a change of zone (No. 04-04) and a Tentative Tract Map (TTM No. 32075). The previously project involved redesignated the project site from Agriculture Transition (A-T) to Residential Single-Family (R-S), in order to develop the 232 dwelling units.

The previous project site plan is shown below, in Exhibit 3.

Exhibit 3
Previous Project Site Plan

CHAPTER FOUR – PROJECT REVISIONS

The revised project includes the development of the remaining 27 acres in the southern portion of the site.

As previously stated, the 58-Acre Kirkjan project was originally designed as a single-family residential property totaling 232 dwelling units and associated improvements. Associated improvements included paved parking, landscaped areas, and a detention basin in the southeastern corner of the site. The northern portion of the site (approximately 31 acres of the site) has now been developed with 123 single family residential lots (both developed with homes and vacant).

The revised project proposes to subdivide the undeveloped 27-acre parcel into 107 lots, per the submitted Tentative Tract Map (TTM) exhibit (Exhibit 4). The property in its current state is undeveloped with site access at Via Prado to the north and Ave 51 (existing two-lane paved road) to the south. The subdivision has been designed with gated emergency gates and utility / drainage access points on the northerly portion of the site off Via Prado and Ribera Street. A proposed retention basin will be located on the southeast corner of the site. The revised project will be developed in 13 phases.

The development of the revised project would result in a total of 230 dwelling units on the 58-acre site, as opposed to 232 dwelling units proposed in the previous project. The revised site plan is indicated in Exhibit 4.

Both the previous and revised projects propose the development of single-family homes on the 58-acre site, and the revised project proposes a slight reduction in the total number of units.

The impact analysis contained herein will focus on whether the revised project would result in any new or more severe impacts not previously identified in the adopted 58-Acre Kirkjan Project MND.

Exhibit 4
Revised Project Site Plan

CHAPTER FIVE – ENVIRONMENTAL SETTING

The project site is located in the City of Coachella. The site is located south of Avenue 50, and north of Avenue 51. The previous project encompassed one 58-acre parcel (Assessor's Parcel Number 768-050-002). The northern portion of the site is mostly developed, while the southern portion (27 acres) is undeveloped and vacant. The southern 27 acres of the site addresses the revised project. The revised project occurs within Lot 124 of Tract No. 32075-1, per M.B.387/39-42, being in the northwest $\frac{1}{4}$ of Section 6, Township 6 South, Range 8 East, San Bernardino Meridian.

The area surrounding the project site is characterized by developed and vacant parcels. The project is surrounded by developed, residential communities to the north, east, west, and south. Avenue 50 is located to the north, Frederick Street is located approximately 960 feet to the east, Avenue 51 is located to the south, and Van Buren Street is located approximately 630 feet to the west. The project is located within the City of Coachella's Residential Single Family Zone (R-S). The existing land use designation for the site is Low Density Residential (0-6 dwelling units per acre).

The location of the project site is shown in Exhibit 1 and 2.

CHAPTER SIX – ENVIRONMENTAL IMPACT ANALYSIS

This document is an addendum to the previously adopted 58-Acre Kirkjan MND referenced above. This addendum provides the project specific environmental review pursuant to CEQA to demonstrate the adequacy of the MND relative to the revised project. As indicated above, the previous MND identified significant impacts and proposed mitigation measures related to biological resources and cultural resources. The analysis below discusses the adequacy and applicability of previous mitigation measures to the revised project. In addition, the analysis below addresses whether any new or more severe impacts would result from the project revisions and whether any additional mitigation measures beyond those previously identified in the MND would be required.

I. *Aesthetics*

58-Acre Kirkjan Project MND

The MND identified no significant impacts related to aesthetics. According to the MND, prior to development of the 58-acre site, the property consisted of bare soil and agricultural trees, dirt roads, abandoned residential structures, a maintenance yard, miscellaneous storage areas, and shipping/receiving areas which were utilized during past harvests. Per the MND, the City did not identify scenic vistas within the project vicinity, therefore, scenic vistas would not be impacted by the previous project. Additionally, the MND concluded that no historical buildings were known to occur within the project site and scenic highways do not occur in the project area. Therefore, no impacts would occur to scenic resources or scenic highways.

The MND concluded that the development of the 232 residential dwelling units would alter the existing visual character of the area; however, the project was required to submit plans for approval of the Planning Commission, which would ensure a high-quality design. Additionally, the project was also required to participate in architectural review and comply with landscaping and lighting requirements as established by the City's zoning ordinance. Therefore, the MND concluded that impacts to the visual character of the area and light and glare would be less than significant, and no mitigation measures were required.

Revised Project

Similar to the MND, the revised project would not affect scenic vistas in the area. The surrounding area is largely developed with single family residential communities. The revised project would develop single family residential dwelling units similar in design, scale, and mass to the existing residential structures. Similar to the MND, the revised project would be required to submit plans for approval of the Planning Commission, which would ensure a high-quality design. Additionally, the revised project is also required to participate in architectural review and comply with landscaping and lighting requirements as established by the City's zoning ordinance. Therefore, the revised project's impacts to the visual character of the area and light and glare would be the same as the previous project, and less than significant.

As previously determined, potential historic resources do not exist on the project site. Additionally, the project site is not located in proximity to a state scenic highway, therefore, the revised project would not impact scenic resources adjacent to or within close proximity to state scenic highways.

Major revisions to the MND are not required due to the proposed changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to any

aesthetic impacts that would require major MND revisions; and there is no new information showing greater effects than disclosed in the previous MND.

II. *Agricultural Resources*

58-Acre Kirkjan Project MND

The MND concluded that the previous project would result in no significant impacts related to agricultural and forest/timberland resources. According to the MND, the project site was not located in an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The land use designation for the site was Low Density Residential (RL). RL designations allow 0 to 6 dwelling units per acre (du/ac). According to the MND, the project site was not located in an existing zone for agricultural use or classified as farm land, forest land, timberland, or Timberland Production zones. The MND concluded that the project would not result in impacts to agricultural resources.

Revised Project

The revised project would not change the proposed uses of the project site. The project site does not include any active agricultural uses or agricultural resources, and is not adjacent to such uses, and is not zoned or designated for agricultural uses. Thus, similar to the MND, the revised project would have no impact to agricultural resources.

Major revisions to the MND are not required due to the proposed changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to agricultural resources that would require major MND revisions; and there is no new information showing greater effects than disclosed in the previous MND.

III. *Air Quality*

58-Acre Kirkjan Project MND

The adopted MND Air Quality analysis involved quantifying the worst-case potential criteria air pollutant emission levels resulting from construction and operation of the residential project to compare against the numeric thresholds established by South Coast Air Quality Management District (SCAQMD) for the project region and air basin. The methodology of the adopted MND relied on Urban Emissions Model (URBEMIS), which is software developed by the California Air Resources Board (CARB) as a modeling tool to assist local public agencies with estimating air quality impacts from land use projects pertaining to CEQA environmental analysis. The computer model was developed to estimate construction, area source, and operational air pollution emissions from a wide variety of land use development projects, including residential neighborhoods. In addition to URBEMIS, the prior MD Caltrans CALINE 4 model was utilized to estimate local Carbon Monoxide (CO) concentrations associated with roadway traffic. At the time of the prior MND preparation, the Salton Sea Air Basin was designated by CARB as being in non-attainment for ozone and PM10, but the required State Implementation Plans (SIPs) were in place at a regional level to meet the target attainment levels.

The prior analysis found construction-related activities, including site preparation, grading, construction equipment operation, construction traffic, and building construction would result in measurable criteria pollutant emissions. The quantitative analysis of these activities found that

unmitigated short-term peak emission levels would not technically exceed the SCAQMD thresholds; however, nitrogen oxides emissions would come to within one pound per day below the threshold, prompting mitigation to ensure that these measures were maintained during construction. In summary, the mitigation related to construction (AQ1 through AQ4) mandated the use of aqueous diesel fuel, compliance with the local dust control requirements, proper maintenance of construction equipment, and compliance with the state vehicle code, resulting in less than significant impacts.

The prior analysis also reviewed long-term (operational) criteria air pollutant emissions expected to result at full project buildout, during the life of the project. These emissions would be generated by mobile (vehicle) and area sources associated with the residential land use operations. The quantitative analysis using URBEMIS software found that the estimated emissions would not result in any exceedance of the SCAQMD thresholds. The prior analysis also involved Caltrans CALINE 4 modeling to determine the likelihood of carbon monoxide hotspot resulting from the project. Based on the worst-case approach, the project was found to not result in adverse carbon monoxide emissions capable of generating hotspots. Therefore, operation of the project at full buildout of 232 units was found to result in less than significant levels without the need for mitigation.

In this context, the prior MND concluded that the project would not result in impacts to air quality regarding conflicts with implementation of local air quality plan, considerable net increases in criteria pollutants for which the region is in non-attainment, exposure of sensitive receptors or other objectionable emissions. The MND also concluded that with implementation of mitigation measures AQ-1 through AQ-4, the previous project would not have any significant effects concerning compliance with applicable air quality plans and standards.

Revised Project

Since the prior environmental review, the project setting has not incurred any substantial change in circumstances deemed inconsistent with the project's planned residential uses. To date, project implementation has resulted in 123 single-family dwelling units with associated road and utility infrastructure on the northern 31 acres of the project site. The remaining area has maintained a vacant condition with soil treatment as a method to prevent fugitive dust emissions. Buildout of the project with minor modifications would result in the completion of 107 residential dwelling units, for a total of 230 units. This total represents two fewer units than previously analyzed and therefore a minor reduction in the associated construction and operational emissions. The reduction in emissions is also attributed to the improved energy efficiency standards associated with the remaining residential units to be constructed and the stricter vehicular emissions standards pertaining to project-induced vehicle trips.

Since the prior MND, the regulatory framework and air quality standards have undergone updates, including those reflected in the adopted Air Quality Management Plan (2016 AQMP) applicable to the entire SCAMQD jurisdiction. However, because the project was analyzed and adopted prior to the 2016 AQMP adoption, its residential land uses already form part of the growth assumptions factored into the current regional air quality management strategies of this plan. As a result, project buildout with the same (or slightly reduced) land use density and composition would not result in conflicts with the 2016 AQMP. SCAMQD has not changed the construction and operational peak emissions standards observed in the prior analysis, for which no exceedances were estimated.

The project region is continuing to implement SIPs toward establishing attainment for PM10

(particulate matter with an aerodynamic diameter of 10 microns or less). and Ozone.

PM10: On February 25, 2010, the ARB approved the 2010 Coachella Valley PM10 Maintenance Plan and transmitted it to the U.S. EPA for approval. With the recent data being collected at the Coachella Valley monitoring stations, consideration of high-wind exceptional events, and submittal of a PM10 Re-designation Request and Maintenance Plan, a re-designation to attainment status of the PM10 NAAQS is deemed feasible in the near future according to the 2016 AQMP. As a standard requirement, the remaining construction activities for project buildout would be subject to SCAMQD Rules 403 and 403.1, as well as the City's Fugitive Dust Control requirements (Chapter 8.20 of the Coachella Code of Ordinances) aimed at addressing the PM10 concerns for the region. This implementation would be consistent with Mitigation Measure AQ2 and with the updated PM10 SIP. Dust control measures during construction would continue preventing emissions impacts to nearby residential uses. After project completion, permanent site stabilization through residential construction would eliminate the potential source of fugitive dust

Ozone: SCAQMD is continuing to implement an updated strategy to comply with the ozone standard (1997 8-hour standard), for which there is a target attainment date of June 15, 2024. SCAQMD has acknowledged that the largest ozone contributors to the Coachella Valley are not sources within the region, but rather the ozone and ozone precursors transported to the Coachella Valley from the upwind South Coast Air Basin (SCAB). SCAQMD deems that local sources of air pollution generated in the Coachella Valley have a limited impact on ozone levels compared to the transported sources generated in SCAB. The prior MND analysis involved a quantification of criteria pollutants, including ozone precursors (reactive organic gases and nitrogen oxides). Under each standard, the project construction and operation did not reach or exceed the established SCAMQD thresholds. Considering that the project previously complied with the threshold and that buildout will not involve any increase in residential units, no changes are expected pertaining to compliance and consistency with the applicable ozone SIP.

Therefore, based on the reduction in total residential units, completion of the project with minor modifications, and with implementation of mitigation measures AQ-1 through AQ-4, would result in less than significant impacts regarding conflicts with implementation of local air quality plan, considerable net increases in criteria pollutants for which the region is in non-attainment, exposure of sensitive receptors to other objectionable emissions.

IV. *Biological Resources*

58-Acre Kirkjan Project MND

The MND evaluated potential biological resource impacts associated with the development of the 58-acre project site. BonTerra Consulting conducted a search of available literature and conducted a general biological survey of the project property to identify special status plants, wildlife, and habitats known to occur in the vicinity of the project site. The California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California (2003) and compendia of special status species published by the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) were reviewed. In addition, the CDFG's California Natural Diversity Database was reviewed.

The MND stated that vegetation on the project site consisted of disturbed/ruderal, disturbed, and developed areas, as categorized by the CDFG. The disturbed/ruderal areas on the project site were characterized by agricultural crop rows with native and non-native weeds and shrubs. The dominant plant was the saltbush, with other species occurring throughout, including four-wing

saltbush, Bermuda grass, Jimson weed, red-stemmed filaree, sunflower, cheese bush, arrow weed, Russian thistle, bush seepweed, and salt cedar. The disturbed areas were characterized by grading and/or disking. This area was devoid of vegetation and consisted of bare ground. The developed area of the site consisted of paved areas and a man-made structure including a small, prefabricated warehouse and associated parking lot. This area was also devoid of vegetation.

The wildlife species found during the biological survey are associated with agricultural operations and disturbed/ruderal vegetation in low desert areas. No common reptile species, fish, or amphibian species were observed on the project site at the time the MND was written.

Special status plant species with a low potential to occur in the project area included chaparral sand-verbena and the Coachella Valley milk-vetch since marginally suitable habitat occurs within the project. Glandular ditaxis, California ditaxis, and slender wooly-heads had a moderate potential of occurrence at the site due to the presence of suitable habitat.

Five special status plant species had the potential to occur onsite, including one federally listed Endangered species, according to the MND. Therefore, spring botanical surveys for these species were required. The surveys were to be conducted during their appropriate survey "window" to determine their presence or absence on the project. If a substantial population of one of these species were found on the project, impacts on the population would require additional mitigation. If construction of the previous project was expected to commence prior to the survey window for the special status plant species, the project would have to address these species as potentially present and make a finding of potentially significant based on habitat suitability alone. This would require the development and implementation of mitigation measures prior to construction. This was indicated as BIO1 in the MND.

One special status wildlife species, the burrowing owl, was observed on the project site at the time the MND was written. Additionally, the Palm Springs round-tailed ground squirrel had the potential to occur on the project site when the MND was written. Therefore, the following mitigation measures were required in the MND:

BIO2: In order to avoid impacts to an occupied burrowing owl burrow, focused surveys shall be conducted prior to commencement of clearing or grading operations on the project site. Additionally, if clearing or grading operations are planned during the breeding season for any of these species, a breeding raptor survey shall be conducted prior to any clearing or grading activities.

Surveys for burrowing owl shall be conducted according to a protocol prepared by the Burrowing Owl Consortium of the Santa Cruz Predatory Bird Research Group. Surveys shall be conducted by walking through suitable habitat over the entire project site and in areas within approximately 500 feet of the project impact zone. Any active burrows found during survey efforts shall be mapped on the construction plans. If no active burrowing owl burrows are found, no further mitigation is required. Results of the surveys shall be provided to the CDFG.

BIO3: If burrowing owl nest sites are found, the following restrictions on construction are required between March 1 and August 31 (or until nests are no longer active as determined by a qualified biologist):

- Clearing limits shall be established with a minimum of 250 feet, or as otherwise determined by a qualified biologist, in any direction from any occupied burrow exhibiting nesting activity; and

- Access and surveying shall not be allowed within 100 feet of any burrow exhibiting nesting activity. Any encroachment into the 250/100-foot buffer area around the known nest is allowed only if it is determined by a qualified biologist that the proposed activity shall not disturb the nest occupants.

If construction occurs outside of the breeding season, exclusion of burrowing owls from their burrow is a practice generally accepted by the CDFG. Exclusion of burrowing owls involves placement of one-way doors at the opening of known occupied burrows to allow egress from and preventing ingress to the burrow. In this manner the burrowing owl is forced to look for another suitable roosting location.

BIO4: Surveys for the Coachella Valley round-tailed ground squirrel shall be conducted according to guidelines provided by the USFWS and consist of the following:

- A minimum of three surveys conducted between May 1 and July 31.
- Each survey must be conducted from one hour after sunrise to four hours after sunrise.
- Temperatures in the shade must range from 80 degrees to 91.4 degrees Fahrenheit.
- Wind speeds must be low.
- 100 percent of the study area must be covered, using walking transects spaced approximately 32 feet apart.

The MND determined that the previous project would not result in impacts to riparian habitat or other sensitive natural community. Additionally, the previous project would not result in adverse effects on federally protected wetlands, as defined by Section 404 of the Clean Water Act.

According to the MND, the City of Coachella's General Plan policies encouraged the preservation of the habitat areas of rare, threatened, and endangered wildlife and plant resources within open space areas. Future development proposals would be required to demonstrate compliance with General Plan policies. Therefore, the MND concluded that the previous project would not conflict with any local policies or ordinances protecting biological resources in the City.

At the time the MND was written, the Coachella Valley Association of Governments (CVAG) was preparing a Multiple Species Habitat Conservation Plan (MSHCP) and Natural Community Conservation Plan (NCCP) for the Coachella Valley region. The MSHCP and NCCP were developed to create large, interconnected preserves for special status species and their habitats while streamlining the regulatory process outside of the reserve areas. The involved agencies planned to accomplish this by providing a means to subsidize mitigation/compensation measures for species covered by the plan and satisfy applicable provisions of federal and state requirements. The payment of fees was the most common mitigation. Therefore, the MND required the implementation of mitigation measure BIO5.

BIO5: Adequate fees shall be paid according to the adopted MSHCP and NCCP shall it become adopted prior to project development.

The MND concluded that implementation of mitigation measures BIO1 through BIO5 would reduce biological resource impacts to less than significant.

Revised Project

The revised project intends to reconfigure the southern portion of the previous project. No additional grading or development beyond what was anticipated in the MND would occur. In its

existing condition the site has been largely developed and/or disturbed. As discussed in the MND, the site may provide suitable habitat for chaparral sand-verbena, Coachella Valley milk-vetch, glandular ditaxis, California ditaxis, and slender woolly-heads. However, currently the Coachella Valley MSHCP covers the Coachella Valley milk-vetch and mitigation is provided under the MSHCP through the payment of fees, which is deemed to be full compliance with mitigation measure BIO5 from the MND. The chaparral sand-verbena, glandular ditaxis, California ditaxis, and slender woolly-heads are not covered under the CVMSHCP. However, these species are not listed as rare, threatened, or endangered by either the state or federal governments and are not likely to occur onsite due to the largely disturbed (cleared vegetation and graded) character of the site. However, the revised project may be required to conduct a botanical survey (mitigation measure BIO1), similar to the MND, to determine the presence of these rare species. Therefore, the revised project would be required to implement mitigation measures BIO1 and BIO5, as called for in the MND. This would ensure impacts to the species would be less than significant with mitigation.

Although the site is largely disturbed and developed, the revised project would still be required to conduct surveys to determine the presence or absence of burrowing owls or the Coachella Valley round-tailed ground squirrel. Therefore, the revised project would be required to implement mitigation measures BIO2 through BIO4, as called for in the MND.

Similar to the MND, the revised project would result in no impact associated with sensitive habitat, riparian habitat, or other sensitive natural community, wetlands, or vernal pools as none of these resources were identified on the project site. Additionally, no impact was identified to any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors or nursery sites. No conflicts with local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance would occur under the revised project.

Major revisions to the MND are not required due to the proposed changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to biological impacts that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

V. Cultural Resources

58-Acre Kirkjan Project MND

The MND evaluated potential cultural resource impacts associated with the development of the 58-acre project site. The MND did not find prehistoric or historic resources on the project site. The records search through the Eastern Information Center (EIC) did not disclose any recorded prehistoric sites or isolates within or adjacent to the project site. The field survey also did not record any prehistoric resources. Additionally, no paleontological resources were identified through either the records search or the field survey. Therefore, the MND concluded that no impacts to paleontological resources would occur.

The records search through the EIC revealed that a structure appeared to fall within the parcel boundaries by 1941, but it was no longer present by the 1956 topographic map revision date. No historic sites or isolates had been recorded previously within or adjacent to the parcel. The field survey revealed the foundations of a small agricultural complex within the project boundaries, however, it was not considered to be a significant archaeological resource, and did not qualify for

the California Register of Historic Resources (CRHR). Monitoring during grading was recommended in the MND. This is indicated as CUL1, below.

CUL1: Prior to construction, the applicant shall hire a certified archaeologist to observe grading/major trenching activities and salvage and catalogue archaeological resources as necessary. The archaeologist shall establish, in cooperation with the City, procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of the artifacts, as appropriate. If the archaeological resources are found to be significant, the archaeologist shall determine appropriate actions, in consultation with the City, for exploration and/or salvage.

The MND concluded that implementation of this mitigation measure would reduce cultural resource impacts to less than significant.

Revised Project

The revised project would not require construction beyond what was anticipated in the MND. While overall site layout is proposed to change, no additional grading beyond what was anticipated in the MND would occur. Similar to the MND, the revised project would result in no impacts to historic resources, as defined in Section 15064.5 of the CEQA Guidelines. This includes any object, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant.

As discussed in the MND, there is the potential for grading to impact significant archaeological resources. Therefore, the revised project would be required to implement mitigation measure **CUL1** as required in the MND. This would ensure impacts to cultural resources would be less than significant with mitigation, the same that was identified in the MND.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to cultural resources that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

VI. *Geology and Soils*

58-Acre Kirkjan Project MND

According to the MND, the project site is located within the seismically active southern California region. However, the MND concluded that the project was not located in an area zoned for the Alquist-Priolo Earthquake Fault Zone, and impacts would be less than significant. Additionally, the MND found that there were no faults, active or inactive, that traverse the project site, however, groundshaking could occur at the site. Therefore, the project was required to conform with all applicable City ordinances, as well as standard engineering practices and design criteria to reduce these impacts. The following mitigation was established for the project:

GEO1: All structures shall be designed as confirmed during the building design plan checking, to withstand anticipated groundshaking caused by future earthquakes within an acceptable level of risk (i.e., high risk zone), as designated by the City's latest adopted edition of the Uniform Building Code.

The MND found that a majority of the City's Planning Area has a high generalized liquefaction potential, including the project site, due to the presence of alluvial sediment and shallow or semi-perched groundwater within 50 feet of the ground surface. Therefore, mitigation included ground improvement techniques to reduce the potential for liquefaction or utilizing "deep" foundation systems (i.e., compaction grouting, overexcavation of near surface soils; rammed aggregate piers; deep foundation systems such as driven piles) for the proposed structures. The following mitigation measures were established to reduce impacts of liquefaction to less than significant:

GEO2: Prior to the issuance of a grading permit, a site specific geologic and soils report shall be prepared by a registered geologist or soils engineer and submitted to the City Building and Safety Division for approval. The report shall specify design parameters necessary to remediate any soil and geologic hazards.

GEO3: All grading, landform modifications, and construction shall be in conformance with state-of-the-practice design and construction parameters. Typical standard minimum guidelines regarding regulations to control excavations, grading, earthwork construction, including fills and embankments and provisions for approval of plans and inspection of grading construction are set from the latest version of the Uniform Building Code. Compliance with these standards shall be evident on grading and structural plans. This measure shall be monitored by the City Building and Safety Division through periodic site inspections.

GEO4: Type 5 cement shall be used for all foundations and slabs on grade.

These mitigation measures reduced impacts of liquefaction and associated secondary effects (such as lateral spreading) to less than significant.

The soils onsite at the time the MND was written, included Gilman-Coachella-Indio soils. These soils are considered non-expansive. Therefore, impacts of expansive soils at the site are less than significant. In order to mitigate the loss of topsoil at the site, the MND concluded that development onsite would be subject to City codes and requirements for erosion control, grading, and soil remediation as recommended in the following measures.

GEO5: Precise grading plans shall include Erosion, Siltation and Dust Control Plan to be approved by the City Building Division. The Plan's provisions may include sedimentation basins, sand bagging, soil compaction, revegetation, temporary irrigation, scheduling and time limits on grading activities, and construction equipment restrictions on-site. This Plan shall also demonstrate compliance with South Coast Air Quality Management District Rule 403, which regulates fugitive dust control.

GEO6: As soon as possible following the completion of grading activities, exposed soils shall be seeded or vegetated seed mix and/or native vegetation to ensure soil stabilization.

Finally, septic tanks or alternative wastewater disposal systems were not proposed at the project. Impacts are less than significant.

With the foregoing, the MND concluded that impacts regarding geology and soils at the site would be less than significant with the implementation of mitigation measures GEO1 through GEO6.

Revised Project

The revised project would not require grading or construction beyond what was anticipated in the MND. As such, no new or increased impacts related to geology and soils would occur. As discussed in the MND, compliance with the most current State building codes and regulations would ensure grading and development of the site reduces the impacts associated with geology and soils to less than significant, as concluded in the MND.

In addition to GEO1, the project shall comply with the most current seismic design coefficients and ground motion parameters and all applicable provisions of the California Building Code (CBC). Additionally, the proposed facilities were required to be constructed in a manner that reduced the risk of seismic hazards (Title 24, California Code of Regulations). Remedial grading and construction would reduce exposure of people or structures to adverse effects of seismic hazards to the greatest extent possible. All grading and construction plans were required to be reviewed and approved by the City. The implementation of GEO2 through GEO4 would ensure the foundation soils can support the proposed project. Impacts would be reduced to less than significant.

Additionally, the implementation of a Fugitive Dust Control Plan (as required by Chapter 8.20 in the City's Municipal Code) and a Storm Water Pollution Prevention Plan (SWPPP) during construction activities to reduce impacts of soil erosion at the site. Grading plans will be developed in compliance with the City's standards and will be reviewed by the City. These and the implementation of measures GEO5 and GEO6 would ensure erosion at the site would be less than significant.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to geology and soils that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

VII. Hazards and Hazardous Materials

58-Acre Kirkjan Project MND

The MND evaluated potential hazardous material impacts associated with the construction of the project site. The MND concluded that impacts would be less than significant.

As determined in the MND, hazardous materials are not typically associated with residential land uses. Minor cleaning products and the occasional use of pesticides and herbicides for landscape maintenance would be the extent of materials used. Therefore, the MND listed the following mitigation:

HAZ1: Any hazardous waste that is generated onsite shall be transported to an appropriate disposal facility by a licensed hauler in accordance with the appropriate State and Federal Laws.

A Phase I Environmental Site Assessment (ESA) was conducted to identify Recognized Environmental Conditions (RECs). RECs, as identified by the American Society for Testing and Materials (ASTM), is the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The ESA

included a site inspection, an analysis of asbestos containing materials, lead based paints, adjacent properties, public records, historic RECs, and historical uses information.

The Phase I ESA was consulted to determine whether the project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Based upon the results of the Phase I ESA, mitigation measures were recommended in order to reduce impacts to less than significant levels. These mitigation measures were listed in the MND as HAZ2 through HAZ11. HAZ2 through HAZ11 are briefly listed below. Please reference Appendix A for a complete list of mitigation measures.

HAZ2: All miscellaneous vehicles, maintenance equipment and materials, construction/irrigation materials, miscellaneous stockpiled debris, 1- and 5-gallon containers construction/irrigation materials, and former agricultural equipment, should be removed off-site and properly disposed of at an approved landfill facility. Once removed, a visual inspection of the areas beneath the removed materials should be performed. Any stained soils observed underneath the removed materials should be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.

HAZ3: Soil sampling should be performed within the maintenance yard to characterize the extent of contamination associated with the surficial soil staining. Soil should be removed and disposed of at an appropriate landfill facility in accordance with state and federal requirements.

HAZ4: Soil sampling should occur throughout the project site, including the maintenance and staging area, to determine if pesticide concentrations exceed established regulatory requirements.

HAZ5: The terminus of all undocumented pipes should be defined. Should underground storage tanks (USTs) be present, the USTs should be removed and properly disposed of.

HAZ6: The location of the two former USTs should be defined, and soil sampling should be performed.

HAZ7: The onsite water well should be properly removed and abandoned pursuant to the latest procedures required by the local agency with closure responsibilities for the wells.

HAZ8: A visual inspection of the interior onsite structure is recommended. If hazardous materials are encountered, they should be properly tested.

HAZ9: Any transformers to be removed/relocated should be conducted under the purview of the local utility purveyor to identify property handling procedures regarding potential PCBs.

HAZ10: Asbestos-containing materials and lead-based paint may be present within the existing onsite structures and would need to be handled properly prior to demolition activities.

HAZ11: If unknown wastes or suspect materials are discovered during construction by the contractor which he/she believes may involve hazardous waste/materials the contractor shall:

- Stop work in the vicinity of the suspected contaminant, removing workers and the

- public from the area.
- Notify the project engineer of the implementing agency.
- Secure the area as directed by the project engineer.
- Notify the implementing agency's hazardous waste/materials coordinator.

The MND concluded that with the implementation of mitigation measures HAZ2 through HAZ11, the project would result in less than significant impacts.

The MND determined that no existing or proposed school facilities were located within one-quarter mile radius of the project. Additionally, the project would not involve the use, storage, transport, and/or disposal of hazardous materials, and impacts would be less than significant.

The MND stated that governmental sources have been searched by EDR for sites within the project site and within an approximate one-mile radius of the site. The search discovered 18 regulatory sites located within one-mile radius of the project. A REC on the project site caused by one or more of these sites were considered to be low due to the groundwater flow direction, the distance and direction from the project, and/or the status of the identified site. Therefore, the MND determined that the implementation of the previously listed mitigation measures would reduce the impacts to less than significant.

The MND determined that the project site was not located within an airport land use plan or in the vicinity of a private airstrip. Therefore, the MND concluded that impacts would not be significant.

In addition, the MND determined that the project would not alter or impede an existing evacuation route and would not impair implementation of goals and policies of the City of Coachella, resulting in no impacts. The MND concluded that the previous project did not have the capacity to expose people or structures to wildland fires, and no impacts would occur.

The MND concluded that impacts to hazards and hazardous materials at the project site would be less than significant with the implementation of mitigation measures HAZ1 through HAZ11.

Revised Project

The revised project would not require grading or construction beyond what was anticipated in the MND, and would not change the allowable uses on the property from the previous project. As such, no new or more impacts related to hazards or hazardous materials would occur. As discussed in the MND, hazardous materials are not typically associated with residential land uses. Minor cleaning products and the occasional use of pesticides and herbicides for landscape maintenance would be the extent of materials used. Therefore, similar to the MND, the revised project will implement HAZ1 to ensure that materials used are disposed of properly.

Construction of the project was expected to involve the temporary management and use of potentially hazardous substances and petroleum products. The nature and quantities of these products would be limited to what is necessary to carry out construction of the project. Some of these materials would be transported to the site periodically by vehicle and would be stored in designated controlled areas on a short-term basis. When handled properly by trained individuals and consistent with the manufacturer's instructions and industry standards, the risk involved with handling these materials would be considerably reduced. To prevent a threat to the environment during construction, the management of potentially hazardous materials and other potential pollutant sources would be regulated through the implementation of control measures required in the Storm Water Pollution Prevention Plan (SWPPP) for the project. The SWPPP requires a list

of potential pollutant sources and the identification of construction areas where additional control measures are necessary to prevent pollutants from being discharged. Best management practices are necessary for Material Delivery and Storage; Material Use; and Spill Prevention and Control. The measures outlined SWPPP documents require physical improvements and procedures to prevent impacts of pollutants and hazardous materials to workers and the environment during construction. For example, all construction materials, including paints, solvents, and petroleum products, must be stored in controlled areas and according to the manufacturer's specifications. In addition, perimeter controls (fencing with wind screen), linear sediment barriers (gravel bags, fiber rolls, or silt fencing), and access restrictions (gates) would help prevent temporary impacts to the public and environment. Compliance with industry and manufacturer standards regarding the handling, use, delivery, and storage of hazardous materials would ensure impacts of accidental release or the handling of hazardous materials during construction and operation of the site would be less than significant.

The site, which has been partially developed and graded, shall be required to implement mitigation measures HAZ2 through HAZ11 to the extent applicable to the 27-acre site, to ensure hazardous materials are not located onsite prior to the construction of the project. Some mitigation previously recommended in the MND may not apply to the revised project since the site has undergone development, clearing of vegetation and previously existing structures and agricultural materials, and grading. Depending on whether the materials and previous uses identified in the Phase I ESA are still present onsite, some of the mitigation measures may not be applicable to the revised project if they have already been addressed during the previous development of the site or the hazardous materials are not present on the 27-acre site.

In addition, as discussed in the MND, the project site is not located within one-quarter mile of a school. Therefore, impacts would be less than significant. The project is not within an airport land use plan, or within two miles of an airport or airstrip. Therefore, there would be no impacts.

Implementation of the revised project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Similar to the MND, the site plan configuration of the revised project includes fire truck accessible drive aisles to ensure adequate emergency response access on-site. The proposed design would be subject to a standard review process by the Riverside County Fire Department to ensure that the site-specific emergency access, water pressure, and other pertinent criteria are met by the revised project. Less than significant impacts are expected.

The project is located outside of areas designed as Very High/High/Moderate Fire Hazard Severity Zone (FHSZ) for State and Federal Responsibility Areas, and Very High FHSZ for Local Responsibility Areas. The project is not located near wildlands and impacts were determined to be less than significant. The revised project will not result in additional grading or construction beyond the boundaries of the property analyzed in the MND. Therefore, impacts of wildfires would not be significant, similar to the MND.

With the implementation of mitigation measures HAZ1 through HAZ11, impacts of hazardous materials at the project site would be less than significant.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to hazards and hazardous materials that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

VIII. Hydrology and Water Quality

58-Acre Kirkjan Project MND

The 58-acre project setting evaluated by the prior MND was characterized as relatively flat land, primarily in a vacant condition, with the scattered presence of date palms, dirt roads, abandoned residential structures, and miscellaneous storage areas remaining from prior agricultural operations. The observed structures and palm trees were located on the north half of the site, while the southern half maintained a prevalent vacant condition. The project site was found to be absent of any naturally occurring drainage courses, streams, rivers, designated flood zones, or other features pertinent to a hydrologic setting. The surrounding context included a combination of undeveloped, agricultural, and residential uses, also absent of any hydrologic resources.

The prior MND analysis cited various regulatory requirements, permit coverages, and project-specific engineering design approvals necessary to adhere to the local hydrology and surface water quality standards, as well as the construction and post-construction compliance plans mandated under the National Pollution Discharge Elimination System (NPDES) framework (Section 402 of the Clean Water Act).

Specifically, the prior MND determined that the project proponent would be required to obtain coverage under the NPDES Construction General Permit for the extent of land disturbance. Preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) was also mandated to document the construction and post-construction practices for preventing surface water impacts. For the post-construction condition, the project proponent was required to prepare a Water Quality Management Plan (WQMP) to document the project's stormwater management and pollution source control from the residential land uses. The WQMP would be consistent with the grading and storm drain system designed to convey project runoff into on-site retention basins with the capacity to meet the City's hydrologic retention standards, therefore preventing stormwater runoff discharge. The storm drain system and site design identified two basin locations respective to the northern and southern portions of the project site.

The prior MND did not identify any deviation from the regulatory requirements and the associated stormwater controls. The required storm drain system inherent to the project and various forms of compliance documents were found to prevent the hydromodification concerns typically associated with land development activities, while the mitigation measures (HYD1 through HYD6) were aimed at ensuring that these standards were followed during construction and life of the project. It is worth noting that the prior mitigation measures for hydrology and water quality pertained directly to ensuring regulatory compliance, rather than mitigating for a substantive hydrology or surface water quality impact.

Therefore, with mitigation incorporated, the project of 232 residential units was found to result in less than significant impacts pertaining to groundwater resources and interactions with designated flood zones. Impacts to water quality standards, waste discharge requirements, groundwater resources, erosion, siltation, flooding, and stormwater discharge were also found to be less than significant.

Revised Project

Since the prior environmental review, the project setting has not incurred any substantial change in circumstances inconsistent with the project's planned residential uses. The 58-acre site has

undergone phased residential development in general conformity with such the entitlements and scope analyzed in the adopted MND. The construction progress to date includes street, utility, and storm drain infrastructure serving a total of 123 single-family dwelling lots generally occupying the northern 31 acres of the project site. Stormwater infrastructure for this area includes a storm drain system designed to capture and convey runoff to a constructed and operational 1.5-acre on-site retention basin. It is assumed that all constructed grading and storm drain plans underwent City review and approval for consistency with the runoff retention requirements. It is also assumed that the required SWPPP and WQMP were properly processed for the phase of development leading to the current condition.

The southern portion of the project remains undeveloped. Buildout of the project in this area will result in 107 single-family residential dwelling units with associated street, utility, and storm drain infrastructure in a site plan configuration generally consistent what was analyzed in the adopted MND. One minor change is that the project buildout would result in a total of 230 units versus the 232 units previously assessed. There are also minor revisions to the street layout. Buildout of the remaining area with the minor modifications would require the same categories of compliance plans and final engineering design approvals to comply with the NPDES, MS4, and City-specific engineering standards.

For the period of construction, a new SWPPP must be prepared, filed, and implemented to comply with the State's most current Construction General Permit (CGP), Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ. This regulatory compliance plan will include measures to ensure that the remaining construction activities prevent surface water quality impacts. For post-construction (operational) conditions, additional documentation will be required in the form of a WQMP to comply with the most current standards of the *Whitewater River Region Water Quality Management Plan for Urban Runoff* and the *Whitewater River Watershed MS4 Permit*. This WQMP will be subject to review and approval by the City for consistency with the Coachella Code of Ordinances, Chapter 13.16, Water Quality Control and other associated standards.

For the remaining residential buildout, the proposed storm drain system will convey runoff into an on-site retention basin, the location of which is consistent with the prior MND analysis. The remaining stormwater infrastructure will continue to provide adequate capacity to prevent uncontrolled runoff discharge. There is no aspect of the remaining residential buildout deviating from the prior analysis and regulatory requirements and the associated stormwater controls, including compliance with the previously adopted mitigation measures. Therefore, after following the regulatory program requirements designed specifically prevent hydrologic, stormwater and surface water impairments, the impacts resulting from the revised project would continue to be less than significant. The revised plans would not result in new or greater significance levels than those disclosed in the previous MND.

Therefore, Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to hydrology that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

IX. Land Use and Planning

58-Acre Kirkjan Project MND

The MND concluded that the project site would not divide an established community. At the time the MND was written, a majority of the area surrounding the project site was undeveloped. Additionally, the area was designated Low Density Residential. Therefore, the previous project was consistent with the General Plan land use designation and would not divide an established community.

The previous project proposed the approval of a zone change from Agriculture Transitional (A-T) to Residential Single Family (R-S). The A-T designation requires a minimum lot size of five acres. However, the R-S designation provides for a minimum lot size of 6,000 square feet. The zoning designation for the previous project would be allowed to develop a total of up to 348 lots. The previous project proposed 232 residential units (4 dwelling units per acre). The R-S zone would be consistent with the Low Density Residential land use designation. Therefore, the MND concluded that the project's zone change would be less than significant with the implementation of the following mitigation measure (article 030):

LAN1: The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Community Development Department regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impacts of new development. One of these fees is the General Plan Fee to be paid at the time permits are issued. If permits are issued prior to the approval of a development impact fee, a fee shall be paid at the time permits are issued as a mitigation of the environmental impacts associated with this project. The fees shall be as follows: Buildings - \$50.00 per Dwelling Unit.

Additionally, the MND indicated that the Coachella Valley Association of Governments (CVAG) was preparing a Multiple Species Habitat Conservation Plan (MSHCP) and Natural Community Conservation Plan (NCCP) for the Coachella Valley region. The plans were created to protect special status species and their habitats while streamlining the regulatory process through the implementation of mitigation measures. Mitigation included the payment of fees as a standard condition of approval. The MND determined that with the payment of these fees, the project would not conflict with any applicable habitat conservation plan and less than significant impacts were expected (refer to mitigation measure BIO5).

The MND concluded that impacts to land use and planning would result in less than significant impacts with the implementation of mitigation.

Revised Project

The revised project would not create any new land use barriers, preclude the development of surrounding parcels, or otherwise divide or disrupt the physical arrangement of the surrounding established community, as the areas surrounding the project site are mostly developed and consist of residential buildings and uses. The site is designated as Low Density Residential by the City's General Plan. The existing zoning designation for the site is Residential Single Family (R-S). These land use and zoning designations would not change as a result of implementing the revised project. In addition, the revised project would not consist of components that would conflict with any applicable habitat conservation plans or natural conservation plans and will be required to pay development fees to support the acquisition of conservation lands of the CVMSHCP.

No new or more severe impacts associated with land use and planning would occur as a result of implementing the revised project. Major revisions to the MND are not required due to changes to

the project as there have been no substantial changes in the project or its surrounding circumstances relating to land use that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

X. Mineral Resources

58-Acre Kirkjan Project MND

The MND concluded that the previous project would result in no impacts to mineral resources. Per the MND, no classified or designated mineral deposits of statewide or regional significance are known to occur within the project area. The MND determined that the project site is designated as MRZ-1, therefore, the project would not result in the loss of availability of any known mineral resource valuable to the region or to the residents of the state. No impacts were identified in the previous MND.

Revised Project

Similar to the previous project, under the revised project it would not be feasible to use the project site for mining operation due to the site's zoning and land use designation. Additionally, the site is surrounded by existing residential communities. The City's General Plan does not identify the project site as an existing or past extraction site. Therefore, implementation of the revised project would result in no impacts related to the loss of local, regional, or state mineral resources, similar to the MND.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to mineral resources that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XI. Noise

58-Acre Kirkjan Project MND

The MND concluded that the project would result in short term impacts related to noise. However, these impacts can be reduced to less than significant levels with the implementation of mitigation measures.

As detailed in the MND, construction activities of the project were expected to generate short-term noise increases compared to the existing levels. Construction crew commutes and the transport of construction equipment and materials to the site would increase noise levels on access roads leading to the site. The MND determined that short-term construction related impacts associated with worker commute and equipment transport to the project would be less than significant. Short-term noise impacts would also be associated with excavation, grading, and erecting of buildings onsite during construction. Therefore, the MND established the following mitigation measures for the previous project:

N1: During all project site excavation and grading, the project coordinator shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards.

- N2:** The construction contractor shall place all construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- N3:** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

Additionally, construction of the previous project was required to occur within the construction hours specified in the City's Noise Ordinance. With this, and the implementation of the mitigation measures, the MND concluded that the project would not result in significant impacts to noise. The MND also stated that the construction noise would not occur once construction of the project was completed.

The MND determined that the previous project would result in minimal groundborne vibrations or noise that would not be considered excessive. The MND concluded that impacts would be less than significant.

The MND analyzed whether the previous project would create substantial permanent increase in ambient noise levels. The MND concluded that the project would result in less than significant impacts to ambient noise levels by comparing long-term (mobile) sources and long-term (stationary) sources.

The MND determined that the project is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, the MND concluded that there would be no impacts.

Revised Project

The revised project would not require grading or construction beyond what was anticipated in the MND, nor would it change the allowed uses within the project site. No additional grading beyond what was anticipated in the MND would occur. As such, no new or more impacts related to noise would occur. Impacts would be less than significant, similar to the MND.

Similar to the MND, construction activities associated with the revised project are only permitted within the construction hours established by the City. During construction, the revised project will be subject to mitigation measures N1 through N3, and is also expected to follow common industry standards that will help limit noise level increases. For example, all construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers and the engines should be equipped with shrouds. Approved haul routes shall be used to minimize exposure of sensitive receptors to potential adverse levels from hauling operations. All construction equipment shall be in proper working order and maintained to reduce backfires. Similar to the MND, construction noise generated by the revised project is expected to be less than significant with the implementation of N1 through N3, as established in the MND.

Operation of the revised project is the same as the operations analyzed in the MND. While the revised project would result in an increase in noise levels compared to the existing partially undeveloped condition, the nature of the residential uses are not expected to result in the generation of noise levels that would surpass the community noise and land use compatibility standards.

In regard to noise generated by project traffic, the revised project would not introduce a substantial amount of additional vehicle travel to the site. The revised project would not significantly alter on- or off-site noise generation, as the proposed uses would be similar to the existing uses in the surrounding area and the lot count would be less than that analyzed in the previous MND.

Similar to the MND, noise levels associated with the revised project would not conflict with the City's Noise Ordinance or the General Plan noise standards, resulting in less than significant impacts. Additionally, the revised project is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, there would be no impacts.

With the implementation of mitigation measures N1 through N3, the revised project would result in less than significant impacts.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to noise that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XII. Population and Housing

58-Acre Kirkjan Project MND

The MND concluded that the project could induce population growth in the area both indirectly and directly. The development of new homes, as determined in the MND, would result in population growth directly, while the development of roads and other infrastructure would induce population growth indirectly.

According to the MND, the increase of 232 housing units at the site would result in a population increase of 1,114 persons. However, the MND determined that the project would decrease the existing housing shortage in the City, and impacts would be less than significant.

Due to the vacant character of the site, the MND determined that the site would not displace any existing housing or require replacement housing. Therefore, the MND concluded that there would be no impact to replacement housing as a result of the project.

Revised Project

The revised project would not displace any existing housing units or people, as the site is vacant and located in the Low Density Residential land use designation, established by the City of Coachella. The previous project proposed 232 dwelling units, while the revised project would result in the total development of 230 dwelling units. The revised project would not result in any substantial increase or decrease of population as analyzed in the MND. Therefore, similar to the MND, impacts to population growth would be less than significant.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to population growth that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XIII. Public Services

58-Acre Kirkjan Project MND

The MND found that impacts to fire protection, police services, and schools would be less than significant.

Development of the project increases demand on fire services, however based on the site proximity to the City's existing fire stations, the project was determined to be adequately served without the expansion of a new fire facility and adequate response times would be met. Additionally, the project was required to implement all applicable and current California Fire Code Standards. This included the installation of fire hydrants as well as sprinkler systems inside the buildings. Furthermore, the project was required to be reviewed by City and Fire officials to ensure adequate fire service and safety as a result of project implementation. Therefore, the MND concluded that less than significant impacts were expected.

Although the project required additional demand for police services, the demand was not expected to hinder the City's ability to provide police protection services and adequate response times would be met. Furthermore, the project was required to be reviewed by City and Police officials to ensure adequate police service and safety as a result of project implementation.

The proposed project would result in an increase in students attending Kindergarten to 12th grade in the Coachella Valley Unified School District (CVUSD). Per the MND, developers would be required to pay school impact fees, as authorized by State law, in order to reduce impacts resulting from new development. The payment of school fees is considered full mitigation of new development impacts on schools, according to the MND.

PS1: The developer is subject to school assessment fees pursuant to California State law. The developer shall provide evidence of compliance to the City prior to issuance of building permits.

The previous project proposed the development of 232 residential dwelling units. Per the MND, the City required new residential development to dedicate land or fees in lieu of park and recreation facilities in order to achieve a standard of five acres of park space/open space per 1,000 people. The previous project was required to comply with the following mitigation measure.

PS2: The developer is subject to park assessment fees pursuant to California State law. The developer shall provide evidence of either the dedication of land or fees paid in lieu of, to the City prior to issuance of building permits.

The MND concluded that due to the size of the previous project, the project would not significantly affect other governmental agencies or facilities.

The MND determined that the project would result in less than significant impacts to public services with the implementation of PS1 and PS2.

Revised Project

Similar to the MND, the revised project would result in less than significant impacts to public facilities with implementation of mitigation measures PS1 and PS2. The revised project would result in less than significant impacts to fire protection, police services, and school facilities, similar to the proposed project. Therefore, the revised project will be required to comply with the City's

Development Impact Fees (DIF) to assist with the funding of public facilities and services, including fire and police services. The revised project would also be required to pay developer impact fees to the CVUSD to assist in offsetting impacts to school facilities. The developer impact fees for the District have increased since the time the MND was written. Currently, fees are \$4.08 per square foot for residential, and \$0.66 per square foot for commercial. The revised project would be required to pay the most current fees. Additionally, the project would be required to pay park assessment fees as established in mitigation measure PS2. However, with the payment of the DIFs for public facilities and services, and developer impact fees for the school facilities and parks, the revised project would result in less than significant impacts to public services, similar to the previous project.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to public services that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XIV. Recreation

58-Acre Kirkjan Project MND

The MND concluded that with the implementation of mitigation measure PS2, the project would not result in significant impacts to parks. The payment of Quimby Act Fees would mitigate the impacts of the City's recreational facilities. As such, the MND concluded that the project would result in less than significant impacts to recreational facilities in the City of Coachella with the implementation of PS2.

Revised Project

The revised project proposes residential dwelling units. Similar to the MND, the revised project would be required to implement PS2, to reduce impacts to park facilities within the City of Coachella.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to parks that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XV. Transportation

58-Acre Kirkjan Project MND

The 58-acre project setting evaluated by the prior MND was characterized as relatively flat land, primarily in a vacant condition, with the scattered presence of date palms, dirt roads, abandoned residential structures, and miscellaneous storage areas remaining from prior agricultural operations. The observed structures and palm trees were located on the north half of the site, while the southern half maintained a prevalent vacant condition. The surrounding context included a combination of undeveloped, agricultural, and residential uses.

A project specific Traffic Impact Analysis was prepared by RBF Consulting.

The proposed 58-acre Project site consisted of 232 single-family dwelling units in the City of Coachella. As part of the proposed Project, the following improvements were planned for Avenue 50 and Avenue 51:

- An additional eastbound lane on Avenue 50 will be constructed along the Project site frontage.
- An additional westbound lane on Avenue 51 will be constructed along the Project site frontage.

The Institute of Transportation Engineers (ITE) trip generation rates were used to calculate the number of trips forecast to be generated by the proposed Project. The proposed Project was forecast to generate approximately 2,220 daily trips, which included approximately 179 a.m. peak hour trips and approximately 237 p.m. peak hour trips.

Two study intersections were forecast to operate at an unacceptable LOS (LOS D or worse) according to City of Coachella performance criteria for forecast year 2005 with Project conditions:

- Van Buren Street/Avenue 50 (p.m. peak hour only); and
- Frederick Street/Avenue 50 (p.m. peak hour only).

To eliminate the forecast year 2005 with Project conditions deficiencies at the two study intersections, the following mitigation measures were recommended:

- Van Buren Street/Avenue 50 -Modify eastbound Avenue 50 approach from one left-turn lane and one shared through/ right-turn lane to consist of one left-turn lane, one through lane, and one shared through/ right-turn lane.
- Frederick Street/Avenue 50 -Modify westbound Avenue 50 approach from one left-turn lane, one through lane, and one right-turn lane to consist of one left-turn lane, one through lane, and one shared through/ right-turn lane.

Assuming implementation of the recommended mitigation measures, the two study intersections are forecast to operate at an acceptable LOS (LOS C or better) during the a.m. and p.m. peak hours for forecast mitigated year 2005 with Project conditions.

The Project applicant's payment to the Coachella Valley Association of Governments (CVAG) Transportation Uniform Mitigation Fund (TUMF) Fee Program and to the City of Coachella Environmental Fee Program For Traffic Signals shall pay for the Project's fair share contribution to the identified mitigation measures. Implementation of the recommended mitigation measures would reduce impacts to a less than significant level.

All study intersections were forecast to operate at an acceptable LOS (LOS C or better) according to City of Coachella performance criteria for forecast General Plan buildout with Project conditions. No mitigation measures are required for forecast General Plan buildout with Project conditions and therefore, impacts would be less than significant in this regard.

The following Mitigation Measures were included in the previous MND:

TR1 The Project applicant's payment to the Coachella Valley Association of Governments (CVAG) Transportation Uniform Mitigation Fund (TUMF) Fee Program and to the City of Coachella Environmental Fee Program For Traffic Signals shall pay for the Project's fair

share contribution to the identified mitigation measures as follows: Van Buren Street Avenue 50 -Modify eastbound Avenue 50 approach from one left-turn Lane and one shared through/right-turn lane to consist of one left-turn lane, one through lane, and one shared through/ right-turn lane. Frederick Street/Avenue 50 -Modify westbound Avenue 50 approach from one left-turn lane, one through lane, and one right-turn lane to consist of one left-turn lane, one through lane, and one shared through/ right-turn lane.

- TR2** The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Department of Community Development regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impact of new development, as follows: The approved development impact fee for Traffic Signal be paid at the time permits are issued. A fee shall be paid at the time the permits are issued as a mitigation of the environmental impacts associated with this project. The fees shall be as follows: Building - \$192.00 per dwelling unit.
- TR3** The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Department of Community Development regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impact of new development as follows: The approved development impact fee for Bridge and Grade Separation be paid at that permits are issued. If permits are issued prior to the approval of a development impact fee, a fee shall be paid at the time the permits are issued as a mitigation of the environmental impacts associated with this project. The fee shall be as follows: Buildings - \$422.00 per dwelling unit.
- TR4** The City of Coachella has determined that there is a need for improvements that are caused by new development and for which a shared responsibility for constructing exists. The study prepared by the Department of Community Development regarding Proposed New Development Impact Fees has been prepared and is available for review. Payment of a fair share amount would serve to mitigate the impact of new development. The approved development impact fee for Bus Shelter and Bus Stop Safety Zone shall be paid at the time permits are issued. A fee shall be paid at the time the permits are issued as a mitigation for environmental impacts associated with the project. The fees shall be as follows: Bus Shelters - \$50.00 per dwelling unit.
- TR5** Prior to Project plan approval, the quantity, location, width and type of driveways shall be subject to the approval of the City Engineer. An effective sight distance for vehicular traffic shall be maintained at the driveway entrances on Avenue 50 and Calhoun Street. Adequate sight distance shall also be maintained within the development at all driveway intersections to the satisfaction of the City Engineer.

Following compliance with Mitigation Measures and Standard Conditions including adjacent roadway improvements and payment of TUMF and Development Impact Fees, the project was expected to result in an acceptable increase in traffic levels on the local roadways and less than significant impacts were expected.

Revised Project

The southern portion of the project remains undeveloped. Buildout of the revised project in this area will result in 107 single-family residential dwelling units with associated street, utility, and storm drain infrastructure in a site plan configuration generally consistent what was analyzed in the adopted MND. The revised project includes a change to the proposed lots. The project buildout would result in a total of 230 units versus the 232 units previously assessed. There are also minor revisions to the street layout. Buildout of the remaining area with the minor modifications would require the same categories of compliance plans and final engineering design approvals to comply with City-specific engineering standards.

While the revised project would result in an increase in traffic levels compared to the existing undeveloped condition, the proposed residential lots are not expected to result in the generation of traffic levels that would surpass the City of Coachella standards.

The revised project would not introduce a substantial amount of additional vehicle trips. The revised project would not result in increased vehicular conflicts, as the proposed uses would be similar to the prior proposed uses and existing uses in the surrounding area. Following compliance with Mitigation Measures and Standard Conditions including adjacent roadway improvements and payment of TUMF and Updated Development Impact Fees, the project is expected to result in less than significant impacts similar to the previous project.

Since approval of the previous project and the MND, the State of California has changed the methodology for evaluating transportation-related impacts from a traffic congestion/level of service analysis, to an analysis of how the project will affect the vehicle miles traveled in the area. In this case, the revised project does not change the previously approved residential uses and it reduces the total number of homes by two. Accordingly, the revised project would not alter the projected vehicle miles traveled in the area, and would not have an impact different than the previous project.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XVI. Utilities and Service Systems

58-Acre Kirkjan Project MND

The MND determined that the project would result in less than significant impacts to utilities and service systems including water infrastructure and supply, wastewater infrastructure, stormwater infrastructure, or solid waste facilities.

According to the MND, the Coachella Sanitary District (CSD) was responsible for the provision of wastewater treatment facilities that served the project site. The exiting sewer collection system was composed of small diameter pipe larger diameter pipes serving as interceptors at Harrison and Highway 111; east and west between Avenue 52 and Avenue 53; parallel to the stormwater channel north of Avenue 54; and in Avenue 54 from Van Buren to the existing wastewater treatment plant (WWTP). The WWTP had a designed capacity of 2.8 million gallons per day (MGD). The MND determined that the previous project (58 acres) would generate approximately 37,468 gallons of wastewater per day, which is approximately 0.1 percent of the anticipated increase in wastewater generation upon buildout of the City. Therefore, the MND concluded that

the previous project would not result in significant impacts to wastewater facilities. However, the MND required the following mitigation:

UTIL1: All required sewer improvements shall be designed and constructed to City Standards. All tentative tract maps, site plans, and other plans within the project area shall be accompanied by adequate plans for sewer improvements prepared by a registered professional engineer.

At the time the MND was written, the Coachella Municipal Water Department provided the City, and the project site, with potable water. The MND determined that the previous project (58 acres) would increase water demand by 65,018 gallons of water per day, which represents approximately 0.5 percent of the anticipated increase in water demand upon buildout of the City General Plan. Therefore, the MND concluded that development of the previous project would not result in significant impacts to water facilities.

According to the MND, the previous project was subject to requirements of the NPDES that would reduce impacts to the storm water drainage systems. Additionally, storm drain improvements were required to be subject to City review and approval. The following mitigation was established in the MND to ensure storm water drainage impacts remain at or below existing levels:

UTIL2: Prior to the issuance of building permits, the applicant shall submit for approval of the City Engineering Department, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that shall be used onsite to control predictable pollutant runoff.

The MND determined that demolition and construction activities associated with the previous project would generate construction debris and waste. Post-development operations resulting from development of 232 single family residential units would further increase the volume of solid waste generated from the project. Based upon the generation factor used in the MND (2.27 pounds per person per year), the previous project would generate approximately 2,529 pounds (1.1 tons) of solid waste per year. The addition of 1.1 tons of solid waste represented 0.8 percent of the anticipated solid waste generated from buildout of the City General Plan area. In addition, the volume of the previous project's solid waste, ultimately disposed of at the landfills would be reduced due to the requirement of AB 939. Therefore, the MND concluded that the project would result in less than significant impacts.

Revised Project

Similar to the findings in the MND, the revised project would not result in significant impacts to utilities and service systems. The revised project would not require grading or construction beyond what was anticipated in the MND and would not change the allowable uses. No additional grading beyond what was anticipated in the MND would occur. As such, no new or more severe impacts related to utilities and service systems would occur.

Similar to the MND, wastewater generated by the revised project is expected to be minimal. The revised project is not expected to exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). In addition, City and other local and governmental agency review will ensure compliance with all current and applicable wastewater treatment requirements. Similar to the MND, the revised project proposes to connect to existing waste and sewer infrastructure. The revised project would undergo review by the Coachella Water Authority (CWA) and City staff to ensure wastewater capacity and compliance

with the current wastewater treatment requirements. Additionally, sewer installation and connection fees in place at the time of development will be collected by CWA. No new or expanded treatment facilities are anticipated from project implementation. Similar to the previous project, the revised project would result in less than significant impacts to wastewater treatment facilities with implementation of mitigation measure UTIL1.

In regard to new stormwater drainage facilities, the revised project would be expected to incorporate storm drain and flood control facilities to prevent changes to local drainage conditions (patterns, quantities, or velocities) and adverse erosion and sedimentation impacts, and would comply with mitigation measure UTIL2. The revised project's site plan indicates that stormwater runoff from the project, including hardscape, would be carried to a retention basin in the southeast corner of the site. The basin would be sized to contain the largest increase in runoff volume between the pre- and post-construction condition caused by the controlling storm event. Only runoff in excess of the storm drain system capacity would be conveyed off-site in a pattern that does not cause erosion or siltation conditions.

Like the previous project, the revised project will be required to comply with all construction requirements and best management practices through the life of the project. Standard engineering procedures currently in place require that all final grading and hydrology plans be submitted to the City of Coachella for review and approval prior to the issuance of a grading permit. This is indicated as mitigation measure UTIL2, resulting in less than significant impacts, similar to the previous project.

In regard to water supply, the revised project would be expected to follow water conservation guidelines to mitigate impacts to public water supplies. Examples of these water conservation methods include water conserving plumbing fixtures, drought tolerant landscaping, and drip irrigation systems. The revised project proposes to connect to the existing water lines. Additional domestic water improvements necessary to serve this development will be identified by CWA and included as conditions of approval by the City of Coachella during the City's standard review process. Less than significant impacts to water supply are expected.

In regard to landfill capacity, solid waste generated by the revised project would consist of standard household/office waste. Residential waste and recycling collected from the revised project will be hauled to the Edom Hill Transfer Station. Waste from this transfer station is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include Badlands Disposal Site, El Sobrante Sanitary Landfill and Lamb Canyon Disposal Site. CalRecycle data indicates that these landfills have 40-50% of their remaining estimated capacity. Additionally, solid waste generated by residential dwelling units would be minimal. Less than significant impacts to solid waste are expected. Additionally, the revised project would comply with all applicable solid waste statutes and guidelines. No impacts are expected relative to solid waste statutes and regulations.

Major revisions to the MND are not required due to changes to the project as there have been no substantial changes in the project or its surrounding circumstances relating to utilities and service systems that would require major MND revisions; and there is no new information showing greater significant effects than disclosed in the previous MND.

XVII. Mandatory Findings of Significance

58-Acre Kirkjan Project MND

The MND found that the 58-Acre Kirkjan Project would result in potentially significant impacts related to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation and traffic, and utilities and service systems. As previously described, all of these impacts were reduced to below a significant level with the implementation of mitigation measures.

All other project impacts were found to be less than significant without mitigation, and no deficiencies related to the City's General Plan were found to occur. The project would not result in environmental effects that would cause a substantial adverse effect on human beings either directly or indirectly.

Revised Project

Similar to the previous project analyzed in the MND, the revised project would result in potentially significant impacts, however, these impacts would be reduced to less than significant through implementation of the mitigation measures outlined in the MND. No additional impacts were identified as a result of the revised project, and no deficiencies were identified related to the City's General Plan as a result of the residential project revisions.

Sources

City of Coachella General Plan

City of Coachella Municipal Code

Riverside County General Plan (RCIP), adopted October 7, 2003