

CEQA FINDINGS OF FACT

The California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA) requires that public agencies shall not approve or carry out a project for which an environmental impact report (EIR) has been certified that identifies one or more significant adverse environmental effects of a project unless the public agency makes one or more written Findings for each of those significant effects, accompanied by a brief explanation of the rationale for each Finding (State CEQA Guidelines [Cal. Code Regs., tit. 14, § 15000 et seq.], § 15091). This document presents the CEQA Findings of Fact made by the City of Coachella (City), in its capacity as the CEQA lead agency, regarding the Vista del Agua Project (Project), evaluated in the Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) for the Project.

SECTION I **INTRODUCTION**

Public Resources Code section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Section 21002 further states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Pursuant to section 21081 of the Public Resources Code, the City may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the City makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, section 21002 requires an agency to “avoid or substantially lessen” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 [“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced

environmental damage from a project to an acceptable level”]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 [“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Resources Code, § 21002.1(c) [if “economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency”]; see also State CEQA Guidelines, § 15126.6(a) [an “EIR is not required to consider alternatives which are infeasible”].) CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Pub. Resources Code, § 21061.1.) The State CEQA Guidelines add “legal” considerations as another indicia of feasibility. (State CEQA Guidelines, § 15364.) Project objectives also inform the determination of “feasibility.” (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 (“*Native Plant*”); see also Pub. Resources Code, § 21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project’s environmental alternatives is not required; rather, the requirement is that sufficient information be produced “to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” Outside agencies (including courts) are not to “impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken.” (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

SECTION II
FINDINGS REGARDING ENVIRONMENTAL
IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures.

A. AESTHETICS

1. Scenic Vistas

Threshold: Would the Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant. (Draft EIR, p. 4.2-5.)

Explanation: According to p. 4.1-5 of the City of Coachella General Plan Update Final EIR (2015):

“An adverse effect under CEQA could occur if new development would block or substantially change views of scenic vistas.

Within the Planning Area, scenic vistas provide valuable aesthetic resources, including expansive landscape views of the Coachella Valley, to the residents and patrons of the City and Sphere of Influence. Scenic vistas within the Planning Area include the sweeping views of the Mecca Hills in the eastern portion of the Planning Area. Additional scenic vistas that are not within the Planning Area, but can be seen from within the Planning Area, include the Santa Rosa and San Jacinto Mountains, which can be viewed to the west and southwest of the Planning Area, and Little San Bernardino Mountains, which can be viewed to the north and northwest of the Planning Area. Existing views of Coachella Valley mountain ranges as shown by in Figure 4.1-1 and 4.1-2.

Under the development of the CGPU, scenic vistas within the Planning Area are to remain largely undeveloped, or only have very minimal residential development. Scenic resources are located within subarea 13, 14, 16 and 17, and are planned for minimal impact development of preserved land under the CGPU subarea designations. Development under the CGPU would occur mostly in the western portion of the City where the majority of population and development exists today.”

The Project site is located an area where there are no “scenic resources” present on-site, as defined in the City of Coachella General Plan Update Final EIR (2015).

Pp. 4.1-5 and 4.1-6 of the City of Coachella General Plan Update Final EIR (2015) continues:

“In order to protect scenic resources, the CGPU includes several policies to guide future development so as to limit impacts to views of scenic resources, such as adding design restrictions for billboards along freeways, and preserving important aesthetic resources including agriculture land uses, open space, rock outcroppings, and important landmarks. These policies would protect aesthetic resources in the Planning Area by restricting large structures from obstructing views and by preserving aesthetically important landscape features. These policies would prevent unsightly billboards and development on, or blocking views of, landmarks and other aesthetics features in the region and Planning Area. Additionally, the CGPU includes policies that will limit the magnitude of change that could occur through development of the Mecca Hills. Specifically, the CGPU requires the protection and preservation of important views of the hills and mountains surrounding the City. As shown on the General Plan Designation Map in the Land Use and Community Form Element, the City is planning for lower density housing in the north and east portions of the City with ample areas set aside for open space. Lower density housing and open space will prevent impacts from occurring because this pattern would result in a less intense use of land, which would only cause minimal change to the views of the existing open space. This land use program is further supported by policies that encourage the preservation of the natural topography and features of undeveloped and working lands in the Planning Area. Finally, the CGPU limits the impact of views from roadways by restricting new billboards along the City’s roads and highways, helping to preserve transportation corridors as view corridors of the scenic vistas.”

The policies that will ensure the protection of scenic vistas in the Planning Area, which can be found in the Sustainability + Natural Environment Element, from the City of Coachella General Plan Update Final EIR (2015) are listed below. The Project is consistent with these policies.

- Policy 6.1 View corridor preservation. Protect and preserve existing, signature views of the hills and mountains from the City.

The Project is consistent with the General Plan Land Use designations and will result in a development fabric, as anticipated in the City of Coachella General Plan Update Final EIR (2015). The Project site is

not located within subareas 13, 14, or 16 where the City of Coachella General Plan Update Final EIR (2015) identified scenic resources.

- Policy 6.2 Scenic roadways. Minimize the impact on views by restricting new billboards along the City's roads and highways. Electronic and animated billboards should be prohibited except in rare and special circumstances.

The Project is consistent. Billboards are not permitted in the Specific Plan.

- Policy 10.8 Preservation of natural land features. Preserve significant natural features and incorporate into all developments. Such features may include ridges, rock outcroppings, natural drainage courses, wetland and riparian areas, steep topography, important or landmark trees and views.

The Project is consistent. The Project does not contain any significant natural features, which may include ridges, rock outcroppings, natural drainage courses, wetland and riparian areas, steep topography, important or landmark trees and views.

- Policy 10.9 Working lands. Encourage the preservation of agricultural and other working lands as important aesthetic and open space resources of Coachella.

The Project is consistent. The Project, as proposed, does not contain any agricultural/other working lands General Plan Land Use designations

Based on this analysis, implementation of the Project will not result in a substantial adverse effect on a scenic vista. Any impacts are considered less than significant. (Draft EIR, pp. 4.2-5--4.2-7.)

2. Scenic Resources

Threshold: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: Less than significant. (Draft EIR, 4.2-8.)

Explanation: According to pp. 4.1-6 and 4.1-7 of the City of Coachella General Plan Update Final EIR (2015):

“Currently there are no designated, or eligible, State Scenic Highways within the Planning Area. Major historic highways within the Planning Area include old Highway 99 (now Dillon Road between Grapefruit Blvd. and Interstate 10), Old Highway 86 (Harrison Street south of Grapefruit Blvd), and Old Highway 111 (Grapefruit Boulevard), and Highway 86-S Expressway south of Interstate 10. Though there are no designated State Scenic Highways, the listed policies outlined below are from the Sustainability and Natural Environment Element of the CGPU are proposed to preserve and protect corridor preservation and minimize aesthetic obstruction of billboards along these highways.”

A Project consistency analysis is provided below.

- Policy 6.2 Scenic roadways. Minimize the impact on views by restricting new billboards along the City’s roads and highways. Electronic and animated billboards should be prohibited except in rare and special circumstances.

Consistent. Billboards are not permitted in the Specific Plan.

- Policy 10.9 Working lands. Encourage the preservation of agricultural and other working lands as important aesthetic and open space resources of Coachella.

Consistent. The Project, as proposed, does not contain any agricultural/other working lands General Plan Land Use designations. This is not applicable.

- Policy 13.16 Unique features. Encourage parks and trails to be designed to conserve scenic and natural features and encourage public awareness of Coachella’s unique geography.

Consistent. Project trails will be designed as part of the Specific Plan’s vehicular and non-vehicular circulation systems. Trails will be developed as paseos that utilize Project drainage features. With the exception of the San Andreas Fault, no scenic and natural features are present on the Project site.

Based on this analysis, implementation of the Project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Any impacts are considered less than significant. (Draft EIR, pp. 4.2-8--4.2-9.)

3. **Light and Glare**

Threshold: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant. (Draft EIR, p. 4.2-9.)

Explanation: Currently, there are no existing sources of light or glare on site. In addition, there are no existing street lights or signalized intersections immediately adjacent to the Project site. I-10 is located to the north of the Project site; however, it is immediately adjacent to the commercial portion of the Project. I-10 is not located in proximity to the residential portion of Project site. I-10 is not a lighted highway adjacent to the project site.

Short-Term Construction Impacts

During construction on the Specific Plan site, travelers in the area will have views of the site which include construction fencing, equipment, grading areas, building pads, partially constructed structures, and other related facilities and activities. These views would be temporary and, therefore, would not represent a permanent change in views of construction equipment and activities from outside the Project site.

Consistent with Section 7.04.070, Construction Activities, in the City of Coachella Municipal Code, construction activities will be limited to the daytime hours. As a result, there would be no night lighting on the site for construction equipment or activities. However, there would be limited security lighting provided at the Site Manager's trailer and other locations in the construction areas. That lighting would comply with the applicable requirements in the City Municipal Code.

The construction activities and equipment would not represent substantial potential sources of glare on the Project site.

As a result, the construction activities and equipment on the Project site would result in less than significant temporary impacts related to aesthetics and light and glare. (Draft EIR, pp. 4.2-9—4.2-10.)

B. AGRICULTURE AND FOREST RESOURCES

1. **Agricultural Zoning**

Threshold: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices-Initial Study, p. 11.)

Explanation: Williamson Act contract lands do not exist within the Coachella City limits. Therefore, implementation of the Project (on-site and off-site components) will not conflict with existing zoning for agricultural use, or a Williamson Act Contract.

The current zoning on the Project site is:

- Manufacturing Services (M-S);
- Residential Single Family (R-S); and
- General Commercial (C-G)

Therefore, implementation of the Project will not conflict with existing zoning for agricultural use. No impacts are anticipated and thus no mitigation is required. (Draft EIR, Ch. 8 Appendices-Initial Study, pp. 11-12.)

2. Forestland Zoning

Threshold: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices-Initial Study, p. 11.)

Explanation: There are no forest lands on or near the on-site or off-site Project components. Therefore, implementation of the Project (on-site and off-site components) will not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). No impacts are anticipated and thus no mitigation is required. (Draft EIR, Ch. 8 Appendices-Initial Study, pp. 11-12.)

3. Loss of Forest Land

Threshold: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices-Initial Study, p. 11.)

Explanation: There are no forest lands on or near the on-site or off-site Project components; therefore, the Project would not impact any forest or

timberlands. No impacts are anticipated, and no mitigation is required. (Draft EIR, Ch. 8 Appendices-Initial Study, pp. 11-12.)

C. **AIR QUALITY**

1. **Air Quality Plans and Air Quality Standards**

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Less than significant. (Draft EIR, pp. 4.4-42—4.4-43.)

Explanation:

Construction Air Quality Impacts

Localized Construction Emissions

Table 4.4.4-7, Construction Localized Significance of the Draft EIR, illustrates the construction related LSTs for the Project area. The emissions will be below the SCAQMD thresholds of significance for localized construction emissions. (Draft EIR, pp. 4.4-42—4.4-43.)

Fugitive Dust

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind and cut-and-fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations, and weather conditions at the time of construction.

Construction emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors. The proposed Project will be required to comply with SCAQMD Rules 402, 403 and 403.1 to control fugitive dust. **Table 4.4.4-6, Regional Significance—Construction Emissions** of the Draft EIR illustrates total construction emissions, i.e., fugitive-dust emissions and construction equipment exhausts that have incorporated a number of feasible control measures that can be reasonably implemented to significantly reduce PM₁₀ emissions from construction. **Table 4.4.4-6** illustrates that all construction phases, the daily total construction emissions with standard control measures, would be below the daily thresholds established by the SCAQMD. Therefore, the Project will not result in significant fugitive dust emissions. (Draft EIR, p. 4.4-43.)

Naturally Occurring Asbestos

The proposed Project is located in Riverside County which is not among the counties that are found to have serpentinite and ultramafic rock in their soils. Therefore, the potential risk for naturally occurring asbestos (NOA) during Project construction is small and less than significant. (Draft EIR, p. 4.4-43.)

Construction-Related Toxic Air Contaminant

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed Project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of “individual cancer risk.” “Individual cancer risk” is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the proposed Project would not result in a long-term (i.e., 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed Project. (Draft EIR, p. 4.4-44.)

Health Risk Assessment

The SCAQMD has prepared a guidance document, “Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning, (A Reference for Local Governments Within the South Coast Air Quality Management District)” for addressing health risks for new developments (where sensitive receptors are of a concern) that occur along or near freeways. Appendix C of the AQ/GHG Analysis contains the quoted document; however, the full document is available on SCAQMD’s website.

The guidance document discusses that busy traffic corridors in urban areas are defined as Freeways with an average daily traffic (ADT) above 100,000 and roadways with an ADT above 50,000. In addition, the document demonstrates the drop off rate at which air pollution levels decrease as the separation distances increases from the edge of the freeway. The busiest roadway segment near the Project site is Interstate 10, which will have an estimated 40,855 ADT in Year 2035. According to the guidance document the ADT volume is below the definition of a busy corridor.

Figure 2-1 and Table 2-2 within Appendix B of the AQ/GHG Analysis demonstrates the drop off rate at which the pollution concentration is reduced as the separation distance increases. The data demonstrates that a

minimum distance that separates sources of diesel emissions from nearby receptors is effective in reducing potential cancer risk.

The Health Risk Assessment impact would be considered less than significant. (Draft EIR, pp. 4.4-46—4.4-47.)

Localized Operational Emissions

Per SCAQMD methodology, LST analysis is not warranted. Thus, there is no impact. (Draft EIR, p. 4.4-45.)

CO Hot Spot Emissions

The SCAQMD recommends that a local CO hot spot analysis be conducted if the intersection meets one of the following criteria:

- 1) The intersection is at level of service (LOS) D or worse and where the project increases the volume to capacity ratio by 2 percent; or
- 2) The project decreases at an intersection from C to D.

Micro-scale air quality emissions have traditionally been analyzed in environmental documents where the air basin was a non-attainment area for CO. However, the SCAQMD has demonstrated in the CO attainment redesignation request to EPA that there are no “hot spots” anywhere in the air basin, even at intersections with much higher volumes, much worse congestion, and much higher background CO levels than anywhere in Riverside County. If the worst-case intersections in the air basin have no “hot spot” potential, any local impacts will be below thresholds. Therefore, there is no impact. (Draft EIR, pp. 4.4-45—4.4-46.)

D. BIOLOGICAL RESOURCES

1. Sensitive Species

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

Finding: Less than significant. (Draft EIR, p. 4.5-24.)

Explanation:

Sensitive Elements

Plant or animal taxa may be considered "sensitive" due to declining

populations, vulnerability to habitat change or loss, or because of restricted distributions. Certain sensitive species have been listed as Threatened or Endangered by the United States Fish and Wildlife Service (USFWS) or by the CDFW and are protected by the federal and state Endangered Species Acts and the California Native Plant Protection Act. Other species have been identified as sensitive by the USFWS, the CDFW, or by private conservation organizations, including the CNPS, but have not been formally listed as Threatened or Endangered. Such species can still be considered significant under CEQA.

The literature review and the Project biologists' knowledge of the Project vicinity indicated that as many as 18 sensitive biological resources potentially occur in the vicinity of the Project site, however only one sensitive species was actually observed on the site during site surveys. For a summary of sensitive species and habitats known to occur or potentially occurring in the vicinity of the Project site, see **Tables 4.5.4-1 through 4.5.4-6**. As shown in these Tables, 1 of 5 sensitive plant species is covered by the CVMSHCP; both (2) sensitive reptile species are covered by the CVMSHCP; 3 of 5 sensitive bird species are covered by the CVMSHCP; 3 of 5 sensitive mammal species are covered by the CVMSHCP; and 1 (of 1) sensitive insect species is covered by the CVMSHCP. (Draft EIR, pp. 4.5-23—4.5-24.)

Sensitive Plants

Table 4.5.4-2, *Sensitive Plants: Vista Del Agua Project Site*, of the Draft EIR lists five sensitive plants known to occur in the general Project vicinity, and none of these species are expected to occur on the Project site due to lack of habitat, incorrect elevational range, or because the site is out of the currently understood range of the species. These include chaparral sand-verbena (*Abronia villosa* var. *aurita*), Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*), Lancaster milk-vetch (*Astragalus preussi* var. *laxiflorus*), gravel milk-vetch (*Astragalus sabulonum*), and glandular ditaxis (*Ditaxis claryana*).

In the case of the Lancaster and gravel milk-vetches, the single California Natural Diversity Database (CNDDDB) records for each of these species are both very old (1928 and 1906 respectively) and are both thought to represent “best guesses” concerning the locality data.

According to the California Native Plant Society (CNPS) online Inventory of Rare and Endangered Plants – 7th edition interface: “Lancaster milk-vetch is known in CA only from near Lancaster and Edwards Airforce Base, where extremely rare; only reported once in recent years.”

Concerning the three remaining sensitive plants, there is very limited potential habitat for Coachella Valley milk-vetch on the site, and much of

what is present is degraded by a variety of human impacts. No *Astragalus* species were observed on the Project site during the surveys, including dead remains from last year. The site is too low in elevation (apart from the northeast corner the entire site is below sea level, and much of the northeast corner is currently grapes) to support either chaparral sand-verbena or glandular ditaxis. No sand-verbena or ditaxis were observed on the site, including dead remains from a previous season. Thus, none of the aforementioned sensitive plant species are likely to occur on the Project site. (Draft EIR, pp. 4.5-24—4.5-25.)

Sensitive Reptiles

Table 4.5.4-3, *Sensitive Reptiles: Vista Del Agua Project Site*, lists two sensitive reptile species (Federal threatened and State endangered) that have a potential of occurring on the site: Coachella Valley fringe-toed (*Uma inornata*) and flat-tailed horned lizard (*Phrynosoma mcallii*).

According to p. 4.3-2 of the General Plan Update Final EIR (2015), the fringe-toed lizard is dependent upon Sand Fields habitat. Table 4.3-2: Special Status Wildlife Species Observed or Potentially Occurring in the City of Coachella Planning Area, of the General Plan Update Final EIR (2015) (p. 4.3-6) indicates a moderate potential for the fringe-toed lizard, and that it may be present in “undisturbed, wind-blown sand habitats.”

The Colorado Saltbush Scrub community occurs in low-lying basins and areas of periodic flooding within the Coachella Valley. The Colorado Saltbush Scrub community is characterized by moist sandy loam and relatively high soil salinity. The flat-tailed horned lizard is a Special status species associated with the Colorado Saltbush Scrub community.

Table 4.3-2: Special Status Wildlife Species Observed or Potentially Occurring in the City of Coachella Planning Area, of the General Plan Update Final EIR (2015) (p. 4.3-6) indicates a moderate potential for the fringe-toed lizard, and that it is patchily distributed throughout the Coachella Valley, and is presently described from undisturbed natural habitats near Thousand Palms to the north, southward to Mecca.

Both of these species have been recorded within two miles of the Project site. A search of the current CNDDDB online database revealed that Coachella Valley fringe-toed lizard had been recorded from approximately 440 feet north of the northeast corner of the Project site in 1975. Flat-tailed horned lizard has been recorded within approximately 2.0 miles northwest of the site in 1997 (CNDDDB 2014).

The current surveys of the Project site did not result in observations of these species, although the timing of the surveys was during the season

when these species become active. Temperatures during the surveys were favorable for lizard activity (other common lizards were observed active on the surface), although even warmer temperatures would have been preferable. Thus, these species have a low probability of occurring on the site due to the poor quality of the majority of the remaining habitat, proximity to agricultural and residential development, and ongoing negative impacts such as trash deposition and a former history of agricultural use. Both of these reptiles are “covered species” under the CVMSHCP, and potential impacts to these lizards would be mitigated through payment of the CVMSHCP mitigation fee.

Payment of the CVMSHCP fee is a standard condition (see **SC-BIO-1**) and is not considered unique mitigation under CEQA. (Draft EIR, pp. 4.5-25--4.5-26.)

SC-BIO-1 **CVMSHCP Mitigation Fee:** The Project will be required to pay the appropriate Multiple Species Habitat Conservation Plan Mitigation Fee prior to issuance of a building permit, per Chapter 4.48 of the City’s Municipal Code. The fees are assessed based on the particular type of development. (Draft EIR, p. 4.5-35.)

Sensitive Mammal Species

No sensitive mammal species were observed on the Project site during the surveys. The five mammals listed in **Table 4.5.4-5, Sensitive Mammals: Vista Del Agua Project Site**, of the Draft EIR are thought to have a low probability of occurrence on the Project site, although none were observed during the field surveys. The Palm Springs roundtailed ground squirrel (*Xerospermophilus tereticaudus chlorus*), western yellow bat (*Lasiurus xanthinus* or *L. ega*), and Palm Springs pocket mouse (*Perognathus longimembris bangsi*) are all “covered” species under the CVMSHCP, so any potential impacts to these species would be mitigated through payment of the CVMSHCP fee. None of these three mammals are listed as threatened or endangered but are considered CDFW CSC’s. The remaining two mammals listed on **Table 4.5.4-5**, western mastiff bat (*Eumops perotis californicus*) and American badger (*Taxidea taxus*) are not covered species under the CVMSHCP. These are also not listed as threatened or endangered but considered CDFW CSC’s. Western mastiff bat could potentially periodically forage over the site, but suitable roosting sites are not present. Similarly, American badgers are known to wander widely when foraging, and would have a low potential to wander onto the site (badgers are not common anywhere in the Coachella Valley). Due to the low probability/potential for these species on the site, any impacts are considered less than significant. (Draft EIR, p. 4.5-31.)

Sensitive Insects

Table 4.5.4-6, Sensitive Insects: Vista Del Agua Project Site, in the Draft EIR, lists one species of sensitive insect known to occur in the greater Coachella Valley area: Coachella giant sand treader cricket (*Macrobaenetes valgum*). The Project site is located east of the currently known range of the Coachella giant sand treader cricket, and most of the habitat on the Project site is not suitable for this species (very limited areas of “dune” habitat).

The closest CNDDDB record is approximately 6 miles west of the Project site, in an area that has since been developed. **Table 4.5.4-6** indicates that the Coachella giant sand treader cricket is absent from the Project site. This insect is not listed as threatened or endangered by the state and federal agencies and is covered under the CVMSHCP. Potential impacts to this species would be mitigated through payment of the CVMSHCP fee. Payment of the CVMSHCP fee is a standard condition and is not considered unique mitigation under CEQA. (Draft EIR, p. 4.5-32.)

2. Riparian Habitat

Threshold: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant. (Draft EIR, p. 4.5-33.)

Explanation: Implementation of the proposed Project will not have a substantial adverse effect on any riparian habitat. There is no desert wash, or desert riparian habitat present on the Project site. No reference to an unnamed wash is included in the On-Site and Off-Site Bio Report, or within the information below. The On-Site and Off-Site Bio Report did not locate this wash. It was not present on the Project site.

Species

As discussed above and demonstrated in **Table 4.5-4.4**, a single loggerhead shrike (*Lanius ludovicianus*) was observed on the Project site on the second day of the survey. Loggerhead shrikes are not listed as threatened or endangered and are not a covered species under the CVMSHCP. They are considered a CDFW “California Special Concern Species” (CSC).

Vermilion flycatcher (*Pyrocephalus rubinus*) is not expected to occur on the Project site due to a lack of both foraging and nesting (desert riparian) habitat. This distinctive and unmistakable flycatcher was not observed on the site during the surveys. Both Le Conte’s (*Toxostoma lecontei*) and crissal thrasher (*Toxostoma crissale*) are thought to have a low probability

of occurring on the Project site, although neither species was observed during the field surveys. The few mesquite thickets present on the site provide potential habitat for both thrashers, and Le Conte's thrasher is known to occur in alkali scrub habitats. Both thrasher species are CDFW CSC's, and are "covered" species under the CVMSHCP, meaning that potential impacts to these two species would be mitigated through payment of the CVMSHCP fee. Payment of the CVMSHCP fee (see SC-BIO-1), is a standard condition and is not considered unique mitigation under CEQA.

No riparian habitat, or other sensitive natural communities are located within the on-site or off-site Project components. Any impacts would be considered less than significant. (Draft EIR, p. 4.5-33.)

3. Wetlands

Threshold: Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: No impact. (Draft EIR, p. 4.5-34.)

Explanation: Implementation of the proposed Project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. None of these resources are present within the on-site or off-site Project components. No impacts will occur. (Draft EIR, p. 4.5-34.)

4. Local Policies and Ordinances

Threshold: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: No impact. (Draft EIR, p. 4.5-35.)

Explanation: The City does not currently have a tree preservation policy or ordinance preventing or restricting the removal of trees on site. Please see the discussion in Draft EIR 4.5.4.1, as it pertains to sensitive vegetation. No impacts will occur. (Draft EIR, p. 4.5-35.)

5. Habitat Conservation Plans

Threshold: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Finding: Less than significant. (Draft EIR, p. 4.5-35.)

Explanation: As discussed above, the Project may impact sensitive birds, sensitive reptiles, sensitive mammals and sensitive insects, which covered under the CVMSHCP and the Coachella Valley Fringe-Toed Lizard Habitat Conservation Plan (HCP). Potential impacts to these species would be mitigated through payment of the CVMSHCP fee and the HCP fee. Payments of these fees are considered a standard condition and are not considered unique mitigation under CEQA. No other adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Project. Any impacts are considered less than significant.

E. GEOLOGY AND SOILS

1. Faults, Ground Shaking, Liquefaction, and Landslides

Threshold: Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death due to landslides?

Finding: No impact. (Draft EIR, p. 4.7-14.)

Explanation: According to Chapter 4.5, Geology and Soils, of the City of Coachella General Plan Update Final EIR (2015) (p. 4.5-11), slope instability is a condition that can be pre-existing and can present conditions that pose constraints and challenges from a development perspective for a project. Landslides often occur along pre-existing zones of weakness within bedrock (i.e. previous failure surfaces). Additionally, landslides have the potential to occur on over-steepened slopes, especially where weak layers, such as thin clay layers, are present and dip out-of-slope. Landslides can also occur on anti-dip slopes, along other planes of weakness such as faults or joints. Local folding of bedrock or fracturing due to faulting can add to the potential for slope failure. Groundwater is very important in contributing to slope instability and landsliding. In addition, other factors that contribute to slope failure include undercutting by stream action and subsequent erosion as well as the mass movement of slopes caused by seepage or cyclical wetting and drying.

The majority of the Project site is relatively level with a low potential for landslides (refer to City of Coachella General Plan Update Final EIR (2015) Figure 4.5-6: Landslide Risk). The Project site is not located in an area that contains any landslide risk. No impacts will occur. (Draft EIR, p. 4.7-14.)

2. Unstable Soils

Threshold: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Finding: No impact. (Draft EIR, p. 4.7-16.)

Explanation: *On- or Off-Site Landslide*

According to Chapter 4.5, Geology and Soils, of the City of Coachella General Plan Update Final EIR (2015) (p. 4.5-11), slope instability is a condition that can be pre-existing and can pose a negative condition for a project. Landslides often occur along pre-existing zones of weakness within bedrock (i.e. previous failure surfaces). Additionally, landslides have the potential to occur on over-steepened slopes, especially where weak layers, such as thin clay layers, are present and dip out-of-slope. Landslides can also occur on anti-dip slopes, along other planes of weakness such as faults or joints. Local folding of bedrock or fracturing due to faulting can add to the potential for slope failure. Groundwater is very important in contributing to slope instability and landsliding. In addition, other factors that contribute to slope failure include undercutting by stream action and subsequent erosion as well as the mass movement of slopes caused by seepage or cyclical wetting and drying.

The majority of the Project site is relatively level with a low potential for landslides (refer to City of Coachella General Plan Update Final EIR (2015) Figure 4.5-6: Landslide Risk). The Project site is not located in an area that contains any landslide risk. No impacts will occur. (Draft EIR, p. 4.7-16.)

3. Septic Tanks

Threshold: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Finding: No impact. (Draft EIR, Ch. 8 Appendices Initial Study, p. 19.)

Explanation: No portions of the proposed Project will include the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. Therefore, implementation of the Project (on-site and off-site components) will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8 Appendices Initial Study, p. 19.)

F. GREENHOUSE GAS EMISSIONS

1. Emissions Generation

Threshold: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant. (Draft EIR, p. 4.4-50.)

Explanation:

Construction Greenhouse Gas Emissions Impact

The Project's emissions were compared to the SCAQMD draft threshold of 3,000 metric tons CO per year for all land uses. CalEEMod was used to estimate the onsite and offsite construction emissions. The total construction emissions amortized over a period of 30 years are estimated to be 653.85 MTCO_{2e} per year. (Draft EIR, p. 4.4-50.)

2. Emission Reduction Plans

Threshold: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?

Finding: Less than significant. (Draft EIR, p. 4.4-51.)

Explanation: Emission reductions in California alone would not be able to stabilize the concentration of greenhouse gases in the earth's atmosphere. However, California's actions set an example and drive progress towards a reduction in greenhouse gases elsewhere. If other states and countries were to follow California's emission reduction targets, this could avoid medium or higher ranges of global temperature increases. Thus, severe consequences of climate change could also be avoided.

The ARB Board approved a Climate Change Scoping Plan in December 2008. The Scoping Plan outlines the State's strategy to achieve the 2020 greenhouse gas emissions limit. The Scoping Plan "proposes a comprehensive set of actions designed to reduce overall greenhouse gas emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health". The measures in the Scoping Plan have been in place since 2012.

In May 2014, CARB released its First Update to the Climate Change Scoping Plan. This Update identifies the next steps for California's leadership on climate change. While California continues on its path to meet the near-term 2020 greenhouse gas limit, it must also set a clear path toward long-term, deep GHG emission reductions. This report highlights

California's success to date in reducing its GHG emissions and lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.

The 2008 Scoping Plan calls for an "ambitious but achievable" reduction in California's greenhouse gas emissions, cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 15 percent from today's (2010) levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman and child in California down to about 10 tons per person by 2020.

Project consistency with applicable strategies in the Plan is assessed as well as the City's CAP. The project's Year 2020 emissions were compared to the SCAQMD's and the City's CAP target service population of 4.8 MTCO_{2e}/SP/year and to the City's CAP 7.0 MTCO_{2e}/SP/year, respectively. As shown in **Table 4.4.4-11, Project Consistency with CARB Scoping Measures**, the Project is consistent with the applicable strategies and would result in a less than significant impact. The Project will be subject to the policies and ordinances pertaining to air quality and climate change stated in the City's/County's General Plan Update (2015). Although the Project would generate greenhouse gas emissions, either directly or indirectly, these emissions are not considered to have a significant impact on the environment. (Draft EIR, p. 4.4-52.)

G. HAZARDS AND HAZARDOUS MATERIALS

1. Hazardous Materials

Threshold: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or, 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? ?

Finding: No impact. (Draft EIR, pp. 4.8-14, 4.8-16.)

Explanation: **Possible Septic System or Cesspool on The Property**

Several structures appear to have once been developed along the north Property border, south of the adjacent scrap metal yard. These appear to have been single family residences. A septic system or cesspool may have been associated with this former development and may still exist on the Property. A septic system or cesspool on the Property is not considered a recognized environmental condition when used in association with a residential property (in this case, a historic use). No further investigation

in regard to this condition is deemed necessary at this time. No impacts will occur. (Draft EIR, pp. 4.8-14—4.8-15.)

Paintball Use on the Property

The paint used for paintballs is soluble in water, so that it washes easily out of players' clothes. It is nontoxic, as well, in case a player is hit in the mouth and accidentally swallows the paint. The basic materials for the paint are mineral oils, food coloring, calcium, ethylene glycol, and iodine. The paint is encapsulated in a bubble made from gelatin. This is the same material used in encapsulated medicines, such as many pain killers and cold treatments, and in liquid vitamins, such as vitamin E. Therefore, no impacts will occur. (Draft EIR, p. 4.8-16.)

2. Hazards Near Schools

Threshold: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, pp. 21-22.)

Explanation: According to a review of the Desert Sands Unified School District web site (<https://www.dsusd.us>) and the Coachella Valley Unified School District web site (<http://www.coachella.k12.ca.us>), the Project site is not located within one-quarter mile of an existing, or proposed school. Therefore, implementation of the Project (on-site and off-site components) will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impacts are anticipated. No mitigation is required. This issue will not require any additional analysis in the EIR. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

3. Waste Sites

Threshold: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Finding: No impact. (Draft EIR, p. 4.8-16.)

Explanation: The CORTESE and HIST CORTESE lists are composed of sites that have had releases designated by the State Water Resource Control Board (LUST), the Integrated Waste Board (SWF/LS) and the Department of Toxic Substances Control (Cal-Sites). The source is the California Environmental Protection Agency/Office of Emergency Information. This

database identifies public drinking water wells with detectable levels of contamination, hazardous substance sites selected for remedial action, sites with known toxic material identified through the abandoned site assessment program, sites with USTs having a reportable release and all solid waste disposal facilities from which there is known migration.

The Project site was not listed in the search of this database. One (1) site was found in the State database search (1.0-mile radius) under this listing. No impacts will occur. (Draft EIR, p. 4.8-16.)

4. Public Airports

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

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

Explanation: The Project site is not located within two miles of a public airport or public use airport. The closest public airport, or public use airports are Thermal Airport (Jacqueline Cochran Regional Airport), located approximately 5 miles to the south, and the Bermuda Dunes Airport; located over 5 miles to the north-northwest. The southwest corner of the Project is about 2 miles northeast of Compatibility Zone E of the Thermal Airport. The Project is not located in a flight path. Therefore, implementation of the Project (on-site and off-site components) will not result in a safety hazard for people residing or working in the project area since the Project site is not located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

5. Private Airports

Threshold: For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

Explanation: According to the Riverside County Land Information System (<http://tlmabld5.agency.tlma.co.riverside.ca.us/website/rclis/>), the Project site is not located within the vicinity of a private airstrip. Therefore, implementation of the Project (on-site and off-site components) will not result in a safety hazard for people residing or working in the project area, since the Project site is not located within the vicinity of a private airstrip. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8

Appendices, Initial Study, p. 22.)

6. **Emergency Plans**

Threshold: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

Explanation: It is not anticipated that implementation of the Project (on-site and off-site components) will impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. All Project components will be required to be installed per City standard requirements, which ensure that there will be no conflicts. No impacts are anticipated. No mitigation beyond standard conditions shall be required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

7. **Wildland Fires**

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

Explanation: According to Plate 4-1, *High Fire Hazard Areas*, of the Technical Background Report to the Safety Element, the Project site (on-site and off-site components) are not located in a High Fire Hazard Area. Therefore, implementation of the Project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas of where residences are intermixed with wildlands. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 22.)

H. **HYDROLOGY AND WATER QUALITY**

1. **Water Quality Standards**

Threshold: Would the Project violate any water quality standards or waste discharge requirements?

Finding: Less than significant. (Draft EIR, p. 4.9-13.)

Explanation: This Project has the potential for discharge of surface runoff into the regional drainage system, which eventually flows into the Whitewater River, the Coachella Valley Stormwater Channel, and the Salton Sea. **Table 4.9.4-1, Receiving Waters for Urban Runoff from Site** lists the

Project's receiving water, EPA approved 303(d) list impairments, and proximity to Threatened, or Endangered Species (RARE) beneficial use designated receiving waters (includes uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened or endangered).

As listed in Table 4.9.4-1, above, beneficial uses include the following:

Beneficial uses of water are defined in the Basin Plan as the uses necessary for the survival or well-being of humans, plants, and wildlife. The existing beneficial uses for both the Coachella Valley Storm Water Channel and the Salton Sea, as designated by the RWQCB in the Basin Plan, include the following:

- Freshwater Replenishment (FRSH) – Uses of water for natural or artificial maintenance of surface water quality or quantity.
- Water Contact Recreation (REC-1) – Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing, or use of natural hot springs.
- Non-Contact Water Recreation (REC-2) – Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.
- Warm Freshwater Habitat (WARM) – Includes uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.
- Wildlife Habitat (WILD) – Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.
- Rare, Threatened, or Endangered Species (RARE) – Includes uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened or endangered.

- Aquaculture (AQUA) – Aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.
- Industrial Service Supply (IND) – Includes uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.

Project Design Features related to hydrology and water quality are:

- The Specific Plan development areas shall conform to all of the requirements imposed by the Coachella Valley Water District Development Design Manual, the requirements of the City of Coachella's adopted Stormwater Management Ordinance (Title 13.16 of the Municipal Code), the requirements of the Whitewater River Watershed Stormwater Management Plan, and the National Pollutant Discharge Elimination System (NPDES) Construction General Permit.
- The Project has incorporated a comprehensive drainage and water quality program into the site, consisting of the surface drainage system and water quality features. This will reduce storm water runoff volume and velocity, improve storm water runoff water quality during storm events and low-flow irrigation volumes, and create biological resource habitat. Key system features are summarized in the WQMP, on file at the City.
- The proposed Specific Plan includes multiple basins and a paseo which will provide soft-bottomed drainages.

Without Project design features and/or standard conditions (discussed below), varying amounts of urban pollutants, such as motor oil, antifreeze, gasoline, pesticides, detergents, trash, domestic animal waste and fertilizers, can degrade storm water flows. Table 4.9.4-2, Pollutant of Concern Summary, below, lists the pollutant category, potential for pollutant for Project (and/or existing site), and causing receiving water impairment.

The Project requires the preparation of a SWPPP for control of pollutants during construction and a Water Quality Management Plan (WQMP) for control of pollutants during occupancy of the Project site. The SWPPP shall be prepared and implemented for each phase of the project in compliance with the requirements of the Construction General Permit. The City has adopted BMPs designed to control discharges of pollution during construction and occupancy that could cause a significant adverse impact

to surface water quality. The SWPPP and WQMP must address the hydrologic conditions of concern by maintaining pre-development flows once the Project is developed and treatment of the surface runoff from the site before discharge to the Whitewater River. The protection of water quality and future runoff volumes will be accomplished by reducing, to the extent feasible, the amount of impervious surface and through on-site retention.

The BMPs for this Project, which will be included in either the SWPPP, or WQMP (as applicable), may include a combination of the following, as depicted on **Table 4.9.4-3, BMP Selection Matrix Based upon Pollutant of Concern Removal Efficiency**:

- Landscape swale;
- Landscape strip;
- Biofiltration (with underdrain);
- Extended Detention Basin;
- Sand Filter Basin;
- Infiltration Basin;
- Permeable Pavement;
- Bioretention (w/o underdrain); and/or
- Other BMPs, including Proprietary BMPs.

These treatment BMPs reduce potential Project pollutants (e.g. sediment/turbidity, nutrients, trash and debris, oxygen demanding substances, bacteria and viruses, oil and grease, pesticides, organic compounds, and metals) to meet water quality requirements. Finally, prior to site development, the City will require the submittal and approval of the Final Water Quality Management Plan. The WQMP and SWPPP are standard conditions and are not considered unique mitigation under CEQA.

The Project design features, WQMP and the SWPPP will be standard requirements for subsequent Tract Maps and/or implementing projects. These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2** and **SC-HYD-3** (construction general permit, water quality management plans and BMPs, respectively).

With the implementation of the Project design features, SWPPP and WQMP, impacts to water quality are expected to be less than significant, and no mitigation is required. (Draft EIR, pp. 4.9-13--4.9-18.)

SC-HYD-1 **Construction General Permit**. Prior to issuance of a grading permit, the applicant shall obtain coverage for each phase of the project under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges

Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, Permit No. CAS000002) (Construction General Permit), or subsequent issuance. The applicant shall provide the Waste Discharge Identification Numbers to the City of Coachella Director of Public Works to demonstrate proof of coverage under the Construction General Permit, per Chapter 13.16 of the City's Municipal Code. A SWPPP shall be prepared and implemented for each phase of the project in compliance with the requirements of the Construction General Permit. The SWPPPs shall identify construction BMPs to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. (Draft EIR, p. 4.9-25.)

SC-HYD-2 Water Quality Management Plans. Prior to issuance of grading permits, the applicant shall submit a Final Water Quality Management Plan for each phase of the project to the City of Coachella Director of Public Works for review and approval, per Chapter 13.16 of the City's Municipal Code. The Final WQMPs shall be consistent with the requirements of the Whitewater River Region Water Quality Management Plan for Urban Runoff (January 2011 or subsequent issuance). Project-specific Site Design, Source Control, and Treatment Control BMPs contained in the Final WQMPs shall be incorporated into final design. The BMPs shall be properly designed and maintained to target pollutants of concern and reduce runoff from the project site. The WQMPs shall include an operations and maintenance plan for the prescribed Treatment Control BMPs to ensure their long-term performance.

Site Design BMPs to be considered and incorporated into the Project where feasible include conserving natural areas and minimizing urban runoff, impervious footprint, and directly connected impervious areas. Nonstructural Source Control BMPs to be considered and incorporated into the project where feasible include education/training for property owners, operators, tenants, occupants, or employees; activity restrictions; irrigation system and landscape maintenance; common area litter control; street sweeping of private streets and parking lots; and drainage facility inspection and maintenance.

Structural Source Control BMPs to be considered and incorporated into the Project where feasible include storm drain inlet stenciling and signage; landscape and irrigation system design; protection of slopes and channels; provision of community car wash racks; provision of wash water controls for food preparation areas; and proper design and maintenance of fueling areas, air/water supply area drainage, trash storage areas, loading docks, maintenance bays, vehicle and equipment wash areas, outdoor material storage areas, and outdoor work areas or processing areas.

Treatment Control BMPs to be considered and incorporated into the

project where feasible include biofilters (grass swales, grass strips, wetland vegetation swales, and bioretention), detention basins (extended/dry detention basins with grass lining and extended/dry detention basins with impervious lining), infiltration BMPs (infiltration basins, infiltration trenches, and porous pavement), wet ponds or wetlands (permanent pool wet ponds and construction wetlands), filtration systems (sand filters and media filters), water quality inlets, hydrodynamic separator systems (hydrodynamic devices, baffle boxes, swirl concentrators, or cyclone separators), and manufactured or proprietary devices. (Draft EIR, p. 4.9-26.)

SC-HYD-3 Best Management Practices (BMP) Maintenance and Management Program. Prior to the issuance of a grading permit, a detailed maintenance and management program for construction and post-construction storm water facilities shall be prepared that includes, but is not be limited to: detailed landscaped design criteria, a detailed plan for the control of vectors indigenous to wetlands, a detailed plan for the control of mosquitos (in addition to a separate Vector Control Program for nonstorm water facilities – see below), and a plan to evaluate the overall health of the facility on a regular schedule and implement any corrective actions necessary to maintain the facility’s ability to improve water quality, per Chapter 13.16 of the City’s Municipal Code. (Draft EIR, pp. 4.9-26—4.9-27.)

2. Groundwater Supplies

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

Finding: Less than significant. (Draft EIR, p. 4.9-18.)

Explanation: Groundwater supplies and recharge are addressed in detail in Subchapter 4.15, Utilities and Service Systems, of the Draft EIR. Construction and operation of the proposed Project would not substantially deplete groundwater or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Any impacts are considered less than significant. (Draft EIR, p. 4.9-18.)

3. Erosion or Siltation

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or

river, in a manner which would result in substantial erosion or siltation on- or off-site?

Finding: Less than significant. (Draft EIR, p. 4.9-18.)

Explanation: Construction. During construction activities, the Project site would be graded, and excavated soil would be exposed, and there would be an increased potential for soil erosion compared to existing conditions. During a storm event, soil erosion and sedimentation could occur at an accelerated rate. For example, grading activities generate sediment, which has the potential to be washed into storm drains or tracked off site by construction trucks and heavy equipment. In addition, grading and construction activities would compact soil, and construction of structures would increase the impervious area, which can increase runoff during construction.

As a standard requirement, the City requires preparation of a SWPPP to identify Construction BMPs to be implemented as part of each phase of development to reduce impacts to water quality during construction, including those impacts associated with soil erosion and increased runoff. Erosion Control BMPs would be implemented to prevent erosion. Sediment Control BMPs would be implemented to prevent soil particles from leaving the site should any erosion occur. During construction, short-term alteration of drainage patterns would occur; however, the SWPPP would include measures to divert and convey flows to reduce flooding during construction. These measures would ensure that temporarily diverted flows associated with construction activity would not result in on-site or off-site downstream flooding.

These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2** and **SC-HYD-3** (construction general permit, water quality management plans and BMPs, respectively).

With the implementation of the SWPPP, which requires compliance with the requirements of the General Construction Permit and implementation of BMPs during construction, would reduce potential construction impacts related to erosion and siltation and flooding to less than significant levels.

Operation. The proposed Project would change on-site drainage patterns and increase storm water runoff by adding impervious surface areas, including buildings and streets. However, the Project would include a comprehensive drainage system to convey on-site storm flows. A detailed hydrology study would be prepared for each phase of the proposed development to ensure that the on-site storm drain facilities are appropriately sized to prevent on-site or off-site flooding. In the proposed condition, the impervious surface areas would not be prone to erosion or siltation. Treatment BMPs, as part of subsequent WQMPs would be

incorporated into the Project. These BMPs would be designed to convey storm water and minimize on-site erosion and siltation.

These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2, SC-HYD-3, and SC-HYD-4** (construction general permit, water quality management plans, BMPs, and hydrology reports, respectively).

With the implementation Project design features, and Project-specific WQMPs, potential operation impacts related to erosion and siltation and flooding would be reduced to less than significant levels. (Draft EIR, pp. 4.9-18--4.9-19.)

SC-HYD-4 **Hydrology Reports**. Prior to issuance of grading permits, the applicant shall submit a final hydrology report for each phase of the Project to the City of Coachella City Engineer-1 for review and approval, per Chapter 13.16 of the City's Municipal Code. The hydrology reports shall demonstrate, based on hydrologic calculations, that the Project's on-site storm conveyance and retention facilities are designed in accordance with the requirement of the Riverside County Flood Control and Water Conservation District Hydrology Manual. (Draft EIR, p. 4.9-27.)

4. **Flooding**

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Finding: Less than significant. (Draft EIR, p. 4.9-19.)

Explanation: The proposed Project site's existing drainage pattern will be altered, but the proposed Project engineering plans have taken considerable care to ensure that future runoff patterns (local watersheds) are maintained and that the volume of water discharged will not exceed the current volumes as required by the County and Regional Boards.

In terms of proposed drainage patterns, both off-site and on-site hydrologic and hydraulic drainage conditions were analyzed in the *Pre-Drainage Report ("PDR")*.

Offsite flows will be collected at the exiting points of interception with the Project's development limits. Area A will be accepted and routed through Planning Area 3 [Drainage Management Area (DMA) Area A4]. Area B is proposed to be analyzed and controlled with Polk Street and continue southerly. Reference **Figure 4.9.4-1, Proposed Condition DMA Map for the Vista Del Agua Specific Plan.**

As required by the City of Coachella, the Project will retain its full 100-year, 24-hours post development runoff. The Project has been designed with multiple drainage management areas, all with infiltration basins. The Project's infiltration rates were confirmed to be between 1.6 and 2.7 inches per hour. However, for design, an infiltration rate of 0.67 inch/hour was used, as is required by local ordinance. Refer to Appendix D of the *PDR* for Percolation Testing, **Figure 4.9.4-1**, and Appendix B of the *PDR* for detail.

Hydrologic Conditions

1. Methodology

The Synthetic Unit Hydrograph was employed to determine peak runoff volumes. The RCFCWCD Hydrology Manual was used to develop the hydrological parameters for the 100-year 24-hr storm event. Due to the large number of similar DMAs, a representative flow rate yield was identified by studying three DMAs and determining the yield per acre to be applied to the remaining DMAs. Refer to Appendix B of the *PDR* for details. The Rationale Method was employed to determine peak runoff amounts. The RCFCWCD Hydrology Manual was used to develop the hydrological parameters for the 10- and 100-year peak runoff for routing through the proposed project area by the proposed streets. Refer to Appendices B and C of the *PDR* for detail.

2. Off-Site

Local off-site watershed areas will be either passed through the Project or routed by edge condition roads. They are identified in **Figure 4.9.2-2**. The area that will be accepted into the proposed Project's system of drainage is Area A (60 acres). The remaining off-site area, Area B (20 acres), will be routed southerly by the proposed construction of Polk Street. Area A will be accepted into the Project's drainage system and will be routed through the Project. Street capacity will be the primary method, and storm drains will be used at final design when capacity is exceeded, or intersections are desired to be kept dry. Similarly, Polk Street will carry the Area B runoff, and if street capacity is exceeded, storm drains may be used. Additional analysis and design will accompany the Tract Maps.

3. On-Site

The Synthetic Unit Hydrograph method was used to develop and analyze the proposed on-site conditions. Areas A3-A6, A8, and A24 were analyzed independently due to the specific land use (multi-family, park, and commercial). Refer to **Figure 4.9.4-1**.

Hydraulic Conditions

1. Proposed Conditions

As designed, the Project will use infiltration basins for the 100-year 24-hour runoff volume. The primary hydraulic concerns will be the routing of runoff along the proposed streets, and the inlets conveying street runoff into the basins. Primarily the basins will spill over the edges, if any exceedance storm impacts the area. Since the basins hold the full 100 year volume, no outlet design is required. Any overtopping (exceedance storm, i.e., a 500 year event), would spill out of the basins and continue southwesterly in the streets.

2. Roads

Interior roads will consist of pavement thickness in conformance with the Geotechnical Report, when available, and per City Standards. Local roads will have 36' widths measured back of curb to back of curb per City Standards. Streets will be designed to pass the 10-year storm water within the curb, with the 100-year flows contained within the right-of-way. All interior roads will have cross slopes of two (2) percent. Street capacity for the minimum slope roads (0.4%) are calculated in the PDR at 33 cfs for curb capacity and 66 cfs for right-of-way capacity. Most of the streets are designed in excess of the 0.4% minimum, with many over 1%. The worst-case scenario, or largest runoff area is DMA 9 at nearly 27 acres. This areas street capacity was checked to confirm the road can convey runoff as designed. Area A9 yields 28 cfs for the 10-year runoff, and 61 cfs for the 100-year runoff. The road that will convey this flow is set at 1.4% slope and can carry 62 cfs within the curbs, and 124 cfs within the right of way. As the Project is designed, none of the areas of runoff exceed the back of curb capacity for 100-year runoff. Therefore, the Project will not require storm drain due to street capacity. However, in locations where intersections are desired to be kept dry, storm drain may be used at final design. Refer to **Figure 4.9.4-1**, and Appendix C of the PDR for additional detail.

Based on the information provided above, implementation of the Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts are considered less than significant with the inclusion of Project Design Features. (Draft EIR, pp. 4.9-19--4.9-21.)

5. **Runoff**

Threshold: Would the Project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff??

Finding: Less than significant. (Draft EIR, p. 4.9-21.)

Explanation: The Project will provide flood control facilities to intercept and convey off-site and on-site drainage areas and revert to existing conditions as the drainage leaves the Project site. The contours indicate that the general flow direction is in the southwesterly direction. The runoff emanating from the Project ultimately discharges into the Coachella Valley Storm Channel located approximately one mile southwest of the site. The existing flow rates off-site will be maintained with no additional off-site flows as a result of the Project.

Construction. During construction activities, the Project site would be graded, and excavated soil would be exposed, and there would be an increased potential for soil erosion compared to existing conditions. During a storm event, soil erosion and sedimentation could occur at an accelerated rate. For example, grading activities generate sediment, which has the potential to be washed into storm drains or tracked off site by construction trucks and heavy equipment. In addition, grading and construction activities would compact soil, and construction of structures would increase the impervious area, which can increase runoff during construction.

As a standard requirement, the City requires preparation of a SWPPP to identify Construction BMPs to be implemented as part of each phase of development to reduce impacts to water quality during construction, including those impacts associated with soil erosion and increased runoff. Erosion Control BMPs would be implemented to prevent erosion. Sediment Control BMPs would be implemented to prevent soil particles from leaving the site should any erosion occur. During construction, short-term alteration of drainage patterns would occur; however, the SWPPP would include measures to divert and convey flows to reduce flooding during construction. These measures would ensure that temporarily diverted flows associated with construction activity would not result in on-site or off-site downstream flooding.

These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2** and **SC-HYD-3** (construction general permit, water quality management plans and BMPs, respectively) in Subchapter 4.9.5 of the EIR.

With the implementation of the SWPPP, which requires compliance with the requirements of the General Construction Permit and implementation of BMPs during construction, would reduce potential construction impacts related to erosion and siltation and flooding to less than significant levels.

Operation. The proposed Project would change on-site drainage patterns and increase storm water runoff by adding impervious surface areas,

including buildings and streets. However, the Project would include a comprehensive drainage system to convey on-site storm flows. A detailed hydrology study would be prepared for each phase of the proposed development to ensure that the on-site storm drain facilities are appropriately sized to prevent on-site or off-site flooding. In the proposed condition, the impervious surface areas would not be prone to erosion or siltation. Treatment BMPs, as part of subsequent WQMPs would be incorporated into the Project. These BMPs would be designed to convey storm water and minimize on-site erosion and siltation.

These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2, SC-HYD-3, and SC-HYD-4** (construction general permit, water quality management plans, BMPs, and hydrology reports, respectively) in Subchapter 4.9.5, below.

With the implementation Project design features, and Project-specific WQMPs, potential operation impacts related to erosion and siltation and flooding would be reduced to less than significant levels. (Draft EIR, pp. 4.9-21--4.9-22.)

6. **Flooding – Housing and Other Structures**

Threshold: Would the Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; or, place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Finding: Less than significant. (Draft EIR, p. 4.9-24.)

Explanation: According to Figure 3.4.2-7, Flood Insurance Rate Map (FIRM) (Panel 2260G), the majority of the Project site is within Zone X. Zone X is defined as “areas determined to be outside the 0.2% annual chance floodway.” Development within Zone X is acceptable with finished floor elevations 1 foot above the 100-year flood elevation. The Project includes implementation of an integrated storm water collection, implementation of a conveyance system designed to provide 100-year flood protection to flood-prone areas, prohibition of development within on-site floodplains, and integration of setbacks/buffers and passive recreational amenities within these areas into the Specific Plan Land Use Plan. Therefore, structures and housing would be protected from the 100-year flood, and construction or operational impacts related to placement or housing within a 100-year flood hazard area would be less than significant. (Draft EIR, p. 4.9-24.)

7. **Levee and Dam Failure**

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Finding: Less than significant. (Draft EIR, p. 4.9-23.)

Explanation: The Project is not located within a 100-year flood hazard area. There are no dams or reservoirs upslope of the Project site; therefore, the Project site is not in the flood zone of a dam. During a seismic event, there is a possibility that the Coachella Canal levee could fail. The Project site is adjacent to the levee of the canal. The Project site is lower in elevation than the Coachella Canal. Flooding from failure of the levee, while extremely rare, could occur on the Project site.

It is anticipated that any flows would be accepted by the Project drainage and basin system. The City has emergency procedures in place to address such failures, and other catastrophic events that, while rare, must have contingency plans in the event of failure. While the Project site is located in this potential hazard area, these emergency procedures are in place to address any such occurrence. Therefore, any impacts are considered less than significant. (Draft EIR, pp. 4.9-22—4.9-23.)

8. Seiche, Tsunami and Mudflow

Threshold: Would the Project expose people or structures to inundation by seiche, tsunami, or mudflow?

Finding: Less than significant. (Draft EIR, p. 4.9-24.)

Explanation: Seiching is a phenomenon that occurs when seismic groundshaking induces standing waves (seiches) inside water retention facilities such as reservoirs and water tanks. Such waves can cause retention structures to fail and flood downstream properties. There are no water retention facilities located in proximity to the proposed Project site. There is an enclosed water tank located off-site at the southwest corner of the Project site. Since this is an enclosed tank, there is not potential for a seiche.

While the Project site is adjacent to the levee of the Coachella Canal, the Project site will be higher in elevation than the Coachella Canal. Therefore, potential seiches from the levee could occur from the Canal. According to the General Plan EIR, minor seiches may occur within the Planning Area in smaller ponds or lakes, however the water level rise is unlikely to exceed 0.5 m (1.6 ft.) high. Since this is a canal and not a pond or lake, no impacts will occur.

The proposed retention basins are designed to temporarily detain runoff and due to their temporary nature would not constitute a body of water.

Therefore, the risk associated with possible seiche waves is not considered a potential constraint or a potentially significant impact of the Project, and no mitigation is necessary.

Tsunamis are generated wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The proposed project is not located in a tsunami inundation zone. Therefore, the Project would not result in impacts related to exposure of people or structures to risk of loss, injury, or death involving flooding as a result of inundation by tsunami. No mitigation is required.

Mudslides and slumps are described as a shallower type of slope failure, usually affecting the upper soil mantle or weathered bedrock underlying natural slopes and triggered by surface or shallow subsurface saturation. No debris/mudflows were noted during the geologic mapping for the Project.

Therefore, the risk associated with possible mudflows and mudslides is not considered a potential constraint or a potentially significant impact of the Project, and no mitigation is necessary. Therefore, the Project would result in less than significant impacts related to exposure of people or structures to risk of loss, injury, or death involving flooding as a result of inundation by mudflow. (Draft EIR, pp. 4.9-24—4.9-25.)

I. LAND USE AND PLANNING

1. Established Communities

Threshold: Would the Project physically divide an established community?

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 25.)

Explanation: The Project (on-site and off-site components) is located in an area that is predominately utilized in an agricultural capacity. The current General Plan designation for the Project (on-site and off-site components) is Suburban Retail District, Urban, General, and Suburban Neighborhood, and Neighborhood Center, therefore; it has been anticipated by the City, that urbanization is planned and will ultimately occur in the Project vicinity. The Project is proposing uses that are different than the current land use designation; however, they are still urban/suburban, not agricultural in nature. Should the Project be developed before any of the surrounding areas are developed, it may physically divide the established community. Since the General Plan anticipates urban/suburban uses, these impacts are considered less than significant. No additional mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 25.)

2. Conflicts With Plans

Threshold: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: Less than significant. (Draft EIR, p. 4.10-15.)

Explanation: As presently proposed, the Project proponent has prepared a draft specific plan (Vista Del Agua Specific Plan No. 14-01), that would allow conversion of this property to residential, commercial (suburban retail and neighborhood commercial) and open space (neighborhood park and paseo) uses. To accomplish this, the Project proponent has submitted applications seeking approval from the City for a General Plan Amendment (GPA), a Specific Plan (SP), a Change of Zone (CZ), a Tentative Parcel Map (TPM), and a Development Agreement (DA).

The City's formal case numbers are:

- General Plan Amendment No. 14-01;
- Specific Plan No. 14-01;
- Change of Zone No. 14-01;
- Tentative Parcel Map No. 36872;
- Development Agreement; and
- Environmental Impact Report (EA No. 14-04)

Any improvements described in the DA must be consistent with the description of the Project in the EIR.

The City's General Plan contains goals and policies that are applicable to the proposed Project.

These goals and policies, which were extrapolated from the General Plan Update Final EIR (2015) (pp. 4.8-14 through 4.8-19) are listed in **Table 4.10-2, General Plan Land Use Policy Consistency Analysis**, along with a consistency analysis for each relevant goal and policy. The purpose of this discussion is to provide a guide to the decision-makers' policy interpretation and should be considered preliminary; a final determination of consistency with plans and policies would be made by City decision-makers. As identified through this consistency analysis, the proposed

Project would be consistent with all applicable policies in the General Plan Update (2015). In addition, the approval of a GPA and Zone Change would enable the Specific Plan to serve as the guiding land use and zoning document for the Project site. Therefore, the proposed Project would be consistent with the General Plan Update (2015). Impacts related to inconsistencies between the proposed Project and the General Plan Update (2015) would be less than significant, and no mitigation would be required. The same conclusions would apply to the proposed Project.

City Zoning Code. The Project site is zoned General Commercial (C-G), Residential Single-Family (R-S), and Residential Multiple Family (R-M).

The proposed Project would include Residential, Commercial, Parks/Recreation, and Open Space uses. The overall zoning of the Project site would become “Specific Plan,” and a Zone Change would be required prior to approval of the proposed Project to change the current zoning designations to reflect the proposed uses included as part of the Specific Plan. Therefore, approval of a Zone Change would ensure that the proposed project would be consistent with the City’s Zoning Ordinance.

The General Plan Update (2015) proposes multiple policies that require development to comply with applicable regulations, and prevents conflicts with federal, state, or local plans. From airport land use compatibility compliance, to requiring development to work with utilities services before project approval, the General Plan Update (2015) ensures development of any new plans are consistent in the existing regulatory framework. Specific plan compliance can also be sited in Section 4.3 of the General Plan Update Final EIR (2015), for an assessment of the Coachella Valley Multiple Species Habitat Conservation Plan compliance.

The combined policies that address plan, policy, or regulation compliance occur throughout the General Plan Update (2015), and ensure development compliance with related local, state, or federal regulations. The policies guide growth to meet the goals, visions, and plans that affect the Planning Area, and help reduce plan conflicts or non-compliance with any regulations. Additionally, the General Plan Update (2015) proposes a development program that complies with the growth forecasts of all of the regional planning documents. The General Plan Update (2015) concluded that based on the Shadow View revision requirements, and all policies regarding plan, policy, or regulation compliance, no conflicts with existing plans have been identified and impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.10-15—4.10-24.)

3. Habitat Conservation Plans

Threshold: Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan?

Finding: No impact. (Draft EIR, p. 4.10-24.)

Explanation: The Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) calls for the protection of open space, as well as plant and animal species, throughout the Coachella Valley region. As described further in Subchapter 4.5, Biological Resources, the proposed Project is within the planning area of the CVMSHCP, which encompasses over 1 million acres in the Coachella Valley Region. Although the Project site is located within the planning area of the CVMSHCP, the Project site is not located in one of the 27 designated conservation areas intended to preserve natural communities in the Coachella Valley Region.

The City's General Plan contains goals and policies that are applicable to the proposed Project. These goals and policies, which were extrapolated from the General Plan Update Final EIR (2015) (pp. 4.8-20 and 4.8-21) are listed in **Table 4.10-3, General Plan Land Use Policy Consistency Analysis – Habitat Conservation Plans**, along with a consistency analysis for each relevant goal and/or policy.

The Project may impact sensitive birds, sensitive reptiles, sensitive mammals and sensitive insects, which are covered under the CVMSHCP. Potential impacts to these species would be mitigated through payment of the CVMSHCP fee (see **SC-BIO-1**). Payments of these fees are considered a standard condition and are not considered unique mitigation under CEQA. No other adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Project. Any impacts are considered less than significant. (Draft EIR, pp. 4.10-24--4.10-25.)

J. MINERAL RESOURCES

1. Regional and Statewide Mineral Resources

Threshold: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 26.)

Explanation: The geotechnical section of the City of Coachella General Plan EIR notes that the buildout of the General Plan would contribute to potential cumulative impacts with regard to the loss of mineral resources, but note that cumulative impacts to mineral resources would be able to be mitigated through the widespread implementation of regional preservation production quotas as identified by the California Division of Mines and

Geology. The Project site (on-site and off-site components) has been utilized currently and historically for agricultural activities. They have not been utilized currently and historically for any mining activities. Therefore, implementation of the Project (on-site and off-site components) will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or, result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impacts are anticipated. No mitigation is required. Less than significant. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 26.)

K. NOISE

1. Noise Standards

Threshold: Would the Project result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant. (Draft EIR, p. 4.11-24.)

Explanation: *Exterior Noise*

Each future noise source related to the Project was analyzed and compared to the California Environmental Quality Act (CEQA) guidelines. The discussion below analyzes the exterior noise levels and provide mitigation measures that would reduce noise levels. This assessment evaluates the potential noise impacts from the proposed Project to the surrounding land uses and compares the results to the City's/County's Noise Standards.

Traffic Source Noise

The potential off-site noise impacts caused by the increase in vehicular traffic from the operation of the proposed Project on the nearby roadways were calculated for the following scenarios and conditions:

1. Existing Year with Project Condition

This scenario refers to existing year traffic noise conditions with (plus) Project generated traffic noise and is demonstrated in **Table 4.11.4-2, Existing (With Project) Exterior Noise Levels Along Roadways (dBA CNEL)**. **Table 4.11.4-3, Change in Existing Noise Levels as a Result of Project (dBA CNEL)** compares the existing without Project to the existing with Project condition and shows the change in noise level as a result of the proposed Project. As demonstrated in **Table 4.11.4-3**, impacts will be less than significant from the implementation of the proposed Project.

2. Project Completion Year 2022 Without Project Condition

This scenario refers to the Project Completion Year 2022 traffic noise conditions consisting of future traffic generated by ambient growth and known development Projects in the Project study areas, without the proposed Project generated traffic noise and is demonstrated in **Table 4.11.4-4, Project Completion Year 2022 (Without Project) Exterior Noise Levels Along Roadways (dBA CNEL)**.

3. Project Completion Year 2022 With Project Condition

This scenario refers to Project Completion Year 2022 traffic noise conditions with (plus) Project generated traffic noise and is demonstrated in **Table 4.11.4-5, Project Completion Year 2022 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL)**. **Table 4.11.4-6, Change in Project Completion Year 2022 Noise Levels as a Result of the Project (dBA CNEL)** compares the Project Completion Year 2022 without Project to the Project Completion Year 2022 with Project condition and shows the change in noise level as a result of the proposed Project. As demonstrated in **Table 4.11.4-6**, impacts will be less than significant from the implementation of the proposed Project.

4. General Plan Buildout Year 2035 Without Project Condition

This scenario refers to the 2035 traffic noise conditions consisting of future traffic generated by ambient growth and known development Projects in the Project study areas, without the proposed Project generated traffic noise and is demonstrated in **Table 4.11.4-7, General Plan Buildout Year 2035 Exterior Noise Levels Along Roadways (dBA CNEL)**.

5. General Plan Buildout Year 2035 With Project Condition

This scenario refers to the 2035 traffic noise conditions consisting of future traffic generated by ambient growth and known development projects in the Project study areas, with (plus) the proposed Project generated traffic noise and is demonstrated in **Table 4.11.4-8, General Plan Buildout Year 2035 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL)**. **Table 4.11.4-9, Change in General Plan Buildout Year 2035 Noise Levels as a Result of the Project (dBA CNEL)** compares the noise level contours for the without and with Project 2035 Project condition and shows the change in noise level as a result of the proposed Project. As demonstrated in **Table 4.11.4-9**, a less than significant impact will result from the implementation of the proposed Project. (Draft EIR, pp. 4.11-24—4.11-32.)

Off-Site Traffic Noise Impact

The Project-related vehicle trips would be distributed to area roadways. **Table 4.11.4-3, Change in Existing Noise Levels as a Result of Project (dBA CNEL), Table 4.11.4-6, Change in Project Completion Year 2022 Noise Levels as a Result of the Project (dBA CNEL), and Table 4.11.4-9, Change in General Plan Buildout Year 2035 Noise Levels as a Result of the Project (dBA CNEL)** show that the largest increase in noise levels are along Avenue 47 and Avenue 48, between Tyler Street and Polk Street, where there will be an increase of up to 27.7 dBA CNEL. It should be noted these roads are currently unimproved dirt roads with little existing traffic volume and no sensitive receptors.

Due to the existing vacant land condition on the Project site and in the immediate Project vicinity, the vehicular traffic volumes are small and less than 1,000 vehicles a day along roadway segments in the Project vicinity. If all Project-related vehicular traffic is imposed to these roadway segments, the scenarios of Existing Plus Project and 2022 Plus Project traffic conditions would result in substantial increases in traffic noise levels along the majority of the roadway segments leading to the Project site.

For the future (2035) with Project scenarios, the following off-site roadway segments would experience traffic noise level increases exceeding 3 dBA:

- Avenue 47 between Tyler Street and Street A: 2035 (+21.2 dBA)
- Avenue 47 between Street A and Polk Street: 2035 (+17.1 dBA)

However, any existing sensitive receptors along Avenue 47 between Tyler Street and Polk Street are located below the 65 dBA CNEL contour. Therefore, no potential noise impacts would occur along these roadway segments.

There are two (2) sensitive receptors along Tyler Street between Vista Del Sur and Avenue 47 but the structures are located at least 600 feet from the centerline. These existing sensitive receptors are located within 65 to 70 dBA CNEL contour of the I-10 Freeway. These receptors would not be exposed to traffic noise from Tyler Street exceeding 65 dBA CNEL and, therefore, no potential impacts would occur as a result of the proposed Project. No mitigation measures would be required for off-site sensitive land uses.

The projected noise levels at 100' are theoretical and do not take into consideration the effect of topography, any noise barriers (berms, maximum 6' high walls), structures or other factors which will reduce the actual noise level in the outdoor living areas. These factors can reduce the actual noise levels by 5 to 10 dBA or more from what is shown in the

projected noise levels at 100'. Therefore, the levels that are shown are for comparative purposes only to show the difference in projected noise levels without and with the Project.

As shown in **Table 4.11.4-3, Change in Existing Noise Levels as a Result of Project (dBA CNEL)**, **Table 4.11.4-6, Change in Project Completion Year 2022 Noise Levels as a Result of the Project (dBA CNEL)**, and **Table 4.11.4-9, Change in General Plan Buildout Year 2035 Noise Levels as a Result of the Project (dBA CNEL)**, the increase in noise levels, as a result of the Project, would result in more than a 3 dBA change; however, noise levels are not expected to increase beyond the normally compatible 70 dBA level for residential uses. Furthermore, the only sensitive receptor within the Project area would not experience an exterior level above the City's acceptable threshold and therefore the impacts are considered less than significant. (Draft EIR, pp. 4.11-32—4.11-33.)

I-10

Based on information contained in Table 4.11.4-7, General Plan Buildout Year 2035 Exterior Noise Levels Along Roadways (dBA CNEL), retail spaces (PA 1) would be located within the 70 to 75 dBA CNEL contour of the I-10 Freeway and would be exposed to traffic noise within the normally compatible standard of 75 dBA CNEL for commercial uses. Commercial spaces and open space are not considered noise-sensitive and would not be required to have any mitigation measures along I-10. Any impacts are considered less than significant. (Draft EIR, pp. 4.11-34-4.11-35.)

2. Vibration

Threshold: Would the Project result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Finding: Less than significant. (Draft EIR, p. 4.11-38.)

Explanation: The effects of vibration on structures have been the subject of extensive research. The Federal Transit Administration has compiled data regarding the vibration levels for various construction equipment and activities and is detailed in **Table 4.11.4-10, Vibration Source Levels for Construction Equipment**. Much of the work orientated in the mining industry, where vibration from blasting is critical. The Transportation and Construction Induced Vibration Guidance Manuel for the California Department of Transportation has various recommended vibration thresholds for various types of projects and land uses. According to the Konan Vibration Criteria for Historic and Sensitive Buildings the criteria

for transient vibration sources should not exceed 0.3 peak particle velocity (PPV). 0.035 inches per second is barely perceptible.

Construction activities can produce vibration that may be felt by adjacent land uses. The construction of the proposed Project would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary source vibration during construction may be from a bull dozer. A large dozer has a vibration impact of 0.089 inches per second PPV at 25 feet. The distance of the construction equipment will be further than 75 feet from any existing building. At a distance of 75 feet the vibration level would be 0.027 VdB, which is within the range of perception but below any risk of architectural damage. It is anticipated that any significant vibration impact will occur to any adjacent buildings due to the distance of construction equipment from buildings.

Any Impacts are considered less than significant. No mitigation is required. (Draft EIR, pp. 4.11-38-4.11-39.)

3. Public Airport Noise

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

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 27.)

Explanation: The Project site is not located within two miles of a public airport or public use airport. The closest public airport, or public use airports are Thermal Airport (Jacqueline Cochran Regional Airport), located approximately 5 miles to the south, and the Bermuda Dunes Airport (located over 5 miles to the north-northwest). Therefore, implementation of the Project (on-site and off-site components) will not expose people residing or working in the project area to excessive noise levels, since the Project site is not located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport. Any impacts are considered less than significant. No additional mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 27.)

4. Private Airstrip Noise

Threshold: For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Finding: Less than significant. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 28.)

Explanation: According to the Riverside County Land Information System (<http://tlmabld5.agency.tlma.co.riverside.ca.us/website/rclis/>), the Project site is not located within the vicinity of a private airstrip. Therefore, implementation of the Project (on-site and off-site components) will not expose people residing or working in the project area to excessive noise levels, since the Project site is not located within the vicinity of a private airstrip. No impacts are anticipated. No mitigation is required. (Draft EIR,, Ch. 8 Appendices, Initial Study, p. 28.)

L. POPULATION AND HOUSING

1. Population Growth

Threshold: Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Finding: Less than significant. (Draft EIR, p. 4.12-5.)

Explanation: As stated on p. 4.13-8 of the General Plan Update Final EIR (2015):

“An impact relative to induced population growth in an area might occur if the project would induce population growth in an area not otherwise identified for or expecting growth. This growth could be induced directly by proposing new homes and businesses or indirectly through the provision of new infrastructure. Growth projected under the CGPU timeline would more than double the current Planning Area population. However, the CGPU has been prepared to respond to the growth demand projected for Coachella as described by SCCAG and the Riverside County Center for Demographics Research. It is also the goal of the CGPU to ensure that this new growth will occur in a manner that has less environmental impact than that of recent development occurring under the existing General Plan.”

As stated above, the City is expected to grow to a total population of 143,300, by 2040. The City currently has 9,903 housing units, a population of 40,704, and approximately 5,831 jobs.

According to p. 4.13-9 of the General Plan Update Final EIR (2015), the City has enough undeveloped land to accommodate generations of growth and has long anticipated growing into a mid-sized City. These expectations align with the growth projections for the region as a whole. SCAG’s 2016 RTP/SCS forecasts that the City will have a population of 143,300 in 2040.

The City's approach to development as proposed by the General Plan Update (2015) would focus new development in High Priority Development Areas and Growth Expansion Areas and prohibit development of land in Subareas 15 and 16 until the growth areas are at least 60% developed. The Project site is located in Subarea 11 – Commercial-Entertainment District (reference Figure 3.0-4: Proposed Subareas) of the General Plan Update Final EIR (2015). The Commercial Entertainment District will include, but not be wholly limited to: destination retail, hotels and resorts, and entertainment uses. The General Plan Update (2015) states that Subarea 11 must also exhibit strong, fine-grained connections to the surrounding neighborhoods, allowing community members easy access to the shopping and entertainment uses. The Project, as designed, and shown on Figure 2.1.1-1, Specific Plan Land Use Plan, meets these criteria: strong, fine-grained connections to the surrounding neighborhoods, allowing community members easy access to the shopping and entertainment uses.

New growth will be incremental, as development projects continue to be built in the City. The General Plan Update (2015) has been developed in consideration of these growth trends and the resulting goals and policies intend to harness this growth and mitigate any negative externalities associated it. While the entirety of the General Plan Update (2015) is intended to layout the framework for orderly development into a midsize City and mitigate the impacts of growth, the first two goals of the Land Use and Community Character Element present a series of policies specifically focused on establishing the orderly growth of the City (reference pp. 4.13-9 through 4.13-112 of the General Plan Update Final EIR (2015)).

According to current trends and growth projections by SCAG, population growth in the City is imminent and will result in a substantial change of size of the City. As such, development will need to occur in order to accommodate the increase in population. The Project will induce growth relative to economic expansion, population growth, precedent setting action, and encroachment into open space; however, it will be consistent with the General Plan Update (2015). Therefore, impacts will also be consistent with those anticipated in the General Plan Update (2015) and the General Plan Update Final EIR (2015). Impacts related to population and housing would be incremental and considered less than significant.

The following is a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency, or non-applicability of the policy and supportive analysis. The RTP/SCS Strategies – if applicable, refer to these strategies as guidance for considering the proposed Project within the context of regional goals and policies.

Table 4.12-1, RTP/SCS Goals, lists the 9 Goals contained in the 2016

RTP/SCS and the Project's relationship to these Goals. As demonstrated in **Table 4.12-1**, the Project is consistent with these Goals. Any impacts from the Project are considered less than significant.

Table 4.12-2, RTP/SCS Policies lists the 8 Policies contained in the 2016 RTP/SCS and the Project's relationship to these Goals. As demonstrated in **Table 4.12-2**, the Policies are not applicable to the Project. These Policies are geared more to the regional and sub-regional level. No impacts are anticipated from the Project.

According to Section 3.11, Land Use and Planning of the Final PEIR for the 2016 RTP/SCS, one project-level performance standards-based mitigation measure was identified (below) in response to the question raised in this Threshold. It should be noted that SCAG indicates that mitigation measures "may be considered by the City, as applicable and feasible."

"MM-LU-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects regarding the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project that are within the jurisdiction and responsibility of local jurisdictions and Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies established within the applicable adopted county and city general plans within the SCAG region to avoid conflicts with zoning and ordinance codes, general plans, land use plan, policy, or regulation of an agency with jurisdiction over the project, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Where an inconsistency with the adopted general plan is identified at the proposed project location, determine if the environmental, social, economic, and engineering benefits of the project warrant a variance from adopted zoning or an amendment to the general plan."

The General Plan anticipates that the Project site and surrounding environs will ultimately be developed as suburban/urban densities. Impacts are considered less than significant. (Draft EIR, pp. 4.12-5--4.12-9.)

2. **Displacement of Housing**

Threshold: Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and

displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 29.)

Explanation: There is no existing housing, or people located on the Project (on-site or off-site components); therefore the implementation of the Project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or, displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 29.)

M. PUBLIC SERVICES

1. Fire Protection

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Finding: Less than significant. (Draft EIR, p. 4.13-18.)

Explanation: The City of Coachella contracts with the RCFD for fire protection and emergency medical services. This contract includes fire suppression, fire prevention, paramedic services, hazardous materials response, urban search and rescue response and other related services.

Currently, the City of Coachella has one (1) Fire Station, Battalion 6 Coachella Fire Station #79, located at 1377 Sixth Street in the City of Coachella, which serves the incorporated portions of the City. The City also maintains a mutual aid agreement with surrounding cities and communities where additional resources are available in the event of a life-threatening emergency. Through this mutual aid agreement, the City of Coachella receives an immediate response from the outlying stations, including Fire Station #86, Fire Station #87, and Fire Station #39.

Information obtained from Fire Station #79 indicates that actual response times currently meet or exceed the Urban Land Use protection goals established in the City's Fire and Emergency Medical Services Master Plan. Moreover, the Project site is not located within a designated hazardous fire area.

The General Plan Update (2015) includes a number of goals and policies

under the Land Use + Community Character Element, the Safety Element and the Infrastructure + Public Services Element which are applicable to the Project and address construction standards which further aid in the reduction of potential structure fires, and the phasing and provision of key infrastructure required to assist fire protection and emergency personnel in protecting life and property. These goals and policies are included under Subchapter 4.13.2, above.

The Project will be reviewed by Fire Department personnel and subject to standard conditions of approval through the entitlement process. Additionally, the Project will be conditioned to pay Development Impact Fees, a portion of which must be used for the provision of adequate fire protection facilities, including buildings, land, equipment and vehicles based on the facility standard of service times is less than five minutes, and a ratio of 1.0 firefighter people per 1,000 residents and one fire station for every three thousand (3,000) dwelling units. This fee directly corresponds to the incremental increased demand on fire protection and emergency services as a result of the Project.

Chapter 4.45 (Development Impact Fees) of the City's Municipal Code spells out the purpose and findings, basis for calculation of development impact fees, the need for public facilities, the need for development impact fees and the use of development impact fees (DIF). According to Section 4.45.030 (Need for public facilities), in order to implement the goals and objectives of the City's General Plan and applicable specific plans by accommodating the need for public facilities and mitigating the financial and physical impacts for all development projects within the city, fire facilities must be constructed, installed, and paid for or financed. Section 4.45.060 (Use of development impact fees), fire facility fees ensure residents of the city have adequate fire protection facilities including buildings, land, equipment and vehicles based on the facility standard of one fire station for every three thousand (3,000) dwelling units.

These fees are reviewed and adjusted annually to accommodate the incremental demands to fire services as a result of development within the City. The payment of DIF is a one-time fee, and is paid prior to the issuance of a building permit. The payment of DIF is a standard condition and is not considered unique mitigation under CEQA.

Therefore, upon payment of the development fees, the Project will not result in substantial adverse impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services. These standard conditions of approval are not considered mitigation measures.

The FIA demonstrates the annual recurring revenues to the City's General

Fund at Project build-out will equal \$2,434,685 compared to recurring fiscal costs of \$2,376,070; a net benefit to the City of approximately \$58,615. The largest sources of revenue will result from property tax, property tax in lieu of vehicle license fees, and sales tax. This finding demonstrates that the Project's future demands on the provision of fire protection and emergency response services will be more than fulfilled in the future after it is developed.

Impacts related to fire protection and emergency response services are considered to be below a level of significance. (Draft EIR, pp. 4.13-18—4.13-19.)

2. Police Protection

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Sheriff Law Enforcement Services?

Finding: Less than significant. (Draft EIR, p. 4.13-19.)

Explanation: The City of Coachella contracts law enforcement services from the RCSD. The City also maintains a formal and informal mutual aid agreement with the State of California Governor's Office of Emergency Services and the cities of Indio, Palm Springs, and Desert Hot Springs Police Departments for law enforcement and emergency services. These Departments work closely together on a day-to-day, as-needed basis in order to assist each other with law enforcement activities, including but not limited to, response to calls, investigations and patrol.

The Project site is within the jurisdiction of the Riverside County Sheriffs' Department Thermal Station, located at 86625 Airport Boulevard. The Thermal Station currently has 35 sworn officers, not including non-sworn personnel. The majority of these officers are dedicated to the Patrol Division with the remaining deputies dedicated to special assignments such as the C.A.T., School Resources, and Gang and Narcotics Enforcement. Support law enforcement services including Emergency Services, K-9, Forensic Services and other specialized teams previously listed is provided by the RCSD.

Under the contractual agreement with the City of Coachella, the RCSD provides 90 hours per day of law enforcement and emergency services to the City. This equates to nine (9) deputies per day or three (3) deputies per shift, three (3) shifts per day, for continual 24-hour service.

RCSD records indicate that the Thermal Station responded to 24,362 calls for service within the City of Coachella, averaging 70-79 calls per day, in 2014. The Thermal Station averaged a total response time of: 4.75 minutes to emergency or Priority 1 calls; 13.23 minutes to Priority 2 calls; 24.67 minutes to Priority 3 calls; and, 34.5 minutes to Priority 4 calls, during 2014. It is anticipated that the Project would experience similar response times.

The General Plan Update (2015) includes a number of goals and policies under the Infrastructure + Public Services Element which are applicable to the Project, including Sheriff Department review of the Project for incorporation of public safety design concepts and payment of fair-share contributions to public safety infrastructure needs. These goals and policies are included under Subchapter 5.13.2, above.

The Project will be reviewed by Sheriff Department personnel and subject to standard conditions of approval through the entitlement process (i.e., prior to an implementing project). Furthermore, prior to the issuance of a building permit, the Project will be conditioned to pay Development Impact Fees, a portion of which must be used for the provision of adequate police protection facilities, including buildings, land, equipment and vehicles.

Chapter 4.45 (Development Impact Fees) of the City's Municipal Code spells out the purpose and findings, basis for calculation of development impact fees, the need for public facilities, the need for development impact fees and the use of development impact fees (DIF). According to Section 4.45.030 (Need for public facilities), in order to implement the goals and objectives of the City's General Plan and applicable specific plans by accommodating the need for public facilities and mitigating the financial and physical impacts for all development projects within the city, police facilities must be constructed, installed, and paid for or financed. Section 4.45.060 (Use of development impact fees), Police facility fees ensure residents and workers of the city have adequate police protection facilities including buildings, land, equipment and vehicles.

These fees are reviewed and adjusted annually to accommodate the incremental demands to law enforcement services as a result of development within the City. The payment of DIF is a one-time fee, and is paid prior to the issuance of a building permit. The payment of DIF is a standard condition and is not considered unique mitigation under CEQA.

Therefore, upon payment of the development fees, the Project will not result in substantial adverse impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for sheriff services.

The FIA demonstrates the annual recurring revenues to the City's General Fund at Project build-out will equal \$2,434,685 compared to recurring fiscal costs of \$2,376,070; a net benefit to the City of approximately \$58,615. The largest sources of revenue will result from property tax, property tax in lieu of vehicle license fees, and sales tax. This finding demonstrates that the Project's future demands on the provision of sheriff law enforcement services will be more than fulfilled in the future after it is developed.

Impacts related to law enforcement services are considered to be below a level of significance. (Draft EIR, pp. 4.13-20—4.13-21.)

3. Schools

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for School/Education Services?

Finding: Less than significant. (Draft EIR, p. 4.13-21.)

Explanation: As shown on Figure 4.13.2-1, two (2) unified school districts are within the City of Coachella: the CVUSD and the DSUSD. The Project site is located within the DSUSD jurisdictional boundaries which encompass the area north of 48th Avenue and west of Fillmore Street; the areas north of 20th Avenue between Jackson Street and Van Buren Street; and, the area south of 48th Avenue and west of Jefferson Street.

The 2016-2017 student enrollment records and Long Range Facilities Master Plan Update for each of the affected schools serving the Project site, indicates that there is existing, or planned capacity to accommodate new students generated by the Project.

The following student generation factors are utilized by DSUSD for both single-family and multi-family units:

- Elementary school: 0.1704/dwelling unit.
- Middle school: 0.0909/dwelling unit.
- High school: 0.1261/dwelling unit.

Based on 1,640 residential units, the Project will generate the following approximate number of students, below.

- Elementary school: 280

- Middle school: 149
- High school: 207

The District's Master Plan recognizes and plans for increased demands on school services as a result of future development under the City's General Plan Update (2015). These incremental demands are met through payment of School Impact Fees, identified in an annual School Facilities Needs Analysis (SFNA), which determines the need for additional facilities as a result of population growth. This SFNA establishes the amount of school fees that will be placed on a development project and made a condition of development approval. This is a standard condition and is not considered unique mitigation under CEQA.

Therefore, upon payment of the school impact fees, the Project will not result in substantial adverse impacts associated with the provision of new or physically altered school facilities in order to maintain classroom levels, teacher/student ratios or other school performance objectives. Impacts related to school services are considered to be below a level of significance. (Draft EIR, pp. 4.13-21--4.13-22.)

4. Parks

Threshold: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Finding: Less than significant. (Draft EIR, p. 4.13-22.)

Explanation: There are currently eight (8) parks and one (1) community center located within the City of Coachella, which include two (2) community parks, two (2) neighborhood parks, three (3) mini-parks, and one (1) tot lot. These parks offer a variety of recreational activities and range from passive to more physical interests, such as shaded picnic and grass areas, playgrounds, baseball and football fields, basketball and tennis courts, and swimming. In addition to City parks, the Desert Recreation District maintains a number of parks and recreational facilities through the lower desert in proximity to the Project site. Although there are no regional parks located within the City, there are numerous regional parks located within Riverside County which are open to all County residents.

As stated under Subchapter 4.13.2, Environmental Setting, the City's General Plan Update Final EIR (2015) recognizes the need for additional local parks as future development projects are implemented throughout the City. All new residential development is required to pay parks and recreation fees or parkland dedication in-lieu fee as allowed under the Quimby Act for provision of expanded and/or new parks and recreation

facilities. These fees must be used to ensure adequate facilities are available to Project residents through new or improved facilities. Typical improvements will include turf, fields, fencing, play apparatus, lighting, restrooms and parking.

The Project includes dedication of an approximately 14-acre parcel in proximity of the Coachella Canal for an approximate 13.8-acre neighborhood park site (PA 9), as well as an approximate 12.6-acre Paseo, which traverses Planning Areas 5 and 6. PA 9 is solely designated for a park site. According to the Specific Plan, the following are permitted uses in PA9:

- Nature study area
- Public and private parks, greenbelts, common areas
- Pedestrian & bicycle trails
- Rest Stop
- Restroom facilities
- Public utilities facilities
- Flood control facilities
- Trails (hiking, walking)

According to the Specific Plan, the following are conditionally permitted uses in PA9:

- Public facilities (i.e. fire/police stations)

Ultimately this dedication requires acceptance by City and local parks and recreation district. The Project will be reviewed by the City and Coachella Valley Recreation and Parks District for determination of parkland dedication and/or development impact fees through the entitlement process, in order to completely meet the parkland requirement generated by the Project. Should the Project not meet the dedication requirement, the payment of in-lieu fees will be required, pursuant to Ordinance No. 868. This is reflected in **Standard Condition SC-REC-1**.

Chapter 4.45 (Development Impact Fees) of the City's Municipal Code spells out the purpose and findings, basis for calculation of development impact fees, the need for public facilities, the need for development impact fees and the use if development impact fees (DIF). According to Section 4.45.030 (Need for public facilities), in order to implement the goals and

objectives of the City's General Plan and applicable specific plans by accommodating the need for public facilities and mitigating the financial and physical impacts for all development projects within the city, the park and recreation public facilities must be constructed, installed, and paid for or financed. Section 4.45.060 (Use of development impact fees), park and recreation facility fees will be used to ensure that city park land dedicated pursuant to the 2006 Parks and Recreation Master Plan which incorporated the standard for parkland dedication in-lieu fee as allowed under the Quimby Act of three acres per thousand population, or otherwise, will be improved with the financial resources provided by this development impact fee in addition to those of the Coachella Valley Parks and Recreation District. Typical improvements will include turf, fields, fencing, play apparatus, lighting, restrooms and parking.

At the current time, the DIF for parks improvements is \$3,541.00 per residential unit. No other land uses in the Specific Plan generate the need for DIF to park improvements.

These fees are reviewed and adjusted annually to accommodate the incremental demands to parks and recreational facilities as a result of development within the City. This is reflected in **Standard Condition SC-REC-2**. The payment of DIF is a one-time fee, and is paid prior to the issuance of a building permit. The payment of DIF is a standard condition and is not considered unique mitigation under CEQA.

Therefore, upon payment of the development fees and/or dedication of parkland, the Project will not result in substantial adverse impacts associated with the provision of new or physically altered government facilities in order to maintain an acceptable service ratio of parks and recreational facilities to population generated by the Project. Impacts related to parks and recreational facilities are considered to be below a level of significance. (Draft EIR, pp. 4.13-22--4.13-24.)

SC-REC -1 **Quimby Requirement**. Prior to the recordation of a final map, the Project applicant shall offer dedication of land and/or make in-lieu payment of Quimby Fees for park or recreational purposes shall be at the rate of three acres per 1,000 residents.

SC-REC-2 **Development Impact Fee**. The Project applicant shall pay Development impact fees at the time an application is made for a building permit.

5. Recreational Facilities

Threshold: Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment??

Finding: Less than significant. (Draft EIR, p. 4.13-24.)

Explanation: If implementation of the Project occurs on site at the specified density and intensity, the Project would result in the provision of new recreational opportunities through the dedication of 13.82 acres of parkland, 12.7 acres of open space/recreational uses, and 19.0 acres of drainage/water quality basins. Development of the Project site could potentially result in a population increase of approximately 7,921 people at Project buildout. With the addition of 7,921 people, the potential residential development that could occur on the Project site would require 23.8 acres of parkland to meet the City requirement of 3.0 acres per 1,000 residents.

The construction of amenities associated with parks and open space within the Specific Plan area are included as part of Project site's development. Therefore, as the environmental effects for the Specific Plan site are included as part of the entire analysis of environmental effects in the EIR, the construction or expansion of such areas would not result in an adverse physical effect on the environment beyond those analyzed for the overall development of the Project.

Please reference the discussion on Threshold 4 above as it pertains to Quimby requirement, parkland dedication, payment of in-lieu fee and payment of DIF. These is a standard condition, as reflected in **Standard Condition SC-REC-1** and is not considered unique mitigation under CEQA.

For these reasons, impacts associated with this issue are considered to be less than significant. (Draft EIR, p. 4.14-24.)

6. Library Services

Threshold: Other Services—Library Services

Finding: Less than significant. (Draft EIR, p. 4.13-24.)

Explanation: The City of Coachella Library is a branch of the Riverside County Library System serving residents within the City and surrounding unincorporated areas. As part of the County Library System, residents have access to all libraries within the system, which includes 33 libraries, two bookmobiles, and online access to library resources. A Riverside County Library System card is free to all California residents and, currently, non-California residents pay a nominal annual fee.

The Coachella Municipal Code establishes a Development Impact Fee to be placed on all new residential development within the City to offset incremental demands on library services. The library facilities fees must be used for the land acquisition and construction costs of a public library

facility as part of the Riverside County Library System, to serve new residential development in the City. Development Impact Fees are reviewed and adjusted administratively on an annual basis.

Chapter 4.45 (Development Impact Fees) of the City's Municipal Code spells out the purpose and findings, basis for calculation of development impact fees, the need for public facilities, the need for development impact fees and the use of development impact fees (DIF). According to Section 4.45.030 (Need for public facilities), in order to implement the goals and objectives of the City's General Plan and applicable specific plans by accommodating the need for public facilities and mitigating the financial and physical impacts for all development projects within the city, the library facilities must be constructed, installed, and paid for or financed. Section 4.45.060 (Use of development impact fees), library facilities fees will be used for the land acquisition and construction costs of a public library facility as part of the Riverside County Library System, to serve the new residential development in the city.

At the current time, the DIF for parks improvements is \$3,541.00 per residential unit. No other land uses in the Specific Plan generate the need for DIF to park improvements. This is reflected in **Standard Condition SC-REC-2**.

The Project will be reviewed by City staff and subject to standard conditions of approval through the entitlement process, which include the payment of development fees. Therefore, no impacts to Library Services are anticipated. (Draft EIR, pp. 4.13-24—4.13-25.)

7. Health Services

Threshold: Other Services—Health Services

Finding: Less than significant. (Draft EIR, p. 4.13-25.)

Explanation: The California Environmental Quality Act (CEQA) does not establish thresholds for the provision of health care services. The accessibility and provision of health care is being addressed on a local level through general plan policies, school-based health initiatives and federal funding.

Local communities are placing an emphasis on preventive health care measures and the incorporation of healthy practices into daily living. The City of Coachella General Plan Update Final EIR (2015) recognizes that hospitals and medical facilities serve to benefit the quality of life and health of community residents, are an asset to the City, and provide a valued service to residents and patrons.

The need for new medical facilities are accommodated through general

plan land use designations which allow for hospitals, medical centers, health clinics and other associated uses. Medical facilities would be built concurrently with other development within the City's Planning Area both as demanded by the market and through City-facilitated regional efforts and would make up a small proportion of the overall built environment. General plan policies ensure all public facilities, including medical facilities, incorporate sustainable design features.

The increase in population resulting from Project implementation represents a very small percentage of the overall increased demand for Health Services, as listed above, in the Coachella area based on the Project's buildout population of 7,396 persons in relation to the Region's buildout population (2040) of approximately 500,000 persons, which represents 1.48% of the total population. Furthermore, since the majority of health services are provided through private sources, it is anticipated that the availability of health services will respond to increased demands. According to the General Plan Update Final EIR (2015):

“Medical care facilities serve to benefit the quality of life and health of community residents. Additional hospitals and medical facilities in the Planning Area would provide an asset to the Planning Area and provide a valued service to residents and patrons. The CGPU recognizes the important of including these facilities as potential development scenario and has outlined several policies to ensure the facilities are being developed in a minimal impactful way on the environment, as they are needed. The CGPU anticipates a need for new medical facilities and accommodates that need through the following designations: Urban Neighborhoods, Neighborhood Center, Downtown Center, Urban Employment Center, Suburban Retail District, and Regional Retail District. Additionally, the CGPU proposes policies also ensure all public facilities, including medical facilities incorporate sustainable design including; sustainable landscaping, energy conservation practices, passive heating and cooling design, and land use patterns to reduce GHG emissions. All policies address potential impacts from public buildings, including medical facilities, and aim to reduce negative impacts from development. Additionally, medical facilities would be built concurrently with all other development of the CGPU both as demanded by the market and through City-facilitated regional efforts, and would make up a small proportion of the overall built environment. Though there are potential negative impacts associated with medical facilities, the significance of medical facilities among the overall CGPU is less than significant. Based on the scaled development of medical facilities and policies outlined in the CGPU, impacts from construction and maintenance of additional medical facilities would be less than significant.”

Therefore, substantial adverse impacts associated with the Project as they

pertain to the provision of new or physically altered medical facilities would be within the projected population growth estimates, incremental and are considered less than significant. (Draft EIR, pp. 4.13-25—4.13-26.)

N. TRANSPORTATION / TRAFFIC

1. Plans, Policies, and Ordinances

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

Finding: Less than significant. (Draft EIR, p. 4.14-29.)

Explanation:

Roadway Segment Level of Service for Existing Plus Project Conditions

The Roadway Segment level of service calculations for Existing Plus Project Conditions are shown in Table 4.14.4-6, Roadway Segment Analysis for Existing Plus Project Conditions, below. The City requires Level of Service D or better for all study area Roadway Segments.

For Existing Plus Project traffic conditions, the study area Roadway Segments are expected to operate at acceptable level of service based on the General Plan Update (2015) Classification of the Roadway.

Impacts are considered incremental and less than significant. (Draft EIR, p. 4.14-29.)

Roadway Segment Level of Service for Project Completion (Year 2022) With Project Conditions

The Roadway Segment level of service calculations for Project Completion (Year 2022) With Project Conditions are shown in **Table 4.14.4-9, Roadway Segment Analysis for Project Completion (Year 2022) With Project Conditions**. The City requires Level of Service D or better for all study area Roadway Segments.

For Project Completion (Year 2022) With Project traffic conditions, the study area Roadway Segments are expected to operate at acceptable level of service based on the General Plan Update 2015 Classification of the Roadway. Impacts are considered incremental, and less than significant. (Draft EIR, p. 4.14-35.)

Roadway Segment Level of Service for Project Completion (Year 2022) With Project and Cumulative Projects Conditions

The Roadway Segment level of service calculations for Project Completion (Year 2022) With Project and Cumulative Projects Conditions are shown in **Table 4.14.4-13, Roadway Segment Analysis for Project Completion (Year 2022) With Project and Cumulative Projects Conditions**. The City requires Level of Service D or better for all study area Roadway Segments.

Roadway improvements would be required to widen Dillon Road from a Secondary Arterial to a Major Arterial Dillon Road. This roadway is listed in the CVAG TUMF 2006 Fee Schedule Update, Nexus Study Report, 2006, and therefore the fair-share payment of TUMF would be required to mitigate this impact. TUMF is included as **Standard Condition SC-TR-1**.

For Project Completion (Year 2022) With Project and Cumulative Projects traffic conditions, the study area Roadway Segments are expected to operate at acceptable level of service based on the General Plan Update 2015 Classification of the Roadway. No mitigation is required. (Draft EIR, p. 4.14-45.)

Roadway Segment Level of Service for General Plan Buildout (Year 2035) With Project Conditions

The Roadway Segment level of service calculations for General Plan Buildout (Year 2035) With Project Conditions are shown in Table 4.14.4-17, Roadway Segment Analysis for General Plan Buildout (Year 2035) With Project Conditions. The City requires Level of Service D or better for all study area Roadway Segments.

For General Plan Buildout (Year 2035) With Project traffic conditions, all study area Roadway Segments are expected to operate at acceptable level of service based on the General Plan Classification of the Roadway, with the exception of the following segments without mitigation:

- Dillon Road, from SR-86 to Highway 111
- Vista Del Sur, from Dillon Road to Tyler Street

The impact to Dillon Road in 2035 Plus Project condition has been identified as a potentially significant and unmitigable impact because additional widening beyond the General Plan classification is likely infeasible. (Draft EIR, pp. 4.14-54—4.14-56.)

2. Air Traffic Patterns

Threshold: Does the Project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Finding: No impact. (Draft EIR, Ch. 8 Appendices, Initial Study, pp. 32-33.)

Explanation: The Project site is not located within two miles of a public airport or public use airport. The closest public airport, or public use airports are Thermal Airport (Jacqueline Cochran Regional Airport), located approximately 5 miles to the south, and the Bermuda Dunes Airport (located over 5 miles to the north-northwest). According to the Riverside County Land Information System (<http://tlmabld5.agency.tlma.co.riverside.ca.us/website/rclis/>), the Project site is not located within the vicinity of a private airstrip. Therefore, implementation of the Project (on-site and off-site components) will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. No impacts are anticipated. No mitigation is required. (Draft EIR, Ch. 8 Appendices, Initial Study, p. 33.)

O. UTILITIES AND SERVICE SYSTEMS

1. Wastewater Treatment Requirements

Threshold: Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Finding: Less than significant. (Draft EIR, p. 4.15-25.)

Explanation: Compliance with federal regulations for both wastewater plant operations and the collection systems which convey wastewater to the Wastewater Treatment Facility (WWTF) falls within the responsibility of local governments and water districts. Proper operation and maintenance is critical for sewage collection and treatment as impacts from these processes can degrade water resources and affect human health. For these reasons, Publicly Owned Treatment Works (POTWs) receive Waste Discharge Requirements (WDRs) or National Pollutant Discharge Elimination System (NPDES) permits to ensure that such wastewater facilities operate in compliance with water quality regulations set forth by federal and State governments. WDRs and NPDES permits, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, recordkeeping, and reporting requirements. Each POTW that intends to discharge into the nation's waters must obtain a permit prior to initiating its discharge. NPDES permits are further discussed in detail in Subchapter 5.9, Hydrology and Water Quality of the EIR.

Wastewater generated within the Specific Plan area would be routed to and treated by the City's existing WWTF. Because the WWTF is considered to be a POTW, operational discharge flows treated at the WWTF must comply with permits issued by the Colorado River Basin Regional Water Quality Control Board (RWQCB). Specifically, the POTW discharges are governed by WDRs issued for each individual POTW. For the City's WWTF, the Colorado River Basin RWQCB adopted WDRs Order No. R7-2005-0083 (NPDES Permit No. CA0104493) on June 29, 2005. WDRs Order No. R7-2005-0083 specifies effluent limitations, prohibitions, specifications, and provisions necessary to protect the beneficial uses of the surface and ground waters within the Colorado River Basin Region. Since wastewater from the Project site would be regulated by the Colorado River Basin RWQCB adopted WDRs Order No. R7-2005-0083, compliance with the WDRs would ensure that wastewater discharges generated by the Project and treated by the WWTF system would not exceed applicable Colorado River Basin RWQCB wastewater treatment discharge requirements.

As indicated under subsection 4.15.2 Environmental Setting, Wastewater, above, the Project is required to pay Development Impact Fees for water and wastewater facilities as part of the water and sewer collection fees for new development in the City. With the recent expansion of the City's WWTF, there is adequate capacity to accommodate the increase in wastewater demand from the proposed Project. Therefore, the Project will not result in impacts related to the exceedance of wastewater treatment requirements or require the construction of new or expanded WWTFs. Impacts are considered less than significant. (Draft EIR, pp. 4.15-25 - 4.15-26.)

2. New Wastewater Treatment Facilities

Threshold: Does the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Finding: Less than significant. (Draft EIR, p. 4.15-26.)

Explanation: Water

The City's 2015 UWMP, CVWD's 2015 UWMP, and CVWD's 2010 CVWMP demonstrate that the total projected water supplies available to CVWD and the City are sufficient to meet the water demands of the proposed Project and other demands throughout the City and CVWD service areas during normal, single-dry and multiple-dry periods throughout the year 2035 and beyond.

More importantly, those conclusions are made in the context of water

demands associated with projected population growth in the City and CVWD service areas for the next 20 years – the standard established under the UWMP Act. Yet the UWMP Act standard is much more inclusive than the standards set forth by SB 610 and CEQA. Indeed, the water supply sufficiency standard established under SB 610 and CEQA is whether the total projected water supplies available to the City and CVWD over the next 20-year period is sufficient to meet the projected demand associated with the Project in addition to existing and planned future uses.

Future water demands associated with the Project and “planned future uses” within the City and CVWD are considerably less than future water demands associated with projected population growth within the City and CVWD. Lastly, the projected water demands associated with the Project have been already been accounted for as part of CVWD’s regional water supply planning efforts, which specifically include population projections within the City and the City’s Sphere of Influence. The Project will be required to pay the applicable water connection fees at the time of building permit issuance in order to provide funding for existing and future facilities. This is reflected in **Standard Condition SC-UTIL-1**. This is a standard condition and is not considered unique mitigation under CEQA.

Any impacts are considered less than significant.

Wastewater

As stated above, the Coachella Sanitary District (CSD) is the service provider for the Project site.

The City’s wastewater collection system includes approximately 340,000 linear feet of wastewater conveyance pipeline which is powered by two pump stations and conveyed to the City’s Wastewater Treatment Plant (WWTP), located near Avenue 54 and Polk Street. The WWTP is an existing 30-acre domestic wastewater treatment facility that has been recently upgraded by the City and has an existing treatment capacity of approximately 4.9 mgd with an average daily flow of 2.9 mgd. As shown on Table 4.15.4-3, Vista Del Agua Sewer Generation, below, the Project will add approximately 523,710 gpd to this system. This is well within the capacity of the existing facility.

The Project will be required to pay the applicable sewer connection fees at the time of building permit issuance in order to provide funding for existing and future facilities. This is reflected in **Standard Condition SC-UTIL-1**. This is a standard condition and is not considered unique mitigation under CEQA.

Any impacts will be considered less than significant. (Draft EIR, pp. 4.15-26 - 4.15-27.)

3. New Storm Drainage Facilities

Threshold: Does the Project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Finding: Less than significant. (Draft EIR, p. 4.15-27.)

Explanation: This issue was discussed in great detail in Chapter 4.9, Hydrology and Water Quality, of the EIR. Impacts were considered less than significant. **Standard Conditions SC-HYD-1, SC-HYD-2, SC-HYD-3, and SC-HYD-4** (construction general permit, water quality management plans, BMPs, and hydrology reports, respectively) were included on the Project to address Project effects upon storm water drainage facilities. Therefore, consistent with the analysis in Chapter 4.9 of the EIR, the Project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects with the inclusion of **Standard Conditions SC-HYD-1, SC-HYD-2, SC-HYD-3, and SC-HYD-4**. Impacts are less than significant. (Draft EIR, p. 4.15-27.)

4. Water Supplies

Threshold: Does the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Finding: Less than significant. (Draft EIR, p. 4.15-28.)

Explanation: The Project includes a mixture of residential development (low density, medium density, and high density), mixed-use development with up to 281,400 square feet of commercial floor area, parks/recreation, and rights-of-way. **Table 4.15.4-1, Proposed Vista Del Agua Land Use Summary**, outlines the land uses proposed for the Project. Figure 2.1.2-1 illustrates the land uses proposed for the Project.

As indicated in **Table 4.15.4-1**, the Project includes a mixture of residential development (low-density, medium-density, and high-density), mixed-use areas, parks/recreation, and rights-of-way. With the enactment of SBx7-7 and the requirements of that law to achieve a statewide reduction in per capita water use of 20 percent by the year 2020, the City's overall water use had declined approximately 28 percent over the last 5 years. As such, the City's existing water use factors, developed prior to these water conservation efforts, were outdated. Additionally, the 2009 and 2013 MOUs between the City and CVWD illustrate that projects relying on

CVWD's Supplemental Water Supply program, such as this one, must strive to achieve consistency with the conservation programs identified in CVWD's 2010 CVWMP and the water use factors developed by CVWD for the use of supplemental water. In response, the City completed a Supplemental Water Supply Program and Fee Study (SWS Study).

The SWS Study provides an analysis and update to the City's annual water consumption factors (ACF), by land use. The ACFs were calculated using actual historical consumption by customers in each land use classification. After which, the most representative customers for future growth were selected for each land use classification. These selections considered future land use densities and water conservation measures (e.g. limited use of turf areas, desert-friendly landscaping, high efficiency irrigation system, water efficient household fixtures, etc.). Further, the ACFs developed in the SWS Study are consistent with the per capita water use reduction goals of SBx7-7, ongoing conservation efforts, and water use factors developed by CVWD for the use of supplemental water.⁸

These ACF's are used to estimate total water demands for a project according to its land uses and size (in acres). **Table 4.15.4-2, Vista Del Agua Average Water Demands**, summarizes anticipated the total water demands of the Project based on these ACF's.

The following ACF's were applied to this Project:

- Single Family Residential ACF of 2.85 acre-feet per acre per year
- Multi-Family Residential ACF of 2.69 acre-feet per acre per year
- Commercial ACF of 1.78 acre-feet per acre per year
- Landscape Irrigation ACF of 1.80 acre-feet per acre per year

Despite the data presented above and in Table 4.15.4-2, it must be noted that the City's Standard Specification and Procedures were developed many years ago, and certainly before the enactment of SBx7-7 and the requirements of that law to achieve a statewide reduction in per capita water use of 20 percent by the year 2020. To this end, the City is currently reviewing its Standard Specifications and Procedures and water use factors in relation to new development proposals. In the meantime, however, CVWD recently completed a water system backup facilities charge study and, as part of that effort, updated and established water use factors that apply to new development within CVWD's retail service area. As shown in the Study, CVWD's updated water use factors are lower than the City's historic water use factors due to conservation efforts implemented to meet the regional and statewide goals of SBx7-7

For a variety of reasons, the City has determined that CVWD's updated water use factors can be applied to the proposed Project in lieu of the City's historic factors. As noted above, CVWD's updated factors are consistent with the per capita water use reduction goals of SBx7-7, whereas the City's Standard Specifications and Procedures were adopted prior to the enactment of SBx7-7. Furthermore, and as further illustrated in Project-Specific Water Conservation and Groundwater Reduction Measures below, the Project applicant has committed to ensuring that buildout of the Project will occur in a manner consistent with CVWD's efficient landscape ordinance. Indeed, the 2009 and 2013 MOUs between the City and CVWD illustrate that projects relying on CVWD's Supplemental Water Supply program must strive to achieve consistency with the conservation programs identified in CVWD's 2010 CVWMP and the water use factors developed by CVWD for the use of supplemental water. Moreover, CVWD's updated water use factors have already been applied to new development projects within CVWD's retail service area and have proven to be achievable depending on the character and unique design features of a given project.

As a general matter, new development projects within the City are required to implement the following measures to ensure the efficient use of water resources and to meet and maintain the goals of the 2010 CVWMP.

1. To the greatest extent practicable, native plant materials and other drought-tolerant plants will be used in all non-turf areas of Project landscaping. Large expanses of lawn and other water-intensive landscaped areas shall be kept to the minimum necessary and consistent with the functional and aesthetic needs of the Project, while providing soil stability to resist erosion;
2. Potential use of the Coachella Canal for construction water and Project landscaping may further reduce Project demand for potable water. This will be reviewed for feasibility and subject to agreements between the City and CVWD since the Project lies outside of the IID boundary;
3. In the event recycled water becomes available to the Project, the potential use of tertiary treated water will be reviewed to determine feasibility of its use for on-site landscaped areas to reduce the use of groundwater for irrigation;
4. The installation and maintenance of efficient on-site irrigation systems will minimize runoff and evaporation and maximize effective watering of plant roots. Drip irrigation and moisture detectors will be used to the greatest extent practicable to increase irrigation efficiency;
5. The use of low-flush toilets and water-conserving showerheads and faucets shall be required in conformance with Section 17921.3 of the

Health and Safety Code, Title 20, California Code of Regulations Section 1601(b), and applicable sections of Title 24 of the State Code.

The Project will be required to comply with the goals of the 2010 CVGWMP. This is reflected in **Standard Condition SC-UTIL-2**.

Consistent with these general requirements, the Project applicant has demonstrated its commitment to meeting and maintaining the water conservation goals of the 2010 CVWMP, as further provided below and in the Specific Plan.

The Specific Plan proposes an all-around approach to water efficiency. The proposed land use plan identifies trail corridors (paseos) that are intended to accommodate stormwater conveyance facilities that link to water quality treatment facilities designed to improve water quality on-site and limit downstream water quality impairments from the proposed development. Additionally, the Specific Plan proposes the efficient use of potable water through mandated building and site design requirements. The Specific Plan design strategies for water efficiency include:

- Reduce potable water demand through landscaping, non-potable reclaimed, well or canal water for irrigation purposes (when available), and high efficiency plumbing fixtures and appliances;
- Utilize high efficiency plumbing and fixtures;
- Utilize efficient irrigation controls to reduce water;
- Reduce the amount of irrigated turf in parks;
- Minimum of 75% of all front yard landscaping shall be limited to desert-scape or xeriscape materials;
- Implement an integrated stormwater collection and conveyance system designed to treat and convey development-related runoff; provide 100-year flood protection to flood prone areas; increase groundwater recharge (where practical) through on-site retention basins, and improve water quality on-site and downstream through on-site water quality basins;
- Support the development of reclaimed water supplies in the City of Coachella and the Specific Plan.

Landscaping within Specific Plan will complement the existing desert setting as well as provide parks and paesos for outdoor enjoyment and activity. The plant palette proposed in the Specific Plan contains drought tolerant plants approved for use by the City of Coachella. This palette serves as a guide and varieties may be substituted within each species if they are more appropriate for the Coachella Valley climate and/or Project design. Specific Plan landscape design strategies include:

- Utilize native plant choices to the greatest extent possible;

- Develop a plant palette that focuses on shading of pedestrian activity areas will promote use of non-motorized transportation and reduce the urban heat island effect;
- Promote the development of tree-lined streets to encourage walking, biking, and transit use, and reduce urban heat island effects;
- Minimum of 75% of all front yard landscaping shall be limited to desert-scape or xeriscape materials.
- Incorporate natural site elements (significant rock outcroppings, drainage corridors, bioswales) as design features;
- Use Low Impact Development (LID) techniques to control stormwater flows on-site;
- Incorporate stormwater and/or water quality facilities close to the source within each planning area, protecting site and regional water quality by reducing sediment and nutrient loads to water bodies on-site and downstream; and
- Mimic the predevelopment site hydrology by using site design techniques that store, infiltrate, evaporate, and retain runoff to reduce off-site runoff and facilitate groundwater recharge.

The following guiding principles set the general direction for design of the landscaped places if the Specific Plan community:

- Implementation of landscape concepts that use drought tolerant plant pallets that are low-water use and well adapted to the desert climates;
- Incorporate eco-friendly designs, such as optimizing building orientation, reducing potable water use for irrigation and implementing shade strategies;
- Alley-loaded design concepts, which maximize streetscapes with emphasis on pedestrians by providing shade, amenities and connectivity throughout the project site;
- Incorporate the latest design principles of environmental sensitivity, conservation, and sustainability into the landscape planning and design;
- Promote design concepts that create lots fronting to open space areas, creating community-gathering places for local residents;
- Provide structures, pedestrian friendly streets, bicycle lanes, sidewalks and public gathering places that facilitate local, non-vehicular transportation;
- Planting areas and medians will be irrigated with high efficiency automatic irrigation system;
- Collection and treatment of urban runoff using multiple water quality basins throughout the project;
- Utilize high-efficiency plumbing fixtures that meet or exceed the CALGREEN code.

The Project will be required to comply with the above referenced Design Features. This is reflected in **Standard Condition SC-UTIL-3**.

Compliance with the Project-Specific Water Conservation and Groundwater Reduction Measures and incorporation of Specific Plan design strategies for water efficiency (**Standard Conditions SC-UTIL-1** through **Standard Conditions SC-UTIL-3**) will reduce impacts to existing water supplies to below a level of significance. Impacts are considered less than significant.

According to the Coachella Valley Water District letter dated 3/26/15:

“The development lies within the City of Coachella’s water service area boundary. The District and the City have signed a Memorandum of Understanding (MOU) to work together to ensure sufficient water supplies for new development. The District requests the City of Coachella require that the developer annex the area into the stormwater unit of the District. The area is protected from regional stormwater flows by a system of channels and dikes and may be considered safe from regional stormwater flows. The Project lies within the Study Area Boundary of the Coachella Valley Water Management Plan.”

As a standard condition, in order to address the water supply contingency measures, the Project shall comply with the measures contained within the 2014 Water Shortage Contingency Plan (WSCP).

It is anticipated that any impacts will be addressed and potentially mitigated on a project-by-project basis. Therefore, any impacts are considered less than significant.

According to the Coachella Valley Water District letter dated 3/26/15:

“There are existing U.S. Bureau of Reclamation facilities not shown on the development plans, and the project may be required to use Nonpotable Colorado River water for specific uses.”

The CVWD’s 2010 UWMP identifies recycled water as another significant local resource that can be used to supplement the water supply of the Coachella Valley. Wastewater that is highly treated and disinfected can be reused for a variety of landscape irrigation and other purposes. Recycled water has been used for irrigation of golf courses and municipal landscaping in the Coachella Valley since 1968. It is expected that golf course irrigation will remain the largest use of recycled water in the future. Current and projected future uses of recycled water include irrigation of urban landscape and golf course lands. Recycled water use is limited by the lack of urban development in the east valley. As urbanization occurs

in the future, a recycled water distribution system will be developed to serve recycled water for urban golf course irrigation and municipal irrigation. (Draft EIR, pp. 4.15-28—5.14-33.)

SC-UTIL-1 Prior to the issuance of a building permit, the Project proponent shall pay the applicable connection fee for water and sewer.

SC-UTIL-2 The Project shall implement the following measures to ensure the efficient use of water resources and to meet and maintain the goals of the 2010 CVWMP:

1. To the greatest extent practicable, native plant materials and other drought-tolerant plants will be used in all non-turf areas of Project landscaping. Large expanses of lawn and other water-intensive landscaped areas shall be kept to the minimum necessary and consistent with the functional and aesthetic needs of the Project, while providing soil stability to resist erosion;

2. Potential use of the Coachella Canal for construction water and Project landscaping may further reduce Project demand for potable water. This will be reviewed for feasibility and subject to agreements between the City and CVWD since the Project lies outside of the IID boundary;

3. In the event recycled water becomes available to the Project, the potential use of tertiary treated water will be reviewed to determine feasibility of its use for on-site landscaped areas to reduce the use of groundwater for irrigation;

4. The installation and maintenance of efficient on-site irrigation systems will minimize runoff and evaporation and maximize effective watering of plant roots. Drip irrigation and moisture detectors will be used to the greatest extent practicable to increase irrigation efficiency;

5. The use of low-flush toilets and water-conserving showerheads and faucets shall be required in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Code of Regulations Section 1601(b), and applicable sections of Title 24 of the State Code.

SC-UTIL-3 Implementing Projects within the Specific Plan shall incorporate the following design features:

Design strategies for water efficiency include:

- Reduce potable water demand through landscaping, non-potable reclaimed, well or canal water for irrigation purposes (when available), and high efficiency plumbing fixtures and appliances;

- Utilize high efficiency plumbing and fixtures;
- Utilize efficient irrigation controls to reduce water;
- Reduce the amount of irrigated turf in parks;
- Minimum of 75% of all front yard landscaping shall be limited to desert-scape or xeriscape materials;
- Implement an integrated stormwater collection and conveyance system designed to treat and convey development-related runoff; provide 100-year flood protection to flood prone areas; increase groundwater recharge (where practical) through on-site retention basins, and improve water quality on-site and downstream through on-site water quality basins;
- Support the development of reclaimed water supplies in the City of Coachella and the Specific Plan.

Landscape design strategies include:

- Utilize native plant choices to the greatest extent possible;
- Develop a plant palette that focuses on shading of pedestrian activity areas will promote use of non-motorized transportation and reduce the urban heat island effect;
- Promote the development of tree-lined streets to encourage walking, biking, and transit use, and reduce urban heat island effects;
- Minimum of 75% of all front yard landscaping shall be limited to desert-scape or xeriscape materials;
- Incorporate natural site elements (significant rock outcroppings, drainage corridors, bioswales) as design features;
- Use Low Impact Development (LID) techniques to control stormwater flows on-site;
- Incorporate stormwater and/or water quality facilities close to the source within each planning area, protecting site and regional water quality by reducing sediment and nutrient loads to water bodies on-site and downstream; and
- Mimic the predevelopment site hydrology by using site design techniques that store, infiltrate, evaporate, and retain runoff to reduce off-site runoff and facilitate groundwater recharge.

General direction for design of the landscaped places:

- Implementation of landscape concepts that use drought tolerant plant pallets that are low-water use and well adapted to the desert climates;
- Incorporate eco-friendly designs, such as optimizing building orientation, reducing potable water use for irrigation and implementing shade strategies;
- Alley-loaded design concepts, which maximize streetscapes with emphasis on pedestrians by providing shade, amenities and

- connectivity throughout the project site;
- Incorporate the latest design principles of environmental sensitivity, conservation, and sustainability into the landscape planning and design;
- Promote design concepts that create lots fronting to open space areas, creating community-gathering places for local residents;
- Provide structures, pedestrian friendly streets, bicycle lanes, sidewalks and public gathering places that facilitate local, non-vehicular transportation;
- Planting areas and medians will be irrigated with high efficiency automatic irrigation system;
- Collection and treatment of urban runoff using multiple water quality basins throughout the project;
- Utilize high-efficiency plumbing fixtures that meet or exceed the CALGREEN code.

5. Wastewater Treatment Capacity

Threshold: Does the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Less than significant. (Draft EIR, p. 4.15-33.)

Explanation: As stated above, the Coachella Sanitary District (CSD) is the service provider for the Project site.

The City's wastewater collection system includes approximately 340,000 linear feet of wastewater conveyance pipeline which is powered by two pump stations and conveyed to the City's Wastewater Treatment Plant (WWTP), located near Avenue 54 and Polk Street. The WWTP is an existing 30-acre domestic wastewater treatment facility that has been recently upgraded by the City and has an existing treatment capacity of approximately 4.9 mgd with an average daily flow of 2.9 mgd. Generation rate assumptions are as follows:

- Residential flow factor of 300 gpd/unit;
- Commercial (Retail) area assumes 1 EDU (300 gpd) per 2000 sq. ft. of office space; and
- Commercial (Office) area assumes 1 EDU (300 gpd) per tenant (assuming each tenant has 10,000 sq. ft. of area).

As shown on Table 4.15.4-3, Vista Del Agua Sewer Generation, below, the Project will add approximately 523,710 gpd to this system. This is well within the capacity of the existing facility. Any impacts will be considered less than significant. (Draft EIR, p. 4.15-33.)

6. Landfill Capacity

Threshold: Will the Project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Finding: Less than significant. (Draft EIR, p. 4.15-34.)

Explanation: The City of Coachella currently contracts with Western Waste Industries (WWI) to provide solid waste collection and disposal management services. Municipal solid waste generated in the City of Coachella is taken to the Coachella Valley Transfer Station, located on Landfill Road east of Dillon Road and north of Interstate 10. A Joint Power Authority between the City of Coachella and the City of Indio acts as the permitted operator of the transfer station, while the County of Riverside is the permitted owner of the facility. Burrtec Waste Industries is the practical owner and operator of the site. In 2017, the facility was processing an average of 417 tons of waste per day (tpd), with a maximum capacity of 1,100 tpd.

The City has a curbside recycling program for single-family residences that serves to reduce waste sent to landfills. In 2006, the curbside recycling efforts translated into an approximate diversion rate of 44 percent citywide. Waste is sorted to remove recyclables and hazardous waste. Refuse is redirected to either the Lamb Canyon Landfill in Beaumont or the Badlands Landfill in Moreno Valley, and recyclables are redirected to their respective markets.

In addition, the Riverside County IWMP has instituted a means of managing long-term solid waste issues. The plan includes source reduction, recycling and composting programs, household hazardous waste management programs, and public education awareness programs as a means to reduce, reuse, and recycle solid wastes.

As previously stated, the two County landfills which service the City of Coachella include the Lamb Canyon Landfill and the Badlands Landfill. The Lamb Canyon Sanitary Landfill is permitted to receive 5,000 tons of solid waste per day. The total permitted capacity of the landfill is 38,935,653 cubic yards. As of 2015, the estimated remaining capacity of the Lamb Canyon Sanitary Landfill was 19,242,950 cubic yards.

The Badlands Landfill is currently permitted to receive 4,500 tons of trash per day. The total permitted capacity of the landfill is 33,560,993 cubic yards. As of 2015, the remaining capacity of this landfill was 15,748,799

cubic yards. Based on permitted daily disposal capacity, the estimated closure dates for the Lamb Canyon Landfill and the Badlands Landfill are 2022 and 2029, respectively. In addition, based on the proportion of acres currently permitted to accommodate solid waste compared to the total acreage of both the Lamb Canyon and the Badlands landfills, there is substantial potential for the future expansion of both landfills.

Build out of the proposed Project would generate approximately 98.7 tpd of solid waste as shown in **Table 4.15.4-4, Generation of Solid Waste at Project Buildout**. Because the permitted daily capacities for the Badlands and Lamb Canyon Sanitary Landfills are 4,500 and 5,000 tpd, respectively, the total solid waste generated at Project build out would represent approximately 2 ($98.7/4,500 = 0.02$) and 2 percent ($98.7/5,000 = 0.02$) of the maximum daily permitted capacity of the Badlands and the Lamb Canyon Sanitary Landfills, respectively.

The City of Coachella Municipal Code contains several provisions that are expressly designed to reduce the stream of solid waste going to landfills, as well as meet State mandated waste diversion goals. Specifically, the following provision of the Municipal Code regulates impacts on solid waste facilities serving the City:

Chapter 15.54.040(B) - New Construction. All covered projects must do

1. Meet the diversion requirement of at least fifty (50) percent of all construction waste.
2. Submit a construction and demolition waste plan (on the required forms).
3. Submit a performance security along with the application required for a construction permit. City-owned projects will not be required to pay the performance security.

Standard Condition SC-UTIL-4 requires all construction activities to comply with Chapter 15.54.040(B) of the City's Municipal Code. This is a standard condition and is not considered unique mitigation under CEQA.

During operations, the Project will be required to participate in curbside recycling and compliance with Riverside County's IWMP will reduce Project impacts on existing solid waste facilities and mandated AB 939 diversion goals. This is included as Standard Condition SC-UTIL-5. This is a standard condition and is not considered unique mitigation under CEQA. Any impacts are considered less than significant.

(Draft EIR, pp. 4.15-34—4.15-36.)

SC-UTIL-4 The Project shall comply with the following provisions of the Municipal Code regulates impacts on construction solid waste:

1. Meet the diversion requirement of at least fifty (50) percent of all construction waste.
2. Submit a construction and demolition waste plan (on the required forms).
3. Submit a performance security along with the application required for a construction permit. City-owned projects will not be required to pay the performance security.

SC-UTIL-5 The Project shall participate in curbside recycling and compliance with Riverside County's IWMP will reduce Project impacts on existing solid waste facilities and mandated AB 939 diversion goals.

7. Solid Waste Laws

Threshold: Will the Project comply with federal, state, and local statutes and regulations related to solid waste?

Finding: Less than significant. (Draft EIR, p. 4.15-36.)

Explanation: Solid waste practices in California are governed by multiple federal, State, and local agencies that enforce legislation and regulations ensuring that landfill operations minimize impacts to public health and safety and the environment. Recycling plays an important role in how solid waste is managed by Burrtec Waste Industries. Burrtec Waste Industries emphasizes the importance of recycling because it reduces the demand on existing landfills and reduces the need for landfills. In addition, Burrtec Waste Industries maintains a goal of operating in a way to ensure the environment is preserved and sustained for future generations.

It should be noted that the City complies with all federal, State, and local statutes and regulations related to solid waste (see **Standard Condition SC-UTIL-5**). The proposed Project would comply with solid waste diversion requirements established by California Green Building Standards Code (CalGreen), requiring the diversion of at least 75 percent of solid waste. The City's Municipal Code requires all new construction to meet the State requirement (California Integrated Water Management Act of 1989) of at least 50 percent diversion for all construction waste (see **Standard Condition SC-UTIL-4**). Therefore, the proposed Project would comply with federal, State, and local statutes and regulations related to solid waste. Any impacts are considered increment, yet less than significant. (Draft EIR, p. 4.15-36.)

8. Electricity

Threshold: Would the Project require or result in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects to Electricity?

Finding: Less than significant. (Draft EIR, p. 4.15-36.)

Explanation: It is anticipated that the Coachella City Substation will continue to be the primary source of electricity for the area, including the Project. This line will not be impacted by the Project. All new distribution lines will be constructed as underground facilities concurrently with Project development. It is possible that interruption of existing service could occur off-site during construction, but this impact is considered minimal.

Standard Condition SC-UTIL-6 requires the Project be consistent with California Code of Regulations Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings. This is a standard condition and is not considered unique mitigation under CEQA. Any impacts are considered less than significant. (Draft EIR, pp. 4.15-36—4.15-37.)

SC-UTIL-6 The Project shall be consistent with the provisions of California Code of Regulations Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings.

9. Natural Gas

Threshold: Would the Project require or result in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects to Natural Gas?

Finding: No impact. (Draft EIR, p. 4.15-37.)

Explanation: It is anticipated that natural gas will supply the site from regional natural gas lines that traverse the City, including two 30-inch lines and a 36-inch line located along the powerline corridor within the Mecca Hills. The distribution network in the City of Coachella connects to these regional lines through an 8-inch, 6-inch, and 4-inch high-pressure lines. It is possible that interruption of existing service could occur off-site during construction, but this potential is considered minimal. No impacts will occur. (Draft EIR, p. 4.15-37.)

10. Communication Systems

Threshold: Would the Project require or result in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects to Communication Systems?

Finding: No impact. (Draft EIR, p. 4.15-37.)

Explanation: The analysis of cable, telephone and internet services is defined as the service territory for Time Warner Cable and Verizon. These services are not operating above capacity. Both Time Warner Cable and Verizon would extend current facilities to meet Project service demands. With these infrastructure improvements, these service providers are anticipated to meet communication demands associated with past, present, and future development within the Project area.

Therefore, no impacts related to cable, telephone, and internet service will occur due to Project implementation. (Draft EIR, p. 4.15-37.)

SECTION III

IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

The City Council hereby finds that Mitigation Measures have been identified in the EIR and these Findings that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. AESTHETICS

1. Light and Glare

Threshold: Would the Project result in the creation of a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.2-10.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: *Long-Term Impacts*

The proposed Project would introduce new light sources that are typical of urban development projects. The proposed Project would include light sources such as street and parking lot lighting, landscape lighting, illuminated signs, exterior lighting on lamps and buildings, and automobile lighting (i.e., headlights). All building and landscape lighting would be consistent with the design guidelines established in the Specific Plan, and all City regulations and ordinances that pertain to specific plan developments (Chapter 17.36 of the City's Municipal Code). On-site landscaping would reduce glare and would screen light sources to reduce the visual impact of lighting from buildings and parking lots. Although the

proposed Project would introduce new sources of light that would contribute to the light visible in the night sky and the immediate surrounding area, the proposed Project is in an undeveloped desert area, and there are no nearby sensitive receptors that would be adversely impacted by the lighting. Because agricultural uses adjacent to the Project site operate during the day, the proposed Project's impact related to light and glare on these surrounding uses would be less than significant as these uses are not typically sensitive to light and glare.

New sources of light associated with the proposed Project would be in the form of residential and park lighting on the buildings, security lighting in the carports and in parks, garages and parking areas, and vehicle lights from Project-related traffic. Future residential, commercial, mixed-use, and park uses would require the installation of outdoor lighting necessary for recreation maintenance, public safety, and security. While the proposed Project would add new lighting sources to the Project area, the number and type of lighting sources is not anticipated to substantially differ from that commonly utilized at existing developments within the City. However, because the Project site and the immediate surrounding area are relatively undeveloped with little to no existing light sources, the proposed Project is anticipated to introduce a substantial amount of light and glare sources, where none previously existed, resulting in a significant adverse impact.

All development in the City is required to adhere to lighting requirements contained in the City's Zoning Code:

Chapter 16.28.150(L) (Improvements and Grading);
Chapter 17.56.010(J)(2)(e); (Signs);
Chapter 17.54.010 (Off-Street Parking and Loading);
Chapter 17.36.030(F) and (H), 17.36.140(7) (Specific Plan District); and
Chapter 17.62.010(17) (Site Plans).

These measures are uniformly applied to all development in the City. The Specific Plan documents that the Project-related lighting would be consistent with the City Zoning Code and would be shielded to avoid light spillage and glare off the Project site. As such, adherence to these measures would be mandatory and enforceable upon approval of the Project plans. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. **Mitigation Measure MM-AES-1**, provided below would further reduce potential spillover light-related impacts of the Project consistent with the requirements identified in the City's Municipal Code. As stated in **Mitigation Measure MM-AES-1**, prior to the approval of any Site Plans for any phase of development, the applicant shall submit to the City of Coachella (City) a photometric (lighting) study (to include parking areas

and access way lights, external security lights, lighted signage, and ball field lighting) providing evidence that the project light sources do not spill over to adjacent off-site properties in accordance with the City's Municipal Code. All Project-related outdoor lighting, including but not limited to, street lighting, building security lighting, parking lot lighting, and landscaping lighting shall be shielded to prevent spillover of light to adjacent properties.

Shielding requirements and time limits shall be identified on construction plans for each phase of development.

Impacts associated with this issue would be considered less than significant, based on compliance with the City Municipal Code, the Specific Plan, and **Mitigation Measure MM-AES-1**.

New traffic signal improvements would be added as a part of the proposed Project at the future intersections of internal roads. Traffic signals are not intended to provide on street lighting and are of an intensity that is much less than the typical street light. Traffic signals are also fitted with shielding to direct light toward a specific lane while blocking the view of the vehicles in lanes moving in other directions. By comparison, high pressure sodium lighting typically found in street lighting produces approximately 9,500 lumens or greater. Typical light-emitting diode (LED) traffic signal lights produce approximately 850 lumens. Due to the lower intensity of the lights used in the traffic signals and the use of shielding on the traffic signals to prevent the light from spreading, lighting impacts from the placement of new traffic control devices would be less than significant. No mitigation is required.

Exterior surfaces of proposed structures within the commercial, residential, and mixed-use planning areas would be finished with a combination of architectural coatings, trim, and/or other building materials such as stucco, wood, concrete, and brushed metal. The proposed Project is not expected to substantially increase the amount of daytime glare in the Project area.

MM-AES-1 Photometric Study. Prior to the approval of any Site Plans for any phase of development, the applicant shall submit to the City of Coachella (City) a photometric (lighting) study (to include parking areas and access way lights, external security lights, lighted signage, and ball field lighting) providing evidence that the project light sources do not spill over to adjacent off-site properties in accordance with the City's Municipal Code. All Project-related outdoor lighting, including but not limited to, street lighting, building security lighting, parking lot lighting, and landscaping lighting shall be shielded to prevent spillover of light to adjacent properties.

Shielding requirements and time limits shall be identified on construction plans for each phase of development.

The City Council finds that MM-AES-1 is feasible, is adopted, and will further reduce impacts related to light and glare. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to light and glare, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to light and glare. (Draft EIR, pp. 4.2-10 – 4.2.-12.)

B. AIR QUALITY

1. Air Quality Plans

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Less than significant with mitigation incorporated. (Draft EIR, p. 4.4-41.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: **Construction Air Quality Impacts**

Regional Construction Emissions

CalEEMod was used to estimate onsite and offsite construction emissions as shown in **Table 4.4.4-6, Regional Significance – Construction Emissions**. The construction emissions incorporate SCAQMD Rules 403 and 403.1. The mitigated construction emissions incorporate **SC-AQ-1**, and **MM-AQ-1** through **MM-AQ-10**, which pertain to implementing SCAQMD Rules 403 and 403.1; limits to maximum site disturbance per day; particular construction equipment; EPA, Tier 4-Final Emission Standards; application of architectural coatings; construction equipment maintenance; construction equipment operating optimization; construction generator use minimization; and construction equipment idling minimizing. All of these Mitigation Measures will implement techniques to reduce the VOC, NO_x, CO, SO₂, PM₁₀, and PM_{2.5} from the proposed Project. The emissions will be below the SCAQMD thresholds of significance for regional construction emissions.

Daily emissions CalEEMod outputs are located in Appendix A of the AQ/GHG Analysis. The emissions will be below the SCAQMD thresholds of significance for regional construction emissions. (Draft EIR, p. 4.4-41.)

SC-AQ-1: The Project is required to comply with regional rules that assist in reducing short-term air pollutant emissions, per Chapter 8.20 of the City's Municipal Code. SCAQMD Rule 403 and 403.1 requires that **fugitive** dust be controlled with best-available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 and 403.1 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable suppression techniques are as follows:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas in active for 10 days or more).
- Water active sites at least three times daily.
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) section 23114.
- Pave construction access roads at least 100 feet onto the site from the main road.
- Reduce traffic speeds on all unpaved roads to 15 mph or less. (Draft EIR, p. 4.4-54.)

MM-AQ-1 Prior to the issuance of a grading plan, the Project applicant shall indicate on **the** grading plan areas that will be graded and shall not allow any areas more than 5 acres to be disturbed on a daily basis. Said plan shall clearly demarcate areas to be disturbed and limits 5 acres and under.

MM-AQ-2 The Project shall require that construction contractor use construction **equipment** that have Tier 4, or better, final engines, level 3 diesel particulate filters (DPF), with oxidation catalyst that impart 20% reduction and apply coatings with a VOC content no greater than 10 grams per liter (g/L).

MM-AQ-3 **EPA Tier 4-Final Emissions Standards.** Prior to construction, the construction contractor shall provide the City of Coachella Public Works Director or designee a comprehensive inventory of all off-road construction equipment equal to or greater than 50 horsepower that will be used an aggregate of 40 or more hours during any portion of construction activities for the project. The inventory shall include the horsepower rating, engine production year, and **certification** of the specified Tier

standard. A copy of each such unit's certified Tier specification, best available control technology (BACT) documentation, and California Air Resources Board (ARB) or SCAQMD operating permit shall be provided on site at the time of mobilization of each applicable unit of equipment. Off-road diesel-powered equipment that will be used an aggregate of 40 or more hours during any portion of the construction activities for the project shall meet the United States Environmental Protection Agency (EPA) Tier 4-Final emissions standards, and off-road equipment greater than 300 horsepower shall be equipped with diesel particulate filters.

- MM-AQ-4** **Application of Architectural Coatings.** Prior to issuance of any grading permits, the Director of the City of Coachella Public Works Department, or designee, shall verify that construction contracts include a statement specifying that the Construction Contractor shall comply with South Coast Air Quality Management District (SCAQMD) Rule 1113 and any other SCAQMD rules and regulations on the use of architectural coatings or high volume, low-pressure (HVLP) spray methods. Emissions associated with architectural coatings would be reduced by complying with these rules and regulations, which include using precoated/natural colored building materials, using water-based or low-volatile organic compounds (VOC) coating, and using coating transfer or spray equipment with high transfer efficiency.
- MM-AQ-5** **Construction Equipment Maintenance.** Throughout the construction process, general contractors shall maintain a log of all construction equipment maintenance that shows that all construction equipment has been properly tuned and maintained in accordance with manufacturers' specifications. This condition shall be included in development plan specifications.
- MM-AQ-6** **Construction Equipment Operating Optimization.** General contractors shall ensure that during construction operations, trucks and vehicles in loading and unloading queues turn their engines off when not in use. General contractors shall phase and schedule construction operations to avoid emissions peaks and discontinue operations during second-stage smog alerts. This condition shall be included in development plan specifications.
- MM-AQ-7** **Construction Generator Use Minimization.** General contractors shall ensure that electricity from power poles is used rather than temporary diesel- or gasoline-powered generators to the extent feasible. This condition shall be included in development plan specifications.

- MM-AQ-8** **Construction Equipment Idling Minimization.** General contractors shall ensure that all construction vehicles are prohibited from idling in excess of 5 minutes, both on site and off site. This condition shall be included in development plan specifications.
- MM-AQ-9** **Construction Phase Overlap.** Prior to issuance of any construction permits, the City of Coachella Public Works Director shall restrict the timing of construction phasing in order to assure that thresholds are not exceeded.
- MM-AQ-10** **Construction Waste Management Plan.** Prior to issuance of a building permit, the applicant shall submit a Construction Waste Management Plan. The plan shall include procedures to recycle and/or salvage at least 75 percent of nonhazardous construction and demolition debris and shall identify materials to be diverted from disposal and whether the materials would be stored on-site or commingled. Excavated soil and land-clearing debris do not contribute to this credit. Calculation can be done by weight or volume but must be documented.

The City Council finds that MM-AQ-1 through MM-AQ-10 are feasible, are adopted, and will further reduce impacts related to construction emissions. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to construction emissions, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to construction emissions. (Draft EIR, pp. 4.4-41 – 4.4-42; Final EIR p. 3-2.)

2. Sensitive Receptors

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.4-47.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: The potential impact of toxic air pollutant emissions resulting from development on the Project site has been considered. Sensitive receptors to toxic air pollutants can include uses such as long-term healthcare facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be

considered sensitive receptors. The nearest sensitive receptor in the Project vicinity includes several residential units, the closest being located within approximately 100 meters (approximately 328 feet) to the west of the Project site.

Results of the LST analysis, which were developed in response to environmental justice and health concerns, indicate that the Project will not exceed the SCAQMD localized significance thresholds during construction, with the incorporation of **Mitigation Measures MM-AQ-1** through **MM-AQ-10**. Therefore, sensitive receptors would not be subject to significant air toxic impacts during construction at the Project site.

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a project, if the Project includes stationary sources, or attracts mobile sources (such as heavy-duty-trucks) that may spend long periods of time queuing and idling at the site; such as industrial warehouse/transfer facilities. The proposed Project does not include such uses. During operation, on-site emissions would be negligible and would primarily consist of the intermittent on-site travel of motor vehicles. There, due to the lack of stationary source emissions, no long-term localized significance threshold analysis is warranted. (Draft EIR, pp. 4.4-47—4.4-48.)

The City Council finds that MM-AQ-1 through MM-AQ-10 are feasible, are adopted, and will further reduce impacts to sensitive receptors. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to sensitive receptors, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts to sensitive receptors. (Draft EIR, pp. 4.4-47 – 4.4-48.)

3. Odors

Threshold: Would the Project create objectionable odors affecting a substantial number of people?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.4-48.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: SCAQMD Rule 402 regarding nuisances states: “A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger

the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.”

Construction. Heavy-duty equipment on the Project site during construction would emit odors. While these odors could be objectionable near the equipment, all construction operations planned are a sufficient distance from existing sensitive receptors. During later phases of development, future sensitive receptors (for which the natural dissipation in the air over that distance would prevent any health risk from objectionable odors) will also be a sufficient distance from the odor-generating equipment. No other sources of objectionable odors are expected during project construction. No mitigation is required.

Operations. The proposed Project is a residential and commercial community. These proposed residential, commercial, and mixed land uses do not include any recognized sources of long-term objectionable odors. The proposed drainage system for the Specific Plan development, as shown on the Master Drainage Plan, includes a minimum of 10 water quality basins and drainage, conveyed in earthen swales a maximum of 5’ deep, throughout the Project site. These water features have the potential to cause odors from bacteria generated by still or slow-moving water and/or decaying plant materials. **Mitigation Measure MM-HYDRO-1** would require preparation and implementation of a maintenance plan for these water features, which would minimize odors caused by standing or retained water. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed Project. No additional mitigation is required. (Draft EIR, p. 4.4-48.)

The City Council finds that MM-HYDRO-1, discussed below, is feasible, is adopted, and will further reduce impacts related to odors. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to odors, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to odors. (Draft EIR, p. 4.4-48.)

C. **GREENHOUSE GAS EMISSIONS**

1. **Emissions Generation**

Threshold: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.4-50.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: *Operational Greenhouse Gas Emissions Impact*

Table 4.4.4-10 shows that the proposed Project's emissions would be 29,991 MTCO_{2e}/yr. According to SCAQMD, a cumulative global impact would occur if the GHG emissions created from the on-going operation would exceed the screen thresholds of 3,000 MTCO_{2e}/year.

The Project's Year 2020 emissions were compared to the SCAQMD's and the City's CAP target service population of 4.8 MTCO_{2e}/SP/year and 7.0 MTCO_{2e}/SP/year, respectively.

The service population for the Project was calculated by reviewing the City of Coachella's service population rate, the construction of 1,640 homes, with the addition of 562 employees (based on the Riverside County commercial employment rate of 500 square feet per employee).

As shown in **Table 4.4.4-10**, the Project's emissions would be 3.27 MTCO_{2e}/SP/yr. which is below both the SCAQMD's and the City's CAP service population target. **Table 4.4.4-10** shows the Year 2020 emissions and includes reductions from design features and sequestration as detailed in the report. A 25% improvement was used under Energy Mitigation in CalEEMod, as the 2013 Title 24 Standards for residential construction are at least 25% more efficient than 2008 Standards. The CAP-related mitigation selected in CalEEMod are detailed as comments in the annual emission output (Appendix A of the *AQ/GHG Analysis*). **Table 4.4.4-10** shows the applicable strategies that would be implemented into the Project. With the incorporation of **MM-AQ-10** through **MM-AQ-13** and the planting of approximately 2,406 new trees, the Project's emissions would be below both the SCAQMD's and the City's CAP service population target. Although the Project would generate greenhouse gas emissions, either directly or indirectly, these emissions are not considered to have a significant impact on the environment.

The Project will promote the goals of AB 32. The Project site location is positioned within the City's planned growth urban footprint. The Project incorporates a number of features that would minimize greenhouse gas emissions as shown in **Table 4.4.4-11, *Project Consistency with CARB Scoping Measures***. Although the Project would generate greenhouse gas emissions, these emissions would not have a significant impact on the environment.

The core mandate of AB 32 is that statewide GHG emissions in Year 2020 be equal to Year 1990 levels. The proposed Project would be required to include all mandatory green building measures for new residential developments under CalGreen Code. The implementation of these stricter building and appliance standards would result in water, energy, and construction waste reductions for the proposed Project. Lastly, **Mitigation Measure MM-AQ-13** requires the Project (and subsequent projects within the Specific Plan) to score a minimum of 100 points on the “Development Review Checklist” contained in the City’s CAP. Draft EIR, p. 4.4-50—4.4-51.)

MM-AQ-11 Project shall improve the pedestrian network by **incorporating** sidewalks and paseos within the property.

MM-AQ-12 **Project Operations.** Prior to issuance of any construction permits, the Project applicant shall submit for review and approval by the City of Coachella Public Works Director, building plans that incorporate measures such as, but not limited to, the following:

Operational Mitigation Measures (Materials Efficiency)

- Project plans for each Tentative Tract Map will include the following materials efficiency components. Materials used for buildings, landscape, and infrastructure will be chosen with a preference for the following characteristics:
 - Rapidly renewable;
 - Increased recycle content (50 percent or greater); locally sourced materials (within the South Coast Air Basin);
 - Utilization of sustainable harvesting practices; and
 - Materials with low or no volatile organic compounds (VOCs) off-gassing.

Operational Mitigation Measures (Transportation)

- Provide one electric car charging station for every 10 high-density residences and provisions for electric car charging stations in the garages of all residential dwellings as required by the California Energy Commission. Provide at least two designated parking spots for parking of zero emission vehicles (ZEVs) for car-sharing programs in all employee/worker parking areas.
- Provide incentives for employees and the public to use public transportation such as discounted transit passes, reduced ticket prices at local events, and/or other incentives.

- Implement a rideshare program for employees at retail/commercial sites.
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.
- Require the use of the most recent model year emissions-compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail, and vendor supply delivery trucks) at commercial/retail sites upon project build out (at the time of operations). If this is not feasible, consider other measures such as incentives, and phase-in schedules for clean trucks, etc.
- Prior to issuance of any Site Development permits, the Director of the City of Coachella (City) Public Works Department, or designee, shall include prioritized parking for electric vehicles, hybrid vehicles, and alternative fuel vehicles.

Operational Mitigation Measures (Landscaping).

- Project plans shall include following landscaping components:
 - The Project shall require landscaping and irrigation that reduces outside water demand by at least 20%.
 - The Project shall require that at least 2,406 new trees are planted on-site (approximately 2 trees per residential unit and 25 trees per acre of parks).
 - The Project shall include Landscape Design Features that will be reflected on the Project plans for each Tentative Tract Map, and will include the following landscape design components:
 - Community-based food production within the Project by planning for community gardens;
 - Native plant species in landscaped areas;
 - A landscape plant palette that focuses on shading within developed portions of the site and in areas of pedestrian activity.
 - Tree-lined streets to reduce heat island effects;
 - Non-turf throughout the development areas where alternative ground cover can be used, such as artificial turf and/or xeriscaping; and
 - Landscaping that provides shading of structures within 5 years of building completion.

Operational Mitigation Measures (Water Conservation and Efficiency Features).

- Project plans for each Tentative Tract Map will shall include following water efficiency components:
 - Drought-tolerant landscaping, non-potable reclaimed,

- well, or canal water for irrigation purposes;
- High-efficiency plumbing fixtures and appliances that meet or exceed the most current CALGreen Code in all buildings on site;
- Efficient (i.e., “Smart”) irrigation controls to reduce water demand on landscaped areas throughout the Project;
- Restriction of irrigated turf in parks to those uses dependent upon turf areas, such as playing fields and picnic areas;
- An integrated storm water collection and conveyance system; and
- Dual plumbing within recreation areas, landscaped medians, common landscaped areas, mixed use/commercial areas, and parks to allow the use of reclaimed water when available.

Operational Mitigation Measures (Energy Efficiency).

- Project plans for each Tentative Tract Map will include the following energy efficiency components:
 - Design to United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED);
 - GreenPoint Rated standard, or better for all new buildings constructed within the Project;
 - Energy-efficient light-emitting diode (LED) lighting and solar photovoltaic lighting fixtures in all common areas of the site;
 - Energy-efficient appliances (ENERGY STAR or equivalent), and high efficiency heating, ventilation, and air conditioning (HVAC) systems in all on-site buildings;
 - Green building techniques that increase building energy efficiency above the minimum requirements of Title 24;
 - Installation of photovoltaic panels on a minimum of 25 percent of the buildings on site or as required by the California Energy Commission in year 2020; and
 - Utilization of high reflectance materials for paving and roofing materials on residential, commercial, and school buildings

Operational Mitigation Measures (Other)

- Require the use of electric or alternative fueled maintenance

vehicles by all grounds maintenance contractors.

- All commercial and retail development shall be required to post signs and limit idling time for commercial vehicles, including delivery trucks, to no more than 5 minutes. This condition shall be included on future site development plans for review and approval by the City of Coachella Director of Development Services.
- The City shall identify energy efficient street lights which are currently available and which, when installed, would provide a 10 percent reduction beyond the 2010 baseline energy use for this infrastructure, and shall require the use of this technology in all new development. All new traffic lights installed within the project site shall use light emitting diode (LED) technology.

MM-AQ-13 The Project (and subsequent projects within the Specific Plan) shall score a minimum of 100 points on the “Development Review Checklist” contained in the City’s CAP.

The City Council finds that MM-AQ-10 through MM-AQ-13 are feasible, are adopted, and will further reduce impacts related to operational GHG emissions. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to operational GHG emissions, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to operational GHG emissions. (Draft EIR, pp. 4.4-50 – 4.4-51; Final EIR, pp. 3-2 – 3-3.)

D. BIOLOGICAL RESOURCES

1. Sensitive Species

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

Finding: Less than significant with mitigation incorporated. (Draft EIR, p. 4.5-27—4.5-31.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation:

Sensitive Birds

One of the five sensitive bird species listed in **Table 4.5.4-4, *Sensitive Birds: Vista Del Agua Project Site***, was observed on the site. A single loggerhead shrike (*Lanius ludovicianus*) was observed on the Project site on the second day of the survey. Loggerhead shrikes are not listed as threatened or endangered and are not a covered species under the CVMSHCP. They are considered a CDFW “California Special Concern Species” (CSC). **Mitigation Measure MM-BIO-1** has been included to address potential impacts to nesting birds and other protected species.

MM-BIO-1 states that in order to avoid any potential impact to nesting birds and other protected species, including those protected by the Migratory Bird Treaty Act, construction of the Project shall occur outside of the breeding season (February 1 through September 15). As long as trees, shrubs, and herbaceous vegetation with the potential to support nesting birds is removed from September 16 to January 31 (outside of the nesting season), then no further actions are required. Where the nesting season (February 1 to September 15) cannot be avoided during construction, a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, vegetation removal, demolition activities, and grading. The survey area shall include the Project site and an appropriate buffer (consistent with the Migratory Bird Treaty Act) around the site. Any active nests identified shall have an appropriate buffer area established (consistent with Migratory Bird Treaty Act protocol at the time of disturbance) of the active nest. Construction activities shall not occur within the buffer area until the biologist determines that the young have fledged.

With the incorporation of this mitigation, any impacts will remain less than significant.

Vermilion flycatcher (*Pyrocephalus rubinus*) is not expected to occur on the Project site due to a lack of both foraging and nesting (desert riparian) habitat. This distinctive and unmistakable flycatcher was not observed on the site during the surveys.

Both Le Conte’s (*Toxostoma lecontei*) and crissal thrasher (*Toxostoma crissale*) are thought to have a low probability of occurring on the Project site, although neither species was observed during the field surveys. The few mesquite thickets present on the site provide potential habitat for both thrashers, and Le Conte’s thrasher is known to occur in alkali scrub habitats. Both thrasher species are CDFW CSC’s, and are “covered” species under the CVMSHCP, meaning that potential impacts to these two species would be mitigated through payment of the CVMSHCP fee. Payment of the CVMSHCP fee is a standard condition and is not considered unique mitigation under CEQA.

The Project biologists observed several inactive bird nests on the Project site. The verdin nest shown in Exhibit 8 from the *On-Site and Off-Site Bio Report* appeared to be currently active, although this species also constructs nests that are used specifically for overnight shelters. Therefore, it is not known if this nest was being used for sleeping or breeding. Nests of native birds are protected under the MBTA. It should be noted that the Project biologists also observed a pair of black-tailed gnatcatchers feeding two or three recently fledged young on the northern edge of Parcel 6; evidence that some native bird species breed on the Project site.

When development proceeds, the Project site may contain nesting birds, which could be adversely impacted. All native bird species are protected by the MBTA. Impacts to these other bird species are not permitted in any part of the CVMSHCP area. A variety of birds, which are protected by the MBTA, could nest in the proposed Project area. The Project is required by law to comply with the MBTA and perform site work to avoid impacts to birds. **Mitigation Measure MM-BIO-1** shall be implemented. **MM-BIO-1** states that in order to avoid any potential impact to nesting birds and other protected species, including those protected by the Migratory Bird Treaty Act, construction of the Project shall occur outside of the breeding season (February 1 through September 15). As long as trees, shrubs, and herbaceous vegetation with the potential to support nesting birds is removed from September 16 to January 31 (outside of the nesting season), then no further actions are required. Where the nesting season (February 1 to September 15) cannot be avoided during construction, a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, vegetation removal, demolition activities, and grading. The survey area shall include the Project site and an appropriate buffer (consistent with the Migratory Bird Treaty Act) around the site. Any active nests identified shall have an appropriate buffer area established (consistent with Migratory Bird Treaty Act protocol at the time of disturbance) of the active nest. Construction activities shall not occur within the buffer area until the biologist determines that the young have fledged.

With the implementation of **MM-BIO-1**, any impacts will remain less than significant. (Draft EIR, pp. 4.5-27—4.5-29.)

- MM-BIO-1** To avoid any potential impact to nesting birds and other protected species, including those protected by the Migratory Bird Treaty Act, construction of the Project shall occur outside of the breeding season (February 1 through September 15). As long as trees, shrubs, and herbaceous vegetation with the potential to support nesting birds is removed from September 16 to January 31 (outside of the nesting season), then no further actions are required.

Where the nesting season (February 1 to September 15) cannot be avoided during construction, a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, vegetation removal, demolition activities, and grading. The survey area shall include the Project site and an appropriate buffer (consistent with the Migratory Bird Treaty Act) around the site. Any active nests identified shall have an appropriate buffer area established (consistent with Migratory Bird Treaty Act protocol at the time of disturbance) of the active nest. Construction activities shall not occur within the buffer area until the biologist determines that the young have fledged.

Burrowing Owl (Athene cunicularia)

According to p. 9-138 of the CVMSHCP, the Burrowing Owl (BUOW) is listed as a Federal Species of Concern and a State Species of Special Concern. The most significant threat to the continued persistence of the BUOW is destruction of Habitat (p. 9-140). Within the CVMSHCP, burrowing owls are scattered in low numbers on natural desert terrain throughout the lowlands. Breeding BUOW are known to occur in the Snow Creek/Windy Point Conservation Area, Whitewater Floodplain Conservation Area, the Upper Mission Creek/Big Morongo Canyon Conservation Area, the Willow Hole and Edom Hill Conservation Areas, and the Thousand Palms Conservation Area (p. 9-142).

The primary importance of the CVMSHCP to BUOW is that it provides Conservation (including Habitat protection, management and monitoring) of the species to the extent it occurs in the Coachella Valley. The CVMSHCP ensures the long-term Conservation of previously unprotected Habitat, the associated Essential Ecological Processes, and connectivity between these Habitat areas. In addition, the Conservation Areas provide protection of currently unprotected burrow sites, foraging areas, and potential Habitat areas.

Some areas of the Project site provided potential habitat for BUOW. The majority of this potential habitat was located on the northwestern portion of the Project site, on Parcels 7 and 10. Potential habitat was also present within the 500-foot buffer area north of Parcels 5 and 6. The habitat on these areas was more open with suitable soils for burrowing than the majority of the rest of the site. The native habitat on most of the rest of the site consisted of very dense saltbush scrub and lacked enough open ground to provide habitat for BUOW (see Exhibit 6 provided previously from the *On-Site and Off-Site Bio Report*). The off-site improvement routes were located in existing well-used road beds (Avenues 47 and 48), and/or active agricultural lands. Some of these routes included or were adjacent to fallow fields or areas of cleared ground. However, the soils in these areas

appeared far too sandy and loose for most potential BUOW occupation, as well as receiving high levels of disturbance from adjacent active agriculture. In California, BUOW often occur in association with colonies of the California ground squirrel or other ground squirrel species, where they often make use of the squirrel's burrows.

In southern California, BUOW are not only found in undisturbed natural areas, but also fallow agricultural fields, margins of active agricultural areas, berms of flood control and creek channels, livestock farms, airports, and vacant lots. The Project biologists conducted a CDFW protocol BUOW burrow search of the Project site and where possible, within a 500-foot buffer around the site in accordance with the 1993 California Burrowing Owl Consortium and 2012 CDFG Memorandum guidelines. This included walking transects through areas of dense saltbush scrub where there were enough openings to permit access. However, burrows and/or manmade structures capable of supporting BUOW were not observed on the Project site or buffer area. Very few burrows of any size were found on the site or buffer area, those few that were found were far too small to be used by BUOW. Similarly, no potential burrows were observed along any of the proposed off-site improvement routes.

Standard Condition SC-BIO-2 requires a pre-construction survey will be implemented prior to any ground disturbance to ensure Project impacts will be reduced to a less than significant level. A pre-construction survey is a standard condition under the CVMSHCP and is not considered unique mitigation under CEQA.

In the event a burrowing owl is found to be present on site during the preconstruction survey, **Mitigation Measure MM-BIO-2** will be implemented. **MM-BIO-2** requires the Project applicant shall ensure that applicable avoidance measures are implemented to avoid impacting the burrowing owl. (Draft EIR, pp. 4.5-27—4.5-31.)

SC-BIO-2 **Pre-Construction Burrowing Owl Survey:** Prior to any ground-disturbing activities a “take avoidance survey” in accordance with CDFW for burrowing owl shall be conducted by a qualified biologist. The “take avoidance survey” shall occur within 14 days prior to any site disturbance, including grading. If burrowing owls are observed or detected on the project site during the pre-construction survey, construction activities shall halt, and the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to the approval of CDFW (see MM-BIO-2.)

MM-BIO-2 In the event a burrowing owl is found to be present on site during the preconstruction survey, the Project applicant shall ensure the following applicable avoidance measures, are implemented:

- Avoid disturbing occupied burrows during the breeding nesting period, from February 1 through August 31. If burrows are occupied by breeding pairs, an avoidance buffer should be established by a qualified biologist. The size of such buffers is generally a minimum of 300 feet, but may increase or decrease depending on surrounding topography, nature of disturbance and location and type of construction. The size of the buffer area will be determined by a qualified biologist. Continued monitoring will be required to confirm that the specified buffer is adequate to permit continued breeding activity.
- Avoid impacting burrows occupied during the nonbreeding season by migratory or nonmigratory resident burrowing owls.
- Avoid direct destruction of occupied burrows through chaining (dragging a heavy chain over an area to remove shrubs) or disking.
- Develop and implement a worker awareness program to increase the on-site worker's recognition of and commitment to burrowing owl protection.
- Place visible markers near burrows to ensure that equipment and other machinery does not collapse occupied burrows.
- Do not fumigate, use treated bait, or other means of poisoning nuisance animals in areas where burrowing owls are known or suspected to occur.

If an occupied burrow is present within the approved development area, the Project applicant shall ensure that a clearance mitigation plan is prepared and approved by the CDFW prior to implementation. This plan will specify the procedures for confirmation and exclusion of nonbreeding owls from occupied burrows, followed by subsequent burrow destruction. There shall also be provisions for maintenance and monitoring to ensure that owls do not return prior to construction. Breeding owls shall be avoided until the breeding cycle is complete.

The City Council finds that MM-BIO-1 and MM-BIO-2 are feasible, are adopted, and will further reduce impacts related to sensitive bird species. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to sensitive bird species, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to sensitive bird species. (Draft EIR, pp. 4.5-27 – 4.5-31.)

2. Wildlife Movement

Threshold: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Finding: Less than significant with mitigation incorporated. (Draft EIR, p. 4.5-34.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: According to the *On-Site and Off-Site Bio Report*, the Project biologists observed several inactive bird nests on the Project site. The verdin nest shown in Exhibit 8 provided previously from the *On-Site and Off-Site Bio Report* appeared to be currently active, although this species also constructs nests that are used specifically for overnight shelters. Therefore, it is not known if this nest was being used for sleeping or breeding. Nests of native birds are protected under the federal Migratory Bird Treaty Act. It should be noted that the Project biologists also observed a pair of black-tailed gnatcatchers feeding two or three recently fledged young on the northern edge of Parcel 6; evidence that some native bird species breed on the Vista Del Agua Project site.

When development proceeds, the Project site may contain nesting birds, which could be adversely impacted. All native bird species are protected by the MBTA. Impacts to these other bird species are not permitted in any part of the CVMSHCP area. A variety of birds, which are protected by the MBTA, could nest in the proposed Project area. The Project is required by law to comply with the MBTA and perform site work to avoid impacts to birds. **Mitigation Measure MM-BIO-1** shall be implemented. **MM-BIO-1** states that in order to avoid any potential impact to nesting birds and other protected species, including those protected by the Migratory Bird Treaty Act, construction of the Project shall occur outside of the breeding season (February 1 through September 15). As long as trees, shrubs, and herbaceous vegetation with the potential to support nesting birds is removed from September 16 to January 31 (outside of the nesting season), then no further actions are required. Where the nesting season (February 1 to September 15) cannot be avoided during construction, a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, vegetation removal, demolition activities, and grading. The survey area shall include the Project site and an appropriate buffer (consistent with the Migratory Bird Treaty Act) around the site. Any active nests identified shall have an appropriate buffer area established (consistent with Migratory Bird Treaty Act protocol at the time of disturbance) of the active nest. Construction

activities shall not occur within the buffer area until the biologist determines that the young have fledged.

With the implementation of **MM-BIO-1**, any impact will remain less than significant. (Draft EIR, pp. 4.5-34—4.5-35.)

The City Council finds that MM-BIO-1 is feasible, is adopted, and will further reduce impacts related to wildlife movement. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to wildlife movement, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to wildlife movement. (Draft EIR, pp. 4.5-34 – 4.5-35.)

E. CULTURAL RESOURCES

1. Historical Resources

Threshold: Would the Project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

Finding: Less than significant with mitigation. (Draft EIR, pp. 4.6-14—4.6-16.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Per CEQA Guidelines Section 15064.5(b)(1), a project may result in substantial adverse change in the significance of a historical resource if the project results in a physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resources would be impaired. The following is a discussion of the five (5) sites analyzed in the 2015 CSRA II.

Discussion

CA-RIV-7834 (P-33-14403)

Given that RIV-7834 is a prehistoric site, its potential significance lies in its potential to satisfy Criterion D under CEQA, i.e., does it have the potential to provide information important in prehistory? Given the earlier Phase II excavations by Dice and Messickat Locus D and the extensive Phase II investigations undertaken for the 2014 CSRA I involving 30 test units that excavated 25 cubic meters of soil, the significance of RIV-7834 has been largely exhausted with site recordation and the test excavations.

It is not viewed as a significant historical resource under CEQA. No additional mitigation is required.

CA-RIV-7835 (P-33-14404)

After Phase II testing, Dice and Messick determined this site was not a significant historical resource under Criteria A-D but was significant under CEQA's uniqueness criterion. However, this assessment was based on the assumption that the presence of mostly direct ceramic vessel rims equated with a Patayan I (A.D. 750-1050) occupation; however, Hildebrand has shown direct rims may also date to later periods. Nonetheless, given the presence of a subsurface deposit that also contained lithic tools and debitage as well as ceramics and a possible hearth feature, it can be argued that this site is significant under Criterion D because of its potential to provide information important in prehistory, especially because its deeper occupation levels are likely to date from an earlier infilling and subsequent recession of prehistoric Lake Cahuilla prior to the last one in the 17th century.

RIV-7835, which is in Planning Area 5, shall be avoided. This is included as **Mitigation Measure MM-CUL-1**, which requires the identification of the extent of this resource, and the methods utilized to avoid this resource during mass grading. The Project applicant shall also comply with **Mitigation Measure MM-CUL-2**, which pertains to on-site archaeological monitoring. With the incorporation of mitigation, any impacts will remain less than significant.

CA-RIV-7836 (P-33-14405)

After Phase II testing, Dice and Messick determined that this site is not a significant historical resource under Criteria A-D nor under the uniqueness criterion under CEQA. The Project archaeologist made a determination on the basis of the lack of a substantial surface or subsurface deposit and the lack of artifact diversity that RIV-7836 is not viewed as a significant historical resource under CEQA. No mitigation is required.

CA-RIV-11775 (P-33-23969)

This site consists of several sets of agricultural irrigation water control features just south of Avenue 47 that are linked to water provided by the Coachella Canal after its completion in 1948-49. The site is not linked to any significant historical event, such as one might argue for the construction of the Coachella Canal, and it is not associated with any significant individual at the local or regional level. It is the opinion of the Project Archaeologist that the construction of the Coachella Canal could qualify as a historical event. The water control features are similar to other sets of such water control features to the south and elsewhere, e.g., along

Avenue 48. They also do not contain any unusual or unique architectural features. Thus, this site is not viewed as a significant historical resource under Criteria A-C or under the CEQA's uniqueness criterion. As for Criterion D, the Project archaeologist has determined that this site's research potential has been exhausted with its detailed recordation, and therefore, it is not a significant historical resource under this criterion either. RIV-11775 is not viewed as a significant historical resource under CEQA. No mitigation is required.

CA-RIV-11776 (P-33-23970)

RIV-11776 consists of a damaged cement foundation of a former farm residence that was initially thought to have been built in the early 1950s and associated propane tank cement slab, two trash scatters, and an abandoned reservoir built after 1972. The house itself burned down in 2011. The 2014 CRSA I recommended additional archival research to determine when the house was built and whether an important person significant in local history might have lived there. It is also recommended that limited Phase II test excavations be undertaken in Trash Scatter B to ascertain the depth, nature, and age of the trash scatter deposits and whether they have the potential to contribute significantly to our understanding of local history. The Project applicant shall also comply with **MM-CUL-2**, which pertains to on-site archaeological monitoring. **Mitigation Measure MM-CUL-5** would be implemented for and any subsequent grading operations.

The results of the archival research discovered that the house was not built until after 1978 and historic aerial photos do not suggest a house is present until 2002 and possibly as late as 2008. In short, the house is at most 37 years old and probably no more than 13 years old. In fact, it turns out that the structure shown on the 1956 USGS 7.5 Indio quad was in the same place as the current abandoned reservoir, such that whatever structure was first there was destroyed prior to building the reservoir built in its place. The reservoir does not show up on the 1972 photorevision of the 1956 Indio quad indicating it was built after 1972. It is, thus, a maximum of 43 years old. There is also nothing unusual about the structure or architecture of the reservoir.

The historic house foundation is no older than 37 years old and the reservoir is at most 43 years old. In short, because the site is less than 45 years old, and because there is nothing distinctive about its structure or architecture, RIV-11776 is not viewed as a significant historical resource under CEQA. No further work is required. No mitigation is required. (Draft EIR, pp. 4.6-14--4.6-16.)

MM-CUL-1 **RIV-7835 Avoidance (Planning Area 5)**. Prior to the issuance of a grading permit, or any activity that would involve initial ground

disturbance in the vicinity of RIV-7835, the Project archaeologist will review said plans/activities to determine that none of the resources located in RIV-7835 shall be impacted by the Project development. The Project archaeologist shall make recommendations, where applicable, to protect resources contained in RIV-7835 from potential encroachment from the Project that includes fencing or flagging during all phases of development. The fencing and flagging of RIV-7835 shall be removed after construction is completed and the area shall be planted with low maintenance vegetation. (Draft EIR, p. 4.6-18; Final EIR, p. 3-3.)

MM-CUL-2 Archaeological and Native American Monitors. Prior to commencement of any grading activity on the Project site and consistent with the findings and recommendations of the cultural resources surveys and reports regarding the sensitivity of each area on the Project site for cultural resources, the City of Coachella (City) Director of Development Services, or designee, shall retain an archaeological monitor and a Native American monitor to be selected by the City after consultation with interested Tribal and Native American representatives. Both monitors shall be present at the pre-grade conference in order to explain the cultural mitigation measures associated with the Project. Both monitors shall be present on site during all ground-disturbing activities (to implement the Project Monitoring Plan) until marine terrace deposits are encountered. Once marine terrace deposits are encountered, archaeological and Native American monitoring is no longer necessary, as the marine deposits are several hundred thousand years old, significantly predating human settlement in this area. (Draft EIR, pp. 4.6-18--4.6-19.)

MM-CUL-5 Paleontological Resources Impact Mitigation Program. Prior to commencement of any grading activity on the Project site and consistent with the findings of the paleontological resources surveys and reports regarding the sensitivity of each area on the Project site for paleontological resources, the City's Director of Development Services, or designee, shall verify that a qualified paleontologist has been retained and will be on site during all rough grading and other significant ground-disturbing activities in paleontologically sensitive sediments.

Prior to any ground-disturbing activities, the paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed Project. The PRIMP should be consistent with the guidelines of the Society of Vertebrate Paleontologists (SVP) (1995 and 2010) and should include but not be limited to the following:

- Attendance at the pregrade conference in order to explain the mitigation measures associated with the Project.
- During construction excavation, a qualified vertebrate paleontological monitor shall initially be present on a full-time basis whenever

excavation will occur within the sediments that have a High Paleontological Sensitivity rating and on a spot-check basis in sediments that have a Low Sensitivity rating. Based on the significance of any recovered specimens, the qualified paleontologist may set up conditions that will allow for monitoring to be scaled back to part-time as the Project after monitoring has been scaled back, conditions shall also be specified that would allow increased monitoring as necessary. The monitor shall be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment in the area of the find in order to allow removal of abundant or large specimens.

- The underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix; therefore, these sediments shall occasionally be spot-screened through one-eighth to one-twentieth-inch mesh screens to determine whether microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds) shall be collected and processed through one-twentieth-inch mesh screens to recover additional fossils. Processing of large bulk samples is best accomplished at a designated location within the Project disturbance limits that will be accessible throughout the Project duration but will also be away from any proposed cut or fill areas. Processing is usually completed concurrently with construction, with the intent to have all processing completed before, or just after, Project completion. A small corner of a staging or equipment parking area is an ideal location. If water is not available, the location should be accessible for a water truck to occasionally fill containers with water.
- Preparation of recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost for the developer.
- Identification and curation of specimens into a museum repository with permanent, retrievable storage, such as the San Bernardino County Museum (SBCM).
- Preparation of a report of findings with an appended, itemized inventory of specimens. When submitted to the City of Coachella Director of Development Services or designee, the report and inventory would signify completion of the program to mitigate impacts to paleontological resources progresses. (Draft EIR, pp. 4.6-21—4.6-

22.)

The City Council finds that MM-CUL-1, MM-CUL-2 and MM-CUL-5 are feasible, are adopted, and will further reduce impacts related to historical resources. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to historical resources, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to historical resources. (Draft EIR, pp. 4.6-14 – 4.6-16.)

2. Archaeological Resources

Threshold: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.6-16.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Given that portions of the property have relatively dense brush or existing vineyards and given the potential for buried prehistoric sites resulting from past infillings and recessions of prehistoric Lake Cahuilla, there is the potential for the discovery of buried cultural deposits and potentially human remains. These resources are sub-surficial and cannot be discovered until ground disturbing activities occur. **Mitigation Measures MM-CUL-2** and **MM-CUL-3** shall be implemented during site ground disturbing activities. Specifically, **MM-CUL-2** requires the City to retain an archaeological monitor and a Native American monitor to be present at the Project site during all ground-disturbing activities to minimize potential impacts to unknown resources. **MM-CUL-3** requires the City to prepare a Monitoring Plan prior to commencement of any grading activities. In the event that historical, archaeological, or human remains are found during excavation or grading, **MM-CUL-2** and **MM-CUL-3** require immediate implementation of those procedures developed as part of the Monitoring Plan including, but not limited to, the cessation of all work in the immediate vicinity of the resources until such time as the resources can be evaluated by an archaeologist or other appropriate individual.

Implementation of **MM-CUL-2** and **MM-CUL-3** would reduce Project impacts to below a level of significance, and no additional mitigation is required. (Draft EIR, p. 4.6-17.)

MM-CUL-3 Archaeological Monitoring Plan and Accidental Discovery. Prior to commencement of any grading activity on the Project site and consistent

with the findings of the cultural resources surveys and reports regarding the sensitivity of each area on the Project site for cultural resources, the City shall prepare a Monitoring Plan. The Monitoring Plan shall be prepared by a qualified archaeologist and shall be reviewed by the City of Coachella Director of Development Services, in consultation with the 29 Band of Mission Indians. The Monitoring Plan will include at a minimum:

- (1) A list of personnel involved in the monitoring activities;
- (2) A description of how the monitoring shall occur;
- (3) A description of frequency of monitoring (e.g., full-time, part-time, spot checking);
- (4) A description of what resources may be encountered;
- (5) A description of circumstances that would result in the halting of work at the Project site (e.g., what is considered a “significant” archaeological site);
- (6) A description of procedures for halting work on site and notification procedures; and
- (7) A description of monitoring reporting procedures.

If any significant historical resources, archaeological resources, or human remains are found during monitoring, work should stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, Project activities shall avoid such resources.

Where avoidance is not feasible, the resources shall be evaluated for their eligibility for listing in the California Register of Historical Resources. If a resource is not eligible, avoidance is not necessary. If a resource is eligible, adverse effects to the resource must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a cultural resource mitigation or data recovery plan that makes provisions for adequately recovering the scientifically consequential information from and about the resource (see California Code of Regulations Title 4(3) Section 15126.4(b)(3)(C)). The data recovery plan shall be prepared and adopted prior to any excavation and should make provisions for sharing of information with Tribes that have requested Senate Bill 18 (SB 18) consultation. The data recovery plan shall employ standard archaeological

field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. Results of the study shall be deposited with the regional California Historical Resources Information Center (CHRIS) repository.

It shall be the responsibility of the City Department of Public Works to verify that the Monitoring Plan is implemented during Project grading and construction. Upon completion of all monitoring/ mitigation activities, the consulting archaeologist shall submit a monitoring report to the City of Coachella Director of Development Services and to the Eastern Information Center c/o Dept. of Anthropology, University of California Riverside summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. The monitoring report shall be prepared consistent with the guidelines of the Office of Historic Preservation's Archaeological Resources Management Reports (ARMR): Recommended Contents and Format. The City of Coachella Director of Development Services or designee shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations. (Draft EIR, pp. 4.6-19—4.6-20; Final EIR, pp. 3-4 – 3-5.)

The City Council finds that MM-CUL-2 and MM-CUL-3 are feasible, are adopted, and will further reduce impacts related to archeological resources. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to archeological resources, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to archeological resources. (Draft EIR, pp. 4.6-16 – 4.6-17.)

3. Paleontological Resources

Threshold: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.6-17.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Because the Project site is located within the historic area of Lake Cahuilla, there is a potential for paleontological resources. These resources are sub-surficial and cannot be discovered until ground disturbing activities occur. **MM-CUL-5** shall be implemented during site ground disturbing activities. **MM-CUL-5** requires a qualified paleontologist to prepare a standard Paleontological Resources Impact Mitigation Program (PRIMP) prior to the beginning of ground-disturbing activities. This program would include excavation monitoring and specimen recovery, including screen washing, preparation, identification, and curation of collected specimens into a museum repository. Based on the significance of any recovered specimens, the qualified paleontologist may set up conditions that would allow for monitoring to be scaled back to part-time or increased to full-time as the Project progresses. However, if significant fossils begin to be recovered after monitoring has been scaled back, conditions should also be specified that would require increased monitoring as necessary. A final report would provide details of monitoring and curation methods, fossil identification, and discussion, cataloging, and repository arrangements. Implementation of mitigation measures would reduce potential impacts to unknown paleontological resources to less than significant, and no additional mitigation is required.

The City Council finds that MM-CUL-5 is feasible, is adopted, and will further reduce impacts related to paleontological resources. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to paleontological resources, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to paleontological resources. (Draft EIR, p. 4.6-17.)

4. Human Remains

Threshold: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.6-17.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Although no human remains are known to be on site or are anticipated to be discovered, precautionary mitigation is required. MM-CUL-4 requires compliance with HSC 7050.5 in the unlikely event that human remains are encountered during Project grading. Upon discovery of the remains, the County Coroner would be notified immediately, and no further disturbance would occur until the County Coroner makes a determination of origin and disposition pursuant to PRC Section 5097.98. If the remains

are determined to be Native American, the County Coroner would notify the NAHC, which will determine and notify the most likely descendant (MLD). With permission from the City, the MLD would complete inspection within 48 hours of notification by the NAHC.

Implementation of **MM-CUL-4** reduces potential impacts related to the discovery of human remains on the proposed Project site to a less than significant level, and no additional mitigation is required.

MM-CUL-4 **Human Remains**. Consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the Project site, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). With the permission of the City of Coachella, the MLD may inspect the site of the discovery.

The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City of Coachella shall consult with the MLD as identified by the NAHC to develop an agreement for the treatment and disposition of the remains.

Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report should be submitted to the City of Coachella Director of Development Services and the San Bernardino Archaeological Information Center. The City of Coachella Director of Development Services, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations. (Draft EIR, pp. 4.6-20—4.6-21.)

The City Council finds that MM-CUL-4 is feasible, is adopted, and will further reduce impacts related to human remains. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the

proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to human remains, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to human remains. (Draft EIR, pp. 4.6-17 – 4.6-18.)

F. GEOLOGY AND SOILS

1. **Faults, Ground Shaking, Liquefaction, and Landslides**

Threshold: Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
- Strong seismic ground shaking?
- Seismic-related ground failure, including liquefaction?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.7-11 - 4.7-13.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault*

According to the 2015 Geo Report, the Project site is located within an area of California known to contain a number of active and potentially active faults. The northeast portion of the Project site is located within an Alquist-Priolo zone of the San Andreas Southern Fault. Therefore, seismic hazards for the site include strong ground motion, surface fault rupture, soil liquefaction and other secondary earthquake-related hazards. Reference **Figure 4.7.2-1, State Fault Hazard Zone Map**.

Based on findings in the 2007 Fault Report, it was determined that Holocene-age faulting (active faulting) is present within the Project site and is limited to the locations presented on Plate 1 of the 2007 Fault Report. Thus, a building restriction zone (BRZ) is proposed as shown on **Figure 4.7.4-1, Building Restriction Zone**. The area within the building restriction zone is based on the existing fault data and is considered to

provide the minimum area not recommended for construction of buildings intended for a "structure for human occupancy" as described in section 3601 of Special Publication 42 (Hart and Bryant, 1997).

Mitigation Measure MM-GEO-1 requires that the Preliminary Building Restriction Zones identified in the 2007 Fault Report be supplemented with additional mapping and trenching as necessary depending on the developments proposed, area of development, and the scale of maps utilized, particularly in the mapped yellow building restriction zones. Future development application studies shall be evaluated by a qualified professional geologist to determine whether additional studies are warranted. These subsequent studies shall demonstrate that future development complies with the most current seismic requirements of the CBC and the City of Coachella Municipal Code. **MM-GEO-1** states that prior to approval of any future development applications, a project-level, site-specific final geotechnical study for each specific planning area shall be completed by the Project applicant. These studies shall be submitted for review and approval by the City of Coachella (City) Engineer to ensure that each planning area with future development has been evaluated at an appropriate level of detail by a professional geologist. The location and scope of each final geotechnical report shall be tiered off of the two geotechnical reports previously prepared for the overall site, Fault Investigation Report for Land Planning Purposes Alpine 280 Property Located East of Tyler Street, West of Polk Street, West of Polk Street, South of I-10 and North of Avenue 48, City of Coachella, Riverside, California, Petra Geosciences, Inc., April 9, 2007, and Geotechnical Investigation Report, Petra Geosciences, Inc., May 7, 2015. The final geotechnical report for each planning area shall document any artificial fill and delineate the precise locations of any and all active faults and shall determine the appropriate building setbacks and restricted use zones within the planning area. Prior to the issuance of grading permits, the City Engineer shall confirm that all grading and construction plans incorporate and comply with the recommendations included in the final specific geotechnical report for each planning area. Design, grading, and construction would adhere to all of the seismic requirements incorporated into the 2010 California Residential Code and 2016 California Building Code (CBC) (or most current building code) and the requirements and standards contained in the applicable chapters of the City of Coachella Municipal Code, as well as appropriate local grading regulations, and the specifications of the Project geotechnical consultant, including but not limited to those related to seismic safety, as determined in the final area-specific geotechnical studies prepared in association with all future development application conditions, subject to review by the City of Coachella Development Services Director, or designee, prior to the issuance of any grading permits.

According to the 2007 Fault Report, based on the existing fault data from the property, from similar projects in the region, and air photo analysis, the level of hazard associated with fault surface rupture throughout the property outside of the recommended building restriction zone is low.

MM-GEO-1 requires the Project to comply with the recommendations contained within the 2007 Fault Report and the 2015 Geo Report to address seismic-related issues.

Prior to approval of any future development entitlements, a specific final geotechnical study for each specific planning area shall be completed by the Project applicant. These studies shall be submitted for review and approval by the City of Coachella (City) Engineer. This will ensure that future development within each planning area is evaluated at an appropriate level of detail by a professional geologist. The location and scope of each final geotechnical report shall be tiered off of the two geotechnical reports prepared for the overall site, 2007 Fault Report, and 2015 Geo Report.

Prior to issuance of grading permits, the City Engineer shall confirm that all grading and construction plans incorporate and comply with the recommendations included in the final specific geotechnical report for each planning area. Design, grading, and construction would adhere to all of the seismic requirements incorporated into the 2010 California Residential Code and 2016 California Building Code (or most current building code) and the requirements and standards contained in the applicable chapters of the City of Coachella Municipal Code, as well as appropriate local grading regulations, and the specifications of the Project geotechnical consultant, including but not limited to those related to seismic safety, as determined in the final area-specific geotechnical studies prepared in association with all future development application conditions, subject to review by the Director of the City of Coachella Development Services Department, or designee, prior to the issuance of any grading permits.

With the incorporation of **MM-GEO-1**, any impacts that expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death due to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault would be reduced to a less than significant level. (Draft EIR, pp. 4.7-11--4.7-12.)

Strong Seismic Ground Shaking

The possibility of ground shaking at the site may be considered similar to the Southern California region as a whole. The site is situated in an area of

active as well as potentially active faults. A portion of the Project site is located within the Alquist-Priolo Earthquake Fault Zone; however, no structures will be permitted within the BRZ (see discussion above). According to the 2007 Fault Report, based on the existing fault data from the property, from similar projects in the region, and air photo analysis, the Project Geologist has determined that the level of hazard associated with fault surface rupture throughout the property outside of the recommended building restriction zone is low.

MM-GEO-1 also requires compliance with the recommendations in the 2007 Fault Report, and 2015 Geo Report, including recommendations for appropriate development setbacks and building engineering measures to address seismic-related impacts. Further, all development associated with the proposed Project would be designed to adhere to all of the seismic requirements incorporated into the 2016 California Residential Code and 2016 CBC (or most current building code) and the requirements and standards contained in the applicable chapters of the City of Coachella Municipal Code.

MM-GEO-2 requires that structures and retaining walls, if proposed, shall be designed in accordance with the seismic regulations as recommended in the CBC. Prior to issuance of any building permits, the Project engineer and the City of Coachella Development Services Director, or designee, shall review site plans and building plans to verify that structural design conforms to the CBC. **MM-GEO-2** states that structures and retaining walls, if proposed, shall be designed in accordance with the seismic regulations as recommended in the CBC. Prior to issuance of any building permits, the Project engineer and the Director of the City of Coachella Development Services, or designee, shall review site plans and building plans to verify that structural design conforms to the CBC.

Compliance with **MM-GEO-1** and **MM-GEO-2** would ensure that appropriate geotechnical evaluation is conducted prior to development because no development application will be approved by the City prior to such an investigation, and that recommended geotechnical measures are incorporated into final design plans, thereby reducing the risks associated with strong seismic shaking to less than significant. (Draft EIR, pp. 4.7-12—4.7-13.)

Seismic-related Ground Failure, Including Liquefaction

According to the *2007 Fault Report*, the level of hazard of near surface deformation associated with lateral spreading and liquefaction is low presuming near surface soils do not become saturated. Considerations for future anthropogenic water infiltration should be considered during the planning and entitlements for future development(s). Liquefaction is most likely to occur in areas where non-cohesive, saturated soils experience

seismically induced ground shaking and where groundwater occurs less than 5 ft. bgs. Because groundwater at the Project site is encountered at 10.5, 12 and 16.5 ft. bgs. (-58.5, -69, and -50.5 msl respectively), liquefaction impacts are not anticipated to occur on site. Still, the Project site is considered susceptible to seismic liquefaction. This is due primarily to the documented presence of unconsolidated granular (sandy) soils in the area, the relatively shallow groundwater conditions, and to the proximity of seismic sources.

Development of the Project could introduce large volumes of water into the subsoils, through infiltration and absorption, which could lead to localized perched water conditions within units that could become susceptible to localized liquefaction during strong ground motion. Water saturation introduced to the Project site as a result of Project operations (i.e., irrigation of parks and landscape areas) could be addressed through typical civil engineering grading design (such as appropriate surface and subsurface drainage control (detention basins) etc.), and proper grading recommendations (such as removal and recompaction of near surface soils foundation design, etc.) from the required future geotechnical studies once specific building locations have been identified. This would be accomplished by removal of the soil conditions that contribute to liquefaction (e.g., recompaction, drainage control), which would be outlined in the future geotechnical studies based on actual building footprints. Therefore, implementation of **MM-GEO-1**, which requires compliance with the recommendations in the final geotechnical studies, would reduce impacts related to liquefaction to a less than a significant level. (Draft EIR, pp. 4.7-13—4.7-14.)

MM-GEO-1 Compliance with Geotechnical Investigations. Prior to approval of any future development applications, a project-level, site-specific final geotechnical study for each specific planning area shall be completed by the Project applicant. These studies shall be submitted for review and approval by the City of Coachella (City) Engineer to ensure that each planning area with future development has been evaluated at an appropriate level of detail by a professional geologist. The location and scope of each final geotechnical report shall be tiered off of the two geotechnical reports previously prepared for the overall site, Fault Investigation Report for Land Planning Purposes Alpine 280 Property Located East of Tyler Street, West of Polk Street, West of Polk Street, South of I-10 and North of Avenue 48, City of Coachella, Riverside, California, Petra Geosciences, Inc., April 9, 2007, and Geotechnical Investigation Report, Petra Geosciences, Inc., May 7, 2015.

The final geotechnical report for each planning area shall document any artificial fill and delineate the precise locations of any and all active faults and shall determine the appropriate building setbacks and restricted use

zones within the planning area. Prior to the issuance of grading permits, the City Engineer shall confirm that all grading and construction plans incorporate and comply with the recommendations included in the final specific geotechnical report for each planning area. Design, grading, and construction would adhere to all of the seismic requirements incorporated into the 2010 California Residential Code and 2016 California Building Code (CBC) (or most current building code) and the requirements and standards contained in the applicable chapters of the City of Coachella Municipal Code, as well as appropriate local grading regulations, and the specifications of the Project geotechnical consultant, including but not limited to those related to seismic safety, as determined in the final area-specific geotechnical studies prepared in association with all future development application conditions, subject to review by the City of Coachella Development Services Director, or designee, prior to the issuance of any grading permits. (Draft EIR, pp. 4.7-18—4.7-19.)

MM-GEO-2 California Building Code Compliance and Seismic Standards.

Structures and retaining walls, if proposed, shall be designed in accordance with the seismic regulations as recommended in the CBC. Prior to issuance of any building permits, the Project engineer and the Director of the City of Coachella Development Services, or designee, shall review site plans and building plans to verify that structural design conforms to the CBC. (Draft EIR, p. 4.7-19.)

The City Council finds that MM-GEO-1 and MM-GEO-2 are feasible, are adopted, and will further reduce impacts related to faults, ground shaking or liquefaction. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to faults, ground shaking or liquefaction, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to faults, ground shaking or liquefaction. (Draft EIR, pp. 4.7-11 – 4.7-14.)

2. Erosion

Threshold: Would the Project result in substantial soil erosion or the loss of topsoil?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.7-14.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: During construction activities, the Project site would be graded and excavated, soil would be exposed to wind and water, and there would be an increased potential for soil erosion compared to existing

conditions. During a high wind and/or storm event, there is a potential for soil erosion to occur at an accelerated rate. Adherence to **MM-GEO-1** requires a specific final geotechnical study for each specific planning area to be prepared by a qualified professional geologist prior to each development application approval and approved by the City Engineer. The studies would contain measures to reduce the erosion potential of engineered slopes, such as enhanced compaction of fill slope faces, immediate landscaping of slopes at the completion of grading, consideration of jute matting or chemical stabilization if landscaping cannot be established within a reasonable period of time and use of geotextile fabrics in the construction of oversteepened fill slopes or slopes subject to erosion.

1. Soil erosion from water runoff is discussed in Subchapter 4.9, Hydrology and Water Quality, and requires a Stormwater Pollution Prevention Plan (SWPPP) that identifies Construction Best Management Practices (BMPs) to be implemented as part of the proposed Project to minimize water quality impacts during construction, including those impacts associated with soil erosion. The Project design features, WQMP and the SWPPP will be standard requirements for subsequent Tract Maps and/or implementing projects; therefore, erosion activities associated with construction activities would be less than significant.

2. The entire Project site slopes gradually down to the southwest, from a high of approximately 25 feet in the northeasterly corner to a low of approximately 60 feet below sea level in the southwesterly corner. There are no significant slopes on the Project site. The proposed Project would consist of large-scale grading and excavation activities that would alter existing topography and established drainage paths, thus potentially leading to erosion.

3. The proposed Project includes channelization of on-site drainages into soft-bottom channels and detention basins. The soft-bottom channels and detention basins will be dedicated to the City and maintained by a Landscape and Lighting Maintenance district. On-site drainage and erosion are further discussed in Section 4.9, Hydrology and Water Quality. Project design would incorporate erosion control devices, such as street gutters, storm drains, culverts, and detention basins, to control runoff and prevent soil erosion by water to reduce or avoid soil loss due to water erosion. In the ultimate condition, the developed site would result in substantially reduced wind- and runoff-induced erosion. Implementation of **MM-GEO-1**, which requires compliance with the recommendations in the 2007 Fault Report, and 2015 Geo Report, including appropriate erosion control techniques, would reduce erosion impacts to a less than significant level. Such techniques reduce potential erosion by covering native soils with impermeable surfaces or landscaping that are resistant to

erosion or channelizing excess surface runoff before it can cause erosion of native soils. (Draft EIR, pp. 4.7-14—4.7-15.)

The City Council finds that MM-GEO-1 is feasible, is adopted, and will further reduce impacts related to erosion. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to erosion, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to erosion. (Draft EIR, pp. 4.7-14 – 4.7-15.)

3. Unstable Soils

Threshold: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.7-15.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: The 2015 Geo Report concluded that the Project site is considered suitable for the proposed development from a soils engineering and geologic engineering point of view. The 2015 Geo Report further concluded that the building sites would be free from landslide, liquefaction, settlement and slippage provided the recommendations in that report were incorporated in the design criteria and Project specifications, as required by MM-GEO-1. Recommendations include improvements such as removing unconsolidated soils and recompacting them to proper levels of compaction, stabilizing naturally weak or steep slopes through excavation and regrading at acceptable slope angles and benching, installing subdrainage systems to prevent water buildup or erosion of compacted soils, and overexcavation and deep fill with reinforced foundation designs to prevent lateral spreading or subsidence impacts.

Based on the secondary effects of seismicity discussed in the 2007 Fault Report, and 2015 Geo Report, it is recommended that additional geotechnical investigations be performed as part of future development application studies to prepare site-specific grading and foundation construction specifications. These are required by **MM-GEO-1** to be completed prior to any development application approved by the City.

Lateral Spreading

Lateral spreading is the movement of the ground surface down a gentle slope or toward an open free face during a seismic event that causes soil liquefaction. Therefore, given the depths and thicknesses of the liquefiable layers identified, and the gently sloping site ground geometry it has been concluded that lateral spreading may occur at the Project site. Approximately 16 to 32 inches of lateral movement may be estimated at the Project site during a strong seismic event.

The general allowable limits of lateral spreading is in the range of 12 to 18 inches. The estimated Project displacements exceed those limits. Based on lateral spreading effects of seismicity discussed in the 2007 Fault Report, and 2015 Geo Report, it is recommended that additional geotechnical investigations be performed as part of future development application studies to prepare site-specific grading and foundation construction specifications. These are required by **MM-GEO-1** to be completed prior to any development application approval by the City. (Draft EIR, p. 4.7-16.)

Subsidence

Saturation of low-density, granular soils can result in subsidence and settlement under relatively low loads. A rise in the groundwater table or an increase in infiltration can initiate settlement and cause the foundations and walls of buildings or structures to crack. Compressible and collapsible materials are expected to be found in the near-surface alluvial deposits. Removal of these upper materials would be required prior to placement of fill, as outlined in the 2015 Geo Report.

Therefore, the potential for collapsible soils at the site would need to be evaluated during subsequent geotechnical investigations as required in **MM-GEO-3**, prior to any development application approval by the City, and incorporated into the conditions of approval for each project. **MM-GEO-3** states that prior to the issuance of grading permits for development applications or entire planning areas, area-specific geotechnical studies shall be prepared by the applicant's qualified geotechnical engineer and submitted to the City of Coachella for review and approval by the City Engineer. These studies shall include testing for collapsible soils. Laboratory analysis shall be conducted on selected samples to provide a more complete evaluation regarding remediation of potentially compressible and collapsible materials. Where appropriate, these studies shall contain specifications for overexcavation and removal of soil materials susceptible to subsidence, or other measures as appropriate to eliminate potential hazards associated with subsidence.

Implementation of **MM-GEO-3** and adherence to the recommendations of the geotechnical investigations as required in **MM-GEO-1** would reduce potential subsidence impacts to a less than significant level. These

measures would remove native soils subject to subsidence and replace them and/or regrade areas of native soil to withstand expected levels of seismic shaking to the degree that habitable structures would not be destroyed by the shaking and would use reinforced foundation designs to prevent the collapse or subsidence of soils during seismic events. These measures would become conditions of approval as part of the City's development review process.

Liquefaction or Collapse

Refer to the impact discussion under the Threshold which asked if the Project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death due to seismic-related ground failure, including liquefaction. Implementation of **MM-GEO-1**, which requires compliance with the recommendations in the final geotechnical studies, would reduce impacts related to liquefaction to a less than significant level. (Draft EIR, pp.4.7-16--4.7-17.)

MM-GEO-3 Subsidence. Prior to the issuance of grading permits for development applications or entire planning areas, area-specific geotechnical studies shall be prepared by the applicant's qualified geotechnical engineer and submitted to the City of Coachella for review and approval by the City Engineer. These studies shall include testing for collapsible soils. Laboratory analysis shall be conducted on selected samples to provide a more complete evaluation regarding remediation of potentially compressible and collapsible materials. Where appropriate, these studies shall contain specifications for overexcavation and removal of soil materials susceptible to subsidence, or other measures as appropriate to eliminate potential hazards associated with subsidence. (Draft EIR, p. 4.7-19.)

The City Council finds that MM-GEO-1 and MM-GEO-3 are feasible, are adopted, and will further reduce impacts related to unstable soils. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to unstable soils, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to unstable soils. (Draft EIR, pp. 4.7-15 – 4.7-17.)

4. Expansive Soils

Threshold: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.7-17.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Based on testing of near surface soils, it is assumed that site surface soils at the completion of grading will have expansion potentials that range from Very Low to Low. Therefore, active earth pressures equivalent to fluids having densities of 40 and 63 pounds per cubic foot should be used for design of cantilevered walls retaining a level backfill and ascending 2:1 backfill, respectively. It should be noted that the above earth pressures are based on a condition where expansive on-site soils are used for backfill. If less expansive on-site materials are available for wall backfill, these lateral earth pressures may be reduced accordingly.

Based on the locations for the off-site Project components; either within existing roadways, existing rights-of-way, or active farmland, it is anticipated that the potential of the Project to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property would be similar to that of the on-site Project components.

Implementation of **MM-GEO-4** would reduce impacts associated with expansive soils to less than significant levels. This measure requires excavation of expansive soils and replacement with nonexpansive compacted fill, additional remedial grading, utilization of steel reinforcing in foundations, nonexpansive building pads, presoaking, and drainage control devices to maintain a constant state of moisture as ways to effectively eliminate potential impacts from expansive soils. **MM-GEO-4** states that as planning areas are designed and prior to issuance of grading permits, site-specific geotechnical studies, including laboratory testing for expansive soils, shall be completed by a qualified geotechnical engineer and submitted to the City of Coachella for review and approval by the City Engineer. If expansive soils are found within the area of proposed foundations, geotechnical testing shall be employed such as excavation of expansive soils and replacement with nonexpansive compacted fill, additional remedial grading, utilization of steel reinforcing in foundations, nonexpansive building pads, presoaking, and drainage control devices to maintain a constant state of moisture. In addition to these practices, homeowners shall be advised about maintaining drainage conditions to direct the flow of water away from structures so that foundation soils do not become saturated. During construction, the Project engineer shall verify that expansive soil mitigation measures recommended in the final foundation design recommendations are implemented, and the City Building Official shall conduct site inspections prior to occupancy of any structure to ensure compliance with the approved measures.

MM-GEO-4 Expansive Soils. As planning areas are designed and prior to issuance of grading permits, site-specific geotechnical studies, including laboratory testing for expansive soils, shall be completed by a qualified geotechnical engineer and submitted to the City of Coachella for review and approval by the City Engineer. If expansive soils are found within the area of proposed foundations, geotechnical testing shall be employed such as excavation of expansive soils and replacement with nonexpansive compacted fill, additional remedial grading, utilization of steel reinforcing in foundations, nonexpansive building pads, presoaking, and drainage control devices to maintain a constant state of moisture. In addition to these practices, homeowners shall be advised about maintaining drainage conditions to direct the flow of water away from structures so that foundation soils do not become saturated.

During construction, the Project engineer shall verify that expansive soil mitigation measures recommended in the final foundation design recommendations are implemented, and the City Building Official shall conduct site inspections prior to occupancy of any structure to ensure compliance with the approved measures. (Draft EIR, p. 4.7-20.)

The City Council finds that MM-GEO-4 is feasible, is adopted, and will further reduce impacts related to expansive soils. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to expansive soils, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to expansive soils. (Draft EIR, pp. 4.7-17 – 4.7-18.)

G. HAZARDS AND HAZARDOUS MATERIALS

1. Hazardous Materials

Threshold: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or, 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? ?

Finding: Less than significant with mitigation incorporated. (Draft EIR, p. 4.8-10.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: During construction, there are activities that can expose the public to significant hazards from accidental circumstances both directly and

indirectly. The first pathway occurs when petroleum products are accidentally released from construction equipment or storage facilities. For example, vandalism can cause a release from stored fuels, or a hydraulic hose may break on a large piece of construction equipment. This type of impact is readily mitigated by immediately stopping the construction activity; controlling the accidental release; and carrying out remediation of the area contaminated by the spill. It is anticipated that the stormwater pollution prevention plan (SWPPP) prepared for the proposed Project.

According to the City of Coachella General Plan Update Final EIR (2015) (p. 4.7-12):

A SWPPP prepared in compliance with the General Permit describes the site, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-storm water management controls. Dischargers are also required to inspect construction sites before and after storms to identify storm water discharge from construction activity, and to identify and implement controls where necessary.

A SWPPP is required under City Ordinance No. 13.16, Water Quality Control, and is required prior to the issuance of a grading permit for each and every phase of development that would require a grading permit. This is a standard per Ordinance No. 13.16 and is not considered unique mitigation under CEQA. With the inclusion of this standard condition, any impacts from implementation of the proposed Project related to significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials, are considered less than significant. No additional mitigation is required. (Draft EIR, p. 4.8-10.)

The second circumstance occurs when unknown contaminants are exposed during construction. An example would be a barrel of hazardous material buried below the ground surface that could be exposed during grading. As in the previous instance, the exposure of such contamination typically occurs over a very limited area and with proper mitigation, the potential hazard to humans and the environment can be managed so it will not significantly impact either humans or the environment. With the incorporation of **Mitigation Measures MM-HAZ-1** and **MM-HAZ-2**, any impacts from spills during construction, or discovery of subsurface hazardous materials, will be reduced to a less than significant level.

Both during construction and once the Project is occupied, the transport of hazardous materials to the Project site can result in additional potential for accidental spills, leaks, or other hazards such as fire or explosion. For such transporters, the existing regulatory environment will ensure that the

hazardous materials and any hazardous wastes transported to and from the Project site will be properly managed. These regulations are codified in Titles 8, 22, and 26 of the California Code of Regulations and Title 40 of the Code of Federal Regulations. Haulers must comply with all existing applicable federal, state and local laws and regulations regarding transport, use, disposal, handling and storage of hazardous wastes and material. Compliance with these laws and regulations related to transportation will minimize potential exposure of humans or the environment to significant hazards from transport of such materials and wastes. Due to the inability to ascertain what these hazardous materials may be at this time, these regulations are considered sufficient to control potential hazards from accidents to a less than significant impact level. Should specific uses generate hazardous materials during the life of the Project, subsequent analysis may be required to ascertain impacts and mitigation, if required (i.e., medical wastes, chemical wastes, etc.).

With the exception of the discussion below, the 2014 ESA has revealed no evidence of recognized environmental conditions, historical recognized environmental conditions, controlled recognized environmental conditions, or de minimis conditions in connection with the Property. A Radius Profile Report from Environmental Data Resources, Inc. dated September 5, 2014 was reviewed as part of the 2014 ESA preparer. The radius report, found in Appendix G of the 2014 ESA, contains records of registered sites in the vicinity of the Property for the classifications and distances listed in Table 4.8.4-1, Federal Environmental Record Source Summary, and Table 4.8.4-2, State and Local Environmental Record Source Summary, and as required by American Society of the International Association for Testing and Materials (ASTM) Practice E-1527-13. Report dates for each database searched are listed in the appendix of the 2014 ESA. (Draft EIR, p. 4.8-11.)

MM-HAZ-1 During grading, and/or during construction, should an accidental release of a hazardous material occur, the following actions will be implemented: construction activities in the immediate area will be immediately stopped; appropriate regulatory agencies will be notified; immediate actions will be implemented to limit the volume and area impacted by the contaminant; the contaminated material, primarily soil, shall be collected and removed to a location where it can be treated or disposed of in accordance with the regulations in place at the time of the event; any transport of hazardous waste from the property shall be carried out by a registered hazardous waste transporter; and testing shall be conducted to verify that any residual concentrations of the accidentally released material are below the regulatory remediation goal at the time of the event. All of the above sampling or remediation activities related to the contamination will be conducted under the oversight of Riverside County Site Cleanup Program. All of the above actions shall be documented and made available to the

appropriate oversight agency such as the Department of Environmental Health or the Department of Toxic Substances Control (DTSC) prior to closure of the contaminated area.

MM-HAZ-2 During grading, if an unknown contaminated area is exposed, the following actions will be implemented: any contamination found during construction will be reported to the Riverside County Site Cleanup Program and all of the sampling or remediation related to the contamination will be conducted under the oversight of the Riverside County Site Program; construction activities in the immediate area will be immediately stopped; appropriate regulatory agencies will be identified; a qualified professional (industrial hygienist or chemist) shall test the contamination and determine the type of material and define appropriate remediation strategies; immediate actions will be implemented to limit the volume and area impacted by the contaminant; the contaminated material, primarily soil, shall be collected and removed to a location where it can be treated or disposed of in accordance with the regulations in place at the time of the event; any transport of hazardous waste from the property shall be carried out by a registered hazardous waste transporter; and testing shall be conducted to verify that any residual concentrations of the accidentally released material are below the regulatory remediation goal at the time of the event. All of the above actions shall be documented and made available to the appropriate oversight agency such as the Department of Environmental Health or the Department of Toxic Substances Control prior to closure of the contaminated area.

Previous Agriculture Use on Property

The Property has been used for agricultural purposes from at least 1952 through the present day. Prior to 1972, it was a common practice to use environmentally persistent pesticides. Specifically, pesticides that included DDT, DDD, DDE and toxaphene. Environmentally persistent pesticides, if previously used on the Property, may still be present. However, specific information regarding the previous use of such chemicals was not found during the research conducted for the 2014 ESA. The possible presence of residual concentrations of environmentally persistent pesticides, is a recognized environmental condition. It is recommended that the samples be analyzed for pesticides using United States Environmental Protection Agency (EPA) Method 8081 during grading, and/or during construction. This is reflected in **Mitigation Measures MM-HAZ-1, MM-HAZ-2, and MM-HAZ-4**, which requires grading activities to be halted, soil sampling and coordination with the appropriate oversight agency. Necessary actions will be identified (if required) in order to address this issue. With the incorporation of **Mitigation Measure MM-HAZ-1, MM-HAZ-2, and MM-HAZ-4**, any impacts will be reduced to a less than significant level.

MM-HAZ-4 Prior to the issuance of a grading permit, the applicant shall conduct

sampling of the near surface soil to assess whether residual concentrations exceed State of California action levels is recommended in areas that were in agricultural use prior to 1972. The presence of pesticides in the soil may represent a health risk to tenants or occupants on the Property and the soil may require specialized handling and disposal. A grid shall be used to take representative samples where crops were grown on the Property. Any samples shall be analyzed for pesticides using EPA Method 8081. A qualified contractor shall be contacted to remove such materials. Any work conducted shall be in compliance with guideline set by an oversight agency such as the Department of Environmental Health or the Department of Toxic Substances Control.

Groundwater Wells on The Property

At least one groundwater well is located on the Property, near the water retention pond along the north Property border. The 2014 ESA was not conclusive as to whether there was a second well along the north Property border, south of the north adjacent scrap metal yard. Since wells may have been modified and are located below the surface, other wells may exist on the Property that were not identified during the Property reconnaissance. The presence of groundwater wells on the Property is not a recognized environmental condition; however, they must be properly decommissioned or protected if the Property is to be developed. The Project will be served by potable and reclaimed water, when it becomes available. It is not anticipated that the wells will be utilized as a water source for the Project. The analysis contained in the Project-specific Water Supply Assessment does not include the use of these wells as a water source (see Subchapter 4.15, Utilities and Service Systems).

With the incorporation of **Mitigation Measure MM-HAZ-3**, the applicant, will be required, prior to the issuance of a grading permit, to contact the Riverside County Community Health Agency, Department of Environmental Health, Water Engineering Department in Indio, California to ascertain the locations of wells. If closure of the wells is required, they shall be closed in accordance with the specific requirements for the closure of wells of the Riverside County Community Health Agency, Department of Environmental Health, Water Engineering Department. With the implementation of **Mitigation Measure MM-HAZ-3**, any impacts will be reduced to a less than significant level as they relate to closure of the wells (if necessary).

MM-HAZ-3 Prior to the issuance of a grading permit, the applicant shall contact the Riverside County Community Health Agency, Department of Environmental Health, Water Engineering Department in Indio, California to ascertain the locations of wells. If determined by this oversight agency that the closure of the wells is required, then they shall be closed in accordance with the specific requirements for the closure of wells of the

Riverside County Community Health Agency, Department of Environmental Health, Water Engineering Department.

Solid Waste Disposal on The Property

There was evidence observed of debris, trash, empty cans, clothing, furniture, concrete, roofing, wood, cuttings, rubber tires, railroad ties, and other materials typical of illegal dumping noted throughout the Project site. These materials were typically located in areas along the access roads. There were two other areas where more solid waste was identified including the former water retention pond near the center of the Property and the area south of the north adjacent scrap metal yard. The solid waste appeared to be innocuous household trash dumped illegally and there were no signs of disposed hazardous materials or petroleum products. Other than the recommendation that these materials be removed to help avert further dumping, no further investigation in regard to this condition is deemed necessary at this time. **Mitigation Measures MM-HAZ-1, MM-HAZ-2, and MM-HAZ-4**, have been added, which require grading activities to be halted, soil sampling and coordination with the appropriate oversight agency should any of these items prove to be hazardous (during grading). Necessary actions will be identified (if required) in order to address this issue. With the incorporation of **Mitigation Measure MM-HAZ-1, MM-HAZ-2, and MM-HAZ-4**, any impacts will be reduced to a less than significant level. (Draft EIR, p. 4.8-15.)

Suspect Asbestos Containing Materials on The Property

The presence of asbestos or suspect asbestos does not represent a recognized environmental condition for the Property. The 2014 ESA preparer noted a pile of roofing materials that had been dumped on the Property in the vicinity of the former water retention pond near the center of the Property. The suspect asbestos containing materials included asphalt roofing, roof tar, and roofing felt. It is recommended that these materials be tested for asbestos. If found to contain asbestos, an asbestos abatement contractor will be required to have this material removed from the Property.

The shed located near the paintball field has suspect asbestos containing roofing. It is recommended that if this shed will be demolished, the roofing materials be tested for asbestos prior to the disturbance of this material. If found to contain asbestos, an asbestos abatement contractor will be required to have this material removed from the shed prior to its demolition. **Mitigation Measure MM-HAZ-5** requires that if any materials are discovered at the site during any future activities that may contain asbestos, a qualified contractor be contacted to remove such materials. Any work conducted shall be in compliance with guideline set by an oversight agency such as the DEH or the Department of Toxic

Substances Control (DTSC), prior to grading permit final. (Draft EIR, p. 4.8-15.)

No above grade indications were observed that cement asbestos pipes (Transite pipe) were used on the Property. However, cement asbestos pipes are known to have been used for water distribution systems for crop irrigation. **Mitigation Measure MM-HAZ-5** also requires that, if suspect cement asbestos pipes are identified (during excavation activities on the Property), they be removed and disposed of by a licensed asbestos abatement contractor.

With the incorporation of **Mitigation Measure MM-HAZ-5**, any impacts will be reduced to a less than significant level as it relates to asbestos.

MM-HAZ-5 If any materials are discovered at the site during any future activities that may contain asbestos, a qualified contractor be contacted to remove such materials. As it pertains to the shed roof, it shall be tested prior to any demolition. All work conducted shall be in compliance with guidelines set by an oversight agency such as the Department of Environmental Health or the Department of Toxic Substances Control, prior to grading permit final.

The City Council finds that MM-HAZ-1 through MM-HAZ-5 are feasible, are adopted, and will further reduce impacts related to hazardous materials. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to hazardous materials, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to hazardous materials. (Draft EIR, pp. 4.8-10 – 4.8-16.)

H. HYDROLOGY AND WATER QUALITY

1. Degradation of Water Quality

Threshold: Would the Project otherwise substantially degrade water quality?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.9-22.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: *NOP Comment Letter #9 from the Coachella Valley Mosquito and Vector Control District (dated 3/27/15) states:*

- The Project will result in an increase in storm water retention sites which could provide additional habitat for larval mosquitos.

- The site is surrounded on three sides by agricultural areas and may result in an increased need for fly control.
- Irrigation of the property could increase the suitability of the land for red imported fire ants.
- Development of the property could result in an increase of the vector populations which could result in putting more people at risk of contracting vector-borne diseases.
- Suggests that there are a number of construction practices and landscaping designs that will reduce and potentially prevent the production of mosquitos and red imported fire ants in the area.

The Project's retention basins could provide habitat for larval mosquitoes. In addition, the location of the project site, downwind from agricultural areas, may result in the increased need for fly and eye gnat control. Also, irrigation of the Project could increase the suitability for red imported fire ants. Because there is not a specific CEQA threshold to address vector control, it is being evaluated here, as these vectors are associated with surface water.

Flies and eye gnats are a potential concern due to the proximity of the Project site to agricultural land. Imported red fire ants are a potential concern in the landscape and open space areas of the Project because imported red fire ants tend to build nests in open, sunlit, irrigated, grassy areas. Mosquitos are a potential concern associated with on-site water, particularly standing water or moist soils associated with treatment BMPs, which can serve as breeding habitat for mosquitos.

As specified in **Mitigation Measure MM-HYD-1**, a Vector Control Program would be implemented to address control of flies, eye gnats, imported red fire ants, and mosquitos. Flies and eye gnats would be controlled through measures such as landscape maintenance, removal of vegetation and landscape clippings, and irrigation management to prevent overwatering. Red ants would be controlled by limiting access to water through use of desert landscaping, irrigation management, and turf management to reduce potential nesting habitat. **MM-HYD-1** requires that prior to issuance of grading permits, the applicant shall develop a Vector Control Program in coordination with the Coachella Valley Mosquito and Vector Control District. The Vector Control Program shall address control of flies, eye gnats, imported red fire ants, and mosquitos. The vector control program shall include measures such as landscape maintenance, removal of vegetation and landscape clippings, irrigation management, use of desert landscaping, irrigation management, and turf management.

As specified within the WQMP, a Maintenance and Management Program

for all storm water facilities would be developed and implemented to control mosquitos and reduce potential breeding habitat. The Maintenance and Management Program would include a detailed plan for the control of vectors indigenous to wetlands. Because the minimum length of time for mosquito development is 96 hours, the water quality features, such as vegetated strips, vegetated swales, detention devices, infiltration BMPs, bioretention BMPs, and media filters would be designed to drain within 72 hours or be sealed against mosquitos. In addition, mosquito control would be achieved through use of desert landscaping and irrigation management. These requirements are reflected in **Standard Conditions SC-HYD-2**, and **SC-HYD-3**, (water quality management plans, and BMPs, respectively) in Subchapter 4.9.5 of the EIR.

With implementation of **MM-HYD-1**, which require development and implementation of a Vector Control Program, and with an on-going BMP Maintenance and Management Program (consistent with the WQMP), and **Standard Conditions SC-HYD-2**, and **SC-HYD-3**, potential impacts related to vectors would be reduced to less than significant levels. (Draft EIR, pp. 4.9-22—4.9-23.)

MM-HYD-1 Vector Control Program. Prior to issuance of grading permits, the applicant shall develop a Vector Control Program in coordination with the Coachella Valley Mosquito and Vector Control District. The Vector Control Program shall address control of flies, eye gnats, imported red fire ants, and mosquitos. The vector control program shall include measures such as landscape maintenance, removal of vegetation and landscape clippings, irrigation management, use of desert landscaping, irrigation management, and turf management. (Draft EIR, p. 4.9-27.)

The City Council finds that MM-HYD-1 is feasible, is adopted, and will further reduce impacts related to water quality. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to water quality, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to water quality. (Draft EIR, pp. 4.9-22 – 4.9-23.)

I. NOISE

1. Noise Standards

Threshold: Would the Project result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.11-21.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: The proposed Project would result in short-term noise impacts associated with construction activities. Two types of short-term noise impacts could occur during construction of the proposed Project. First, construction crew commute and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site.

Construction Traffic

Truck traffic associated with Project construction would be limited to within the permitted construction hours, as listed in the City's Municipal Code, Sub-Chapter 7.04.070, Construction Activities. Although there would be a relatively high single-event noise exposure potential at a maximum of 87 dBA L_{max} at 50 feet from passing trucks, causing possible short-term intermittent annoyances, the effect on ambient noise levels would be less than 1 dBA when averaged over one hour or 24 hours. In other words, the changes in noise levels over 1 hour or 24 hours attributable to passing trucks would not be perceptible to the normal human ear.

Therefore, short-term construction-related impacts associated with worker commute and equipment transport on local streets leading to the Project site would result in a less than significant impact on noise-sensitive receptors along the access routes.

The Environmental Protection Agency (EPA) has compiled data regarding the noise generated characteristics of typical construction activities. The data is presented in **Table 4.11.4-1, Typical Construction Noise Levels**. These noise levels would diminish rapidly with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 86 dBA measured 50 feet from the noise source would reduce to 80 dBA at 100 feet. At 200 feet from the noise source the noise level would reduce to 74 dBA. At 400 feet the noise source would reduce by another 6 dBA to 68 dBA. (Draft EIR, pp. 4.11-21--4.11-22.)

Construction Activities

The site preparation phase, which includes grading and paving, tends to generate the highest noise levels, since the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backhoes, bulldozers, and front loaders.

Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings. Construction of the proposed Project is expected to require the use of scrapers, bulldozers, motor grader, and water and pickup trucks. Noise associated with the use of construction equipment is estimated to reach between 79 and 89 dBA L_{max} at a distance of 50 ft. from the active construction area for the grading phase. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA L_{max} at 50 ft. from the scraper in operation. Each bulldozer would also generate approximately 85 dBA L_{max} at 50 ft. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. The worst-case combined noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 ft. from an active construction area.

The closest sensitive receptors to the Project's construction area are two (2) residences located along Tyler Street near the western boundary of the project site at a distance of 75 ft. At this distance, these receptor locations would be exposed to construction noise levels of up to 88 dBA L_{max} during site preparation. In addition, residences constructed in earlier Project phases within 100 ft. of an active construction area would be exposed to construction noise levels of up to 85 dBA L_{max} during site preparation of later phases. After site preparation is completed for each individual phase of development, other construction activities are anticipated generate lower noise levels.

The following **Standard Condition, SC-NOI-1** shall be implemented:

The City has established certain hours during the day when construction can occur to minimize potential disturbance to sensitive receptors which are shown below:

October 1st through April 30th

- Monday—Friday: 6:00 a.m. to 5:30 p.m.
- Saturday: 8:00 a.m. to 5:00 p.m.
- Sunday: 8:00 a.m. to 5:00 p.m.
- Holidays: 8:00 a.m. to 5:00 p.m.

May 1st through September 30th

- Monday—Friday: 5:00 a.m. to 7:00 p.m.
- Saturday: 8:00 a.m. to 5:00 p.m.
- Sunday: 8:00 a.m. to 5:00 p.m.
- Holidays: 8:00 a.m. to 5:00 p.m.

The Project applicant will comply with these allowable hours. In addition,

construction noise sources are not stationary, and therefore, high noise levels would not persist in one particular location.

Mitigation Measure MM-NOI-1 requires that during any earth movement construction activities during any phase of development the developer shall implement several practices and procedures that will ensure that Project construction noise impacts to sensitive receptors will not exceed thresholds and are reduced to a less than significant level. (Draft EIR, pp. 4.11-22--4.11-24.)

MM-NOI-1 During any earth movement construction activities during any phase of development the developer shall:

- Locate stationary construction noise sources such as generators or pumps at least 300 feet from sensitive land uses, as feasible;
- Locate construction staging areas as far from noise sensitive land uses as feasible;
- Ensure all construction equipment is equipped with appropriate noise attenuating devices to reduce the construction equipment noise by 8 to 10 dBA;
- Turn off idling equipment when not in use;
- Maintain equipment so that vehicles and their loads are secured from rattling and banging;
- Limit the amount of heavy machinery equipment operating simultaneously to two (2) pieces of equipment within a 50-foot radius of each other (when located with 100 feet of existing residential units); and
- Install temporary noise control barriers that provide a minimum noise level attenuation of 10.0 dBA when Project construction occurs near existing noise-sensitive structures. The noise control barrier must present a solid face from top to bottom. The noise control barrier must be high enough and long enough to block the view of the noise source. Unnecessary openings shall not be made.
 - The noise barriers must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.
 - The noise control barriers and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity.

On-Site Traffic Noise Impact

Table 4.11.4-4, Project Completion Year 2022 (Without Project) Exterior Noise Levels Along Roadways (dBA CNEL), Table 4.11.4-5, Project Completion Year 2022 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL), Table 4.11.4-6, Change in Project Completion Year 2022 Noise Levels as a Result of the Project (dBA CNEL), Table 4.11.4-7, General Plan Buildout Year 2035 Exterior Noise Levels Along Roadways (dBA CNEL), Table 4.11.4-8, General Plan Buildout Year 2035 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL), and Table 4.11.4-9, Change in General Plan Buildout Year 2035 Noise Levels as a Result of the Project (dBA CNEL), show the Existing Plus Project, Project Completion Year 2022 and General Plan Buildout Year 2035 scenarios traffic noise levels. For the future (2022 and 2035) with Project scenarios, the following on-site roadway segments would experience traffic noise level increases exceeding 3 dBA:

- Avenue 47 between Tyler Street and Street A: 2022 (+27.0 dBA), 2035 (+21.2 dBA)
- Avenue 47 between Street A and Polk Street: 2022 (+22.9 dBA), 2035 (+17.1 dBA)
- Avenue 48 between Tyler Street and Street A: 2022 (+22.5 dBA)
- Avenue 48 between Street A and Polk Street: 2022 (+19.7), 2035 (+17.1 dBA)

There are no existing noise-sensitive land uses on the Project site; therefore, no land uses would be exposed to substantial traffic noise increases, and no potential substantial traffic noise level increase impacts would occur along these roadway segments. (Draft EIR, pp. 4.11-33—4.11-34.)

Avenue 47

Based upon information contained in **Table 4.11.4-8, General Plan Buildout Year 2035 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL)**, dwelling units proposed within PA2, PA3 and PA8 that are within 231, 73, and 23 feet of Avenue 47 centerline would be exposed to traffic noise exceeding the 60, 65, and 70 dBA CNEL, respectively, exterior noise standards for residential uses. In order to reduce exterior noise levels to 60 dBA CNEL or lower, sound wall heights (or equivalent noise reduction measures) need to be implemented for residential units with outdoor living areas (backyards and patios) along this segment of Avenue 47 within the potential impact zone.

Mitigation Measure MM-NOI-2 will be required, which will attain noise reduction methods in order to reduce noise impacts to acceptable thresholds. With the incorporation of this measure, any noise impacts to dwelling units proposed within PA2, PA3 and PA8, that are adjacent to Avenue 47 will be reduced to a less than significant level. (Draft EIR, pp. 4.11-34—4.11-35; Final EIR, p. 3-5.)

MM-NOI-2 Prior to the approval of an implementing project, the Project applicant shall submit plans to the Building and Safety Department that will demonstrate the necessary performance standards for adequate noise reduction for residences located in PA2, PA3, and PA8, that are adjacent to Avenue 47:

- Areas Exceeding 70 dBA CNEL (within 23 feet from centerline of Avenue 47): 8 foot (combination of earthen berm and maximum 6' high wall) for ground level outdoor living areas such as backyards or patios.
- Areas Exceeding 65 dBA CNEL (within 73 feet from centerline of Avenue 47): 6 foot for ground level outdoor living areas such as backyards or patios.
- Areas Exceeding 60 dBA CNEL (within 231 feet from centerline of Avenue 47): 5 foot for ground level outdoor living areas such as backyards or patios.

Avenue 48

Based upon information contained in **Table 4.11.4-8, General Plan Buildout Year 2035 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL)**, dwelling units proposed within PA5, PA7 and PA10 that are within 390, 123, and 39 feet of Avenue 48 centerline would be exposed to traffic noise exceeding the 60, 65, and 70 dBA CNEL, respectively, exterior noise standards for residential uses. In order to reduce exterior noise levels to 60 dBA CNEL or lower, sound wall heights (or equivalent noise reduction measures) need to be implemented for residential units with outdoor living areas (backyards and patio) along this segment of Avenue 48 are within the potential impact zone:

Mitigation Measure MM-NOI-3 will be required, which will attain noise reduction methods in order to reduce noise impacts to acceptable thresholds. With the incorporation of **Mitigation Measure MM-NOI-3**, any noise impacts to dwelling units proposed within PA5, PA7 and PA10, that are adjacent to Avenue 48 will be reduced to a less than significant level.

As it pertains to the westerly extension of Avenue 48 (Shadow View Boulevard), the same noise impacts would be anticipated. However, since the land is currently vacant, there are no sensitive receptors. (Draft EIR, pp. 4.11-35—4.11-36.)

MM-NOI-3 Prior the approval of an implementing project, the Project applicant shall submit plans to the Building and Safety Department that will demonstrate the necessary performance standards for adequate noise reduction for residences located in PA5, PA7, and PA10, that are adjacent to Avenue 48:

- Areas Exceeding 70 dBA CNEL (within 39 feet from centerline of Avenue 48): 8 foot (combination of earthen berm and maximum 6' high wall) for ground level outdoor living areas such as backyards or patios.
- Areas Exceeding 65 dBA CNEL (within 123 feet from centerline of Avenue 48): 6 foot for ground level outdoor living areas such as backyards or patios.
- Areas Exceeding 60 dBA CNEL (within 390 feet from centerline of Avenue 48): 5 foot for ground level outdoor living areas such as backyards or patios.

Street "A"

Based upon information contained in **Table 4.11.4-8, General Plan Buildout Year 2035 (With Project) Exterior Noise Levels Along Roadways (dBA CNEL)**, dwelling units proposed within PA5, PA6 and PA7 that are within 181, 57, and 18 feet of Street "A" centerline would be exposed to traffic noise exceeding the 60, 65, and 70 dBA CNEL, respectively, exterior noise standards for residential uses. In order to reduce exterior noise levels to 60 dBA CNEL or lower, sound wall heights (or equivalent noise reduction measures) need to be implemented for residential units with outdoor living areas (backyards and patio) along this segment of Street "A" within the potential impact zone.

Mitigation Measure MM-NOI-4 will be required, which will attain noise reduction methods in order to reduce noise impacts to acceptable thresholds. With the incorporation of **Mitigation Measure MM-NOI-4**, any noise impacts to dwelling units proposed within PA5, PA6 and PA7, that are adjacent to Street "A" will be reduced to a less than significant level. (Draft EIR, p. 4.11-36.)

MM-NOI-4 Prior to the approval of an implementing project, the Project applicant shall submit plans to the Building and Safety Department that will

demonstrate the necessary performance standards for adequate noise reduction for residences located in PA5, PA6, and PA7, that are adjacent to Street “A:”

- Areas Exceeding 70 dBA CNEL (within 18 feet from centerline of Street “A”): 8 foot (combination of earthen berm and maximum 6’ high wall) for ground level outdoor living areas such as backyards or patios.
- Areas Exceeding 65 dBA CNEL (within 57 feet from centerline of Street “A”): 6 foot for ground level outdoor living areas such as backyards or patios.
- Areas Exceeding 60 dBA CNEL (within 181 feet from centerline of Street “A”): 5 foot for ground level outdoor living areas such as backyards or patios.

Future Interior Noise

Based on the data provided in the Environmental Protection Agency’s (EPA) Protective Noise Levels (EPA 550/9-79-100, Nov 1979), standard homes in Southern California provide at least 12 dBA of noise exterior to interior noise attenuation with windows open and 20 dBA with windows closed.

Therefore, residences would need to be exposed to exterior noise levels exceeding 65 dBA CNEL (45 dBA + 20 dBA = 65 dBA) to potentially exceed the interior noise standard of 45 dBA CNEL with windows closed. A windows-closed condition is defined as: the interior noise level with the windows closed. Upgrades are required for residential structures that would experience interior noise levels exceeding the 45 dBA CNEL noise standard when windows are closed (e.g. higher grade of insulation in outdoor walls, and/or double-paned windows and air condition units). **Mitigation Measure MM-NOI-5** will be implemented. With **Mitigation Measure MM-NOI-5** incorporated, any interior noise impacts will remain less than significant. (Draft EIR, pp. 4.11-36—4.11-37.)

MM-NOI-5 The Project will require a final acoustical analysis (for each tract map) once a site plan or tract map has been developed. The acoustical analyses must demonstrate the interior noise level will not exceed the City’s 45 dBA CNEL noise limit. Potential mitigation may include a “windows closed” condition and possibly upgraded windows (increased STC window/door ratings).

The City Council finds that MM-NO-1 through MM-NOI-5 are feasible, are adopted, and will further reduce impacts related to conflicts with noise standards. Accordingly, the

City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to conflicts with noise standards, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to conflicts with noise standards. (Draft EIR, pp. 4.11-21 – 4.11-37.)

2. **Permanent Increase in Ambient Noise**

Threshold: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.11-37.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: There would be an increase in traffic noise levels on several roadway segments in the Project vicinity as a result of the proposed Project. However, any existing sensitive receptors along Avenue 47 between Tyler Street and Polk Street are located below the 65 dBA CNEL contour. Therefore, no significant off-site traffic noise impacts would occur as a result of the proposed Project, and no mitigation measures would be required for off-site sensitive land uses.

Mitigation Measures MM-NOI-2 through MM-NOI-5 have been identified for future proposed on-site uses that could be impacted by traffic noise to reduce this impact to less than significant levels. Sound walls (or equivalent mitigation) are recommended to reduce the traffic noise levels in the outdoor active use areas to 60 dBA CNEL or lower to meet the City's exterior noise standard of 60 dBA CNEL. To achieve the interior noise level standard, a final acoustical analysis (for each tract map) once a site plan or tract map will be required. The acoustical analyses must demonstrate the interior noise level will not exceed the City's 45 dBA CNEL noise limit. Potential mitigation may include a "windows closed" condition and possibly upgraded windows (increased STC window/door ratings). All measures specified are typically the minimum that would be required to meet these noise standards and therefore reduce noise to a level that is less than significant. With more building upgrades, the interior noise would be reduced even more; however, the associated cost would also be greater. (Draft EIR p. 4.11-37.)

The City Council finds that MM-NOI-2 through MM-NOI-5 are feasible, are adopted, and will further reduce impacts related to permanent noise increase. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State

CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to permanent noise increase, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to permanent noise increase. (Draft EIR, p. 4.11-37.)

3. Temporary Increase in Ambient Noise

Threshold: Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Finding: Less than significant with mitigation. (Draft EIR, pp. 4.11-37—4.11-38.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: As discussed above under Threshold a., construction at the Project site would temporarily increase ambient noise levels above existing levels without the Project. The high noise levels that would occur during site preparation caused by earthmoving equipment for each of the Specific Plan phases would be short term.

Other construction activities such as building erection would generate lower noise levels, and the majority of the construction activity would occur more than 100 ft. from the nearest receptors. The proposed project would comply with the time periods for construction specified in the City's Municipal Code as listed in Standard Condition SC-NOI-1, which does not allow construction at nighttime.

Mitigation Measure MM-NOI-2 was designed to reduce the construction noise impacts. Compliance with the City's construction hours restrictions (**SC-NOI-1**) would reduce the construction noise impact to a less than significant level. Implementation of **MM-NOI-2** would further reduce the construction noise exposure for receivers adjacent to the Project site by requiring all construction equipment to be equipped with properly operating and maintained mufflers, placing all stationary equipment so that noise is directed away from noise-sensitive receptors; locating equipment staging areas to create the greatest distance between construction-related noise sources and noise-sensitive receptors; limiting the amount of heavy machinery equipment operating simultaneously and installation of temporary noise control barriers.. Therefore, the temporary increase in ambient noise levels as a result of construction is not considered substantial and would be reduced to a less than significant level with mitigation incorporated. (Draft EIR, pp. 4.11-37—4.11-38.)

The City Council finds that MM-NOI-2 is feasible, is adopted, and will further reduce impacts related to temporary noise increase. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to temporary noise increase, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to temporary noise increase. (Draft EIR, pp. 4.11-37 – 4.11-38.)

J. TRANSPORTATION / TRAFFIC

1. Plans, Policies, and Ordinances

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

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-24.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation:

Existing Plus Project Traffic Conditions

Existing Plus Project peak hour intersection turning movement volumes were obtained by combining existing traffic volumes with Project traffic volumes. Existing Plus Project AM and PM peak hour intersection turning movement volumes and average daily traffic are shown on **Figure 4.14.4-24, Existing Plus Project Traffic Volumes**.

Intersection Level of Service for Existing Plus Project Conditions

Intersection levels of service for the existing network with the proposed Project are shown in **Table 4.14.4-4, Intersection Analysis for Existing Plus Project Conditions**.

It should be noted that improvements for existing plus Project conditions include roadway construction and traffic control which will be part of the Project design. The analysis software used for the TIS cannot calculate LOS for uncontrolled intersections or nonexistent roads, and thus a "without mitigation" scenario is not applicable in this case.

As shown in **Table 4.14.4-4**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact. For Existing Plus Project traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours.

With implementation of intersection improvements as mitigation measures, shown in **Table 4.14.4-5, Intersection Mitigation for Existing Plus Project Conditions**, all study area intersections are projected to operate at LOS D or better in the Existing Plus Project Conditions peak hour conditions.

This is reflected in **Mitigation Measure MM-TR-1**, which requires the Project applicant (prior to the 1st occupancy) to make several specific improvements, that will reduce impacts to less than significant. Impacts are considered less than significant with mitigation incorporated. (Draft EIR, pp. 4.14-24--4.14-28.)

MM-TR-1 For Existing Plus Project Conditions, the Project applicant is required to make the following improvements at the following intersections and roadway segments (prior to the 1st occupancy):

- Roadway Segment Improvements
 - Construct new extension of Shadow View Boulevard from Dillon Road to Avenue 48;
 - Construct new extension of Avenue 47 from Tyler Street to Shadow View Boulevard; and
 - Construct new extension of Avenue 48 from Tyler Street to Shadow View Boulevard.
- Intersection of Dillon Road and Shadow View Boulevard:
 - Install traffic signal
 - Install southbound (SB) left-turn lane.
 - Install westbound (WB) left-turn lane.
 - Install WB right-turn signal.
- Intersection of Tyler Street and Avenue 47:
 - Install all-way stop signs.
- Intersection of Tyler Street and Avenue 48:
 - Install all-way stop signs.
- Intersection of Street “A” and Vista Del Sur:
 - Install all-way stop signs.
 - Install NB left-turn lane.
 - Install EB right-turn signal.
- Intersection of Street “A” and Avenue 47:
 - Install all-way stop signs.’
 - Install northbound (NB) left-turn lane.
 - Install NB thru-turn lane.

- Install NB thru/right-turn lane.
- Install SB left-turn lane.
- Install SB thru-turn lane.
- Install SB thru/right-turn lane.
- Install eastbound (EB) left-turn lane.
- Install EB thru-turn lane.
- Install EB thru/right-turn lane.
- Install WB left-turn lane.
- Install WB thru-turn lane.
- Install WB thru/right-turn lane.
- Intersection of Street “A” and Avenue 48:
 - Install all-way stop signs.
 - Install NB left-turn lane.
 - Install NB thru-turn lane.
 - Install NB thru/right-turn lane.
 - Install SB left-turn lane.
 - Install SB thru-turn lane.
 - Install SB thru/right-turn lane.
 - Install EB left-turn lane.
 - Install EB thru-turn lane.
 - Install EB thru/right-turn lane.
 - Install WB left-turn lane.
 - Install WB thru-turn lane.
 - Install WB thru/right-turn lane.
- Intersection of Polk Street and Avenue 48:
 - Install all-way stop signs.

The City Council finds that MM-TR-1 is feasible, is adopted, and will further reduce impacts related to transportation. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to transportation, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to transportation. (Draft EIR, pp. 4.14-17 – 4.14-28; Final EIR, p. 3-6 – 3-7.)

2. Design Feature Hazards

Threshold: Does the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-57.) Changes or alterations have been required in, or incorporated into, the Project which

avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to Project access requirements that would result in the safe and efficient flow of traffic. In addition, the proposed Project is a Specific Plan that includes a circulation plan to guide future construction of internal roadways. The circulation plan addresses vehicular circulation, non-motorized circulation, traffic calming, drainage crossings, and public transportation. The Specific Plan contains the general alignment and street cross sections for all key roadways as well as an infrastructure implementation component. Adherence to the Specific Plan general street alignments and street cross-sections and other applicable City requirements for the construction of streets would ensure the proposed Project would not include any sharp curves, dangerous intersections, or other design hazards. Therefore, the Project would not increase hazards to a design feature and would result in a less than significant impact. No mitigation is required.

Temporary impacts associated with the construction of the proposed Project may temporarily restrict vehicular traffic or cause temporary hazards.

Construction operations would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road or lane closures. Site-specific activities, such as temporary construction activities, are finalized on a project-by-project basis by the City and are required to ensure adequate traffic flow. **Mitigation Measure MM-TR-4** shall be implemented which requires the applicant to submit a traffic control plan (TCP) prior to construction for any phase of development for approval by the City Engineering Department. Said TCP shall contain, at a minimum, standards for: lane closures, detouring, qualifications of work crews, duration of the plan and signing. With the incorporation of **MM-TR-4**, any potential impacts will be reduced to a less than significant level.

At the time of approval of any site-specific development plans required for the construction of infrastructure as a part of the Specific Plan's infrastructure implementation element or other typical conditions of approval, the Project would be required to implement Mitigation Measure **MM-TR-5**, that would maintain traffic flow and access on each Project development phase. Such measures include may include, but not be limited to: design of streets in accordance with all applicable City

requirements for street widths, corner radii, and intersection control. No operation-related roadway design hazards are anticipated.

Therefore, a less than significant impact would occur during Project construction with mitigation incorporated. (Draft EIR, pp. 4.14-57—4.14-58.)

MM-TR-4 Prior to any construction on the Project site, the Project applicant shall submit a traffic control plan (TCP) to the City Engineering Department for review and approval. Said TCP shall be prepared for any subsequent implementing project and will contain, at a minimum, the following: lane closures, detouring, qualifications of work crews, duration of the plan and signing.

MM-TR-5 Concurrent with subsequent development projects within the Specific Plan, Sunline Transit District shall be consulted to coordinate the potential for expanded transit/bus service and vanpools and to discuss and implement potential transit turnout locations within the Project area.

The City Council finds that MM-TR-4 and MM-TR-5 are feasible, are adopted, and will further reduce impacts related to design feature hazards. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to design feature hazards, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to design feature hazards. (Draft EIR, pp. 4.14-57 – 4.14-58.)

3. **Emergency Access**

Threshold: Does the Project result in inadequate emergency access?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-58.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Development in accordance with the Specific Plan general street alignments, street cross-sections and other applicable City requirements for the construction of streets shall ensure the proposed Project would not include any sharp curves, dangerous intersections, or other design hazards that might otherwise impede emergency response vehicles.

Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. Site-specific activities such as temporary construction activities would be

required as part of the Specific Plan's infrastructure implementation element and are finalized on a project-by-project basis by the City and are required to ensure adequate emergency access. Such measures are implemented through a construction traffic management plan placed on each Project development phase. **MM-TR-4** shall be implemented which requires the applicant to submit a TCP prior to construction for any phase of development for approval by the City Engineering Department. Said TCP shall contain, at a minimum, standards for: lane closures, detouring, qualifications of work crews, duration of the plan and signing. With the incorporation of **MM-TR-4**, any potential impacts will be reduced to a less than significant level.

Based on the design and construction of roadways to City standards, it is not anticipated that an operational aspect of the Project will create any significant impacts that would result in inadequate emergency access. (Draft EIR, p. 4.140-58.)

The City Council finds that MM-TR-4 is feasible, is adopted, and will further reduce impacts related to emergency access. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to emergency access, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to emergency access. (Draft EIR, p. 4.14-58.)

4. **Alternative Modes**

Threshold: Does the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Finding: Less than significant with mitigation. (Draft EIR, p. 4.14-58.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: As shown on Figure 4.9-2, Existing Transit Facilities in the City, of the General Plan Update Final EIR (2015) (p. 4.9-5), there is no bus service provided adjacent to the Project. **Mitigation Measure TR-5** has been included which requires that concurrent with subsequent development projects within the Specific Plan, Sunline Transit District shall be consulted to coordinate the potential for expanded transit/bus service and vanpools and to discuss and implement potential transit turnout locations within the Project area.

The proposed Project incorporates a network of on- and off-street trail

system within the Project site to promote walkability and reduce vehicle miles traveled within the Project. The system provides for bicycles and pedestrians. Project trails provide connections within the Project site and to destinations off-site. As shown on **Figure 3.4.2-1**, Paseo/Trail System (Figure 5-9 of the Specific Plan), a 10' wide trail is proposed within the Project paseo, which is a minimum of 100' wide. Reference Figure 3.4.2-1, Paseo Detail (Figure 5-10 of the Specific Plan).

The Paseo runs from the Park in PA9, crosses Avenue 47/Polk Street, runs between PAs 6 and 7, crosses Street "A" and dissects PA5. The intent of this Paseo Trail is to:

- Provide an east/west pathway in the Specific Plan;
- Connect to the off-site Class I Bicycle Trail (northeasterly of the Project Site);
- Connect to the park within the Shadow View Project; and
- Provide connectivity to the local streets within the Project.

Bicycle routes are located along Avenue 48, Avenue 47, Polk Street and Street "A". Regional bicycle paths will continue off-site from the project along Avenue 48, Avenue 47 and Polk Street per the City's General Plan

With the incorporation of **MM-TR-5**, the Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Draft EIR, pp. 4.14-58—4.14-59.)

The City Council finds that MM-TR-5 is feasible, is adopted, and will further reduce impacts related to alternative modes of transportation. Accordingly, the City Council finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to alternative modes of transportation, as identified in the EIR. Therefore, impacts are considered less than significant. Mitigation measures will further reduce impacts related to alternative modes of transportation. (Draft EIR, pp. 4.14-58 – 4.14-59.)

SECTION IV
IMPACTS THAN CANNOT BE FULLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council hereby finds that, despite the incorporation of Mitigation Measures identified in the EIR and in these Findings, the following environmental impacts cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. AESTHETICS

1. Visual Character

Threshold: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

Finding: Significant and unavoidable. (Draft EIR, p. 4.2-7.) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Development of the Project site would substantially alter the existing visual character and quality of the site. The existing gently sloping desert and disturbed agricultural land that currently characterizes the Project site would be developed into a master-planned community consisting of residential, mixed-use, commercial, park/recreation, and open space uses, permanently changing the visual character of the Project site.

A majority of the Project traffic will use Avenue 48/Shadow View Drive as the main access roadway and Avenue 47 as a secondary roadway. This results in a total of approximately 11,600' of off-site street improvements. It is anticipated that the Project will be responsible for a 30' paved section of these improvements (the ultimate street section is 118' for Avenue 48 and 90' for Avenue 47), commensurate with the needs/impacts generated by the Project. There will also be a traffic signal installed at Dillon Road and Vista Del Sur.

Construction of the phases of development would include mass grading consistent with **Figure 3.4.2-10, Phasing Plan**, with subsequent grading for individual tracts within the Specific Plan as approved, followed by construction of residential, and commercial, and open space uses. The visual character of the Project would substantially change over what currently exists.

The Specific Plan includes Design Guidelines that are consistent with the visual character of development throughout the City. Design Guidelines within the Specific Plan include architectural guidelines, which specify the architectural style, roof form, materials, structural elements, windows, and ornamentation of the proposed residential buildings. In addition, the design guidelines establish design criteria for nonresidential uses related to form, height, massing, materials, and colors. Further, landscape design guidelines have been included to ensure that landscaping of public spaces is complementary to the proposed development. Subsequent Tentative Tract Maps would be required to adhere to the design guidelines in the Specific Plan. **Standard Condition SC-AES-1** would require the

applicant to provide detailed project plans for architectural review by the City's Planning Commission at the time each Tentative Tract Map and/or Site Plan is submitted. **Standard Condition SC-AES-2** would require the applicant to provide detailed Project landscape plans for review by the City's Planning Department at the time each Tentative Tract Map and/or Site Plan is submitted.

Implementation of this **Standard Conditions SC-AES-1** and **SC-AES-2** would ensure that all development on the project site would be consistent with the City's design requirements in the Specific Plan and would ensure consistency with visual character of existing development within the City.

The Project site is surrounded by existing agricultural uses and vacant land to the west, south and east. I-10 and Vista Del Sur create the northern boundary to the Project. North of I-10 is vacant land, as well as residential, agricultural, and golf course uses. The Coachella Canal is east of the Project site. The proposed development would change the character of the vacant Project site to an urbanized setting. The General Plan designates the project site as Suburban Retail District; Urban; General, and Suburban Neighborhood; and Neighborhood Center. The General Plan acknowledges that the site is slated for development at some point in the future (therefore not considered to be an aesthetic resource in its current undeveloped state), the development of the site as proposed would, nonetheless, result in a substantial change in visual character.

There are no other feasible mitigation measures that can be implemented to reduce potential impacts to changes in visual character from site development to a less than significant level. Project implementation would result in the conversion of the existing undeveloped site to a developed site. While the proposed project would incorporate specific Design Guidelines and Development Standards intended to avoid, reduce, offset, or otherwise minimize identified potential adverse impacts of the Project, development of the Project would not retain the existing visual character of the site. Therefore, Project-related visual character impacts would be significant and unavoidable. (Draft EIR, pp. 4.2-7—4.2-8.)

SC-AES-1 **Architectural Review**. At the submittal of each Project Tentative Tract Map and/or Site Plan, the Project applicant shall submit **detailed** Project plans for architectural review and approval by the City Planning Commission. (Draft EIR, p. 4.2-11.)

SC-AES-2 **Landscape Review**. At the submittal of each Project Tentative Tract Map and/or Site Plan, the Project applicant shall **submit** detailed Project plans **for** landscape review and approval by the City Planning Department, per Chapter 17.36.140 of the City's Municipal Code. (Draft EIR, p. 4.2-12.)

B. AGRICULTURE AND FOREST RESOURCES

1. Conversion of Farmland or Forestland

Threshold: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Finding: Significant and unavoidable impact. (Draft EIR, pp. 4.3-8.) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Portions of the Project site have been used for agricultural purposes from at least 1952 through the present day.

The Project site is surrounded by existing agricultural uses and vacant land to the west, south, and east. I-10 and Vista Del Sur create the northern boundary to the Project. The Coachella Canal is to the east of the Project site.

The Specific Plan Project site currently has the following General Land Use Designation: Entertainment Commercial (C-E). Please reference **Figure 3.4.1-1, Existing General Plan and Zoning Classifications**.

These designations are proposed to be modified in the General Plan to the designation of Specific Plan through General Plan Amendment No. 14-01.

The Project site is zoned with the following classifications: General Commercial (C-G), Residential Single-Family (R-S), and Manufacturing Service (M-S) zoning designations. Reference **Figure 3.4.1-1, Existing General Plan and Zoning Classifications**.

Reference **Figure 3.4.1-1, General Plan and Zoning Classifications, Figure 3.4.1-2, Proposed General Plan Amendment Exhibit, and Figure 3.4.1-3, Proposed Change of Zone Exhibit**.

The proposed Change of Zone and Specific Plan will rezone the Project site to Specific Plan.

The surrounding General Plan Land Use designations and zoning classifications are as shown on **Table 4.3.4-1, Surrounding General Plan Land Use Designations and Zoning Classifications**. (Draft EIR, pp. 4.3-8—4.3-9.)

Table 4.3.4-1 illustrates that the General Plan Land Use Designations for the properties surrounding the Project site are planned for suburban and urban forms of development. No agriculturally General Plan Land Use

designated lands are on the Project site, or to the north, south, east, or west. The zoning classifications on the current City Zoning Map do show agricultural classifications; however, it should be noted that they are not consistent with the General Plan and will require a zoning amendment when development is proposed on these parcels.

The General Plan Update Final EIR (2015) states that one of the most effective ways to address such indirect impacts is through the provision of buffers and right-to-farm policies that protect agricultural operations from urban impacts. The General Plan Update Final EIR (2015) presents numerous goals and policies that would help to minimize direct and indirect impacts to agricultural resources. Specifically, policies 10.8 and 10.9 in the Sustainability and Natural Resources Element address the issue of indirect impacts.

- 10.8 Buffers between agriculture and urban uses. Require new developments, whether they are new urban or new agricultural uses, in which urban and agriculture uses would be adjacent to maintain a protective buffer that ensures land use conflicts do not occur.
- 10.9 Right to Farm. Support the right of existing farms to continue operations.

Policy 10.8 would be a critical policy for mitigating the indirect impacts to farmland from adjacent urban uses by requiring the establishment of a buffer between urban and agricultural uses whenever development permits are issued for land projects that would create an urban-agricultural adjacency. No such buffering is proposed with the Project, because the ultimate vision for the Project site, and immediate environs, is a suburban and urban land development pattern – not agriculture. Therefore, in the Project will result in a significant and unavoidable impact as it pertains to the adjacent parcels which currently have on-going agricultural activities.

The Project is subject to Assembly Bill 2881 – Right-to-Farm Disclosure, as discussed above. If the Project is developed before the surrounding parcels, then potential impacts can occur. **Standard Condition SC-AG-1** presented below, requires disclosures as part of all home sales transaction(s) to future residents that the property is located within 1 mile of farmland as designated on the most recent Important Farmland Map.

SC-AG-1 The Project applicant shall comply with Assembly Bill 2881. Disclosure shall be provided prior to the close of escrow on the sale of individual homes. This shall be obtained by including the following disclosures on the title report: “The property is located within 1 mile of farmland as designated on the most recent Important Farmland Map.”

With inclusion of **Standard Condition SC-AG-1**, above, any impacts will

be reduced; however, as stated above, until such time that the adjacent properties are developed with suburban and urban scale development, impacts will remain significant and unavoidable. In the long-term, impacts will be considered less than significant.

There are no forest lands on the Project site. No impacts will result in conversion of forest land to non-forest use.

2. Prime Farmland

Threshold: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.3-11.) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Surficial soils at the Project site are included in the Carsitas-Myoma-Carrizo and Gilman-Indio-Coachella Associations and soil types mapped on the site include Coachella fine sand (CrA), Gilman fine sandy loam (GcA), Myoma fine sand (MaB) and minor amounts of Carsitas cobbly sand (ChC), reference **Figures 4.5.2-2, Soils Map** and **4.7.2-1, Soils Map**. Except for the latter, these soil types are considered prime farmland if properly irrigated and drained.

Accordingly, the General Plan Update Final EIR (2015) (Figure 3-6: Prime Farmland and Farmland of Local Importance), and the Riverside County Land Information System, both identify the Project (on-site and off-site components) as consisting of Farmland of Local Importance, Prime Farmland, and Other Lands (not designated as farmland), reference **Figure 4.3.4-1, Farmland Types**.

The Project will convert these lands to non-agricultural use. The existing General Plan Land Use designation for the Project is Entertainment Commercial (C-E).

The Coachella General Plan Update (2015) identifies agriculture as an integral part of the City's identity and economic future; however, it also recognizes the need to diversify land uses within the City's planning area to accommodate future growth, housing needs and job creation. To efficiently plan and manage the City's growth, the land use plan (Figure 4-24 of the General Plan) divides the City into 17 distinct subareas, reference **Figure 4.3.4-2, General Plan Subareas Map**. The Project is

located in Subarea 11, Commercial Entertainment District, which is located at the junction of Interstate 10 and State Route 86S, an area with exceptional regional accessibility and visibility to motorists traveling the adjacent highways. The City envisions that this area will contain much of the new development that attracts visitors to Coachella, including destination retail, hotels and resorts, and entertainment uses.

The General Plan Update (2015) land use designations for the Project (on-site and off-site components) are Suburban Retail District, Urban, General, and Suburban Neighborhood, and Neighborhood Center, therefore; it has been anticipated by the City that urbanization is planned and will ultimately occur in the Project vicinity. Although the Project is proposing uses that are somewhat different than the current land use designations, they are still urban/suburban, not agricultural in nature, and consistent with the City's vision of development within the Project area.

Direct impacts to farmland include the removal of farmland from agricultural production through the development of non-agricultural uses on the land. The Project will result in the conversion of approximately 275 acres of farmland (including the active vineyard use) to urban uses. This impact is considered significant and unavoidable. No mitigation is feasible. (Draft EIR, pp. 4.3-10—4.3-11.)

C. AIR QUALITY

1. Air Quality Plans

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Significant and unavoidable impact. (Draft EIR, pp. 4.4-44, 4.4-46.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: **Operational Air Quality Emissions Impact**

Regional Operational Emissions

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources involving any project-related changes. The stationary source emissions would come from additional natural gas consumption for on-site buildings and electricity for the lighting in the buildings and at the parking area. Based on trip generation factors included in the traffic study, long-term operational emissions associated with the proposed Project, calculated with the CalEEMod model, are shown in **Table 4.4.4-8, Regional Significance—Operational Emissions**. Area sources include architectural coatings, consumer products, and landscaping. Energy sources include natural gas consumption for heating.

Table 4.4.4-8 shows that when the Project is fully operational, the Project would exceed SCAQMD regional thresholds for VOC, NO_x, and CO. Even with the incorporation of **MM-AQ-10** through **MM-AQ-13** the Project would have a significant and unavoidable impact. (Draft EIR, pp. 4.4-44.)

Air Quality Management Plan Consistency

An AQMP describes air pollution control strategies to be taken by a city, county, or region classified as a nonattainment area. The main purpose of an AQMP is to bring the area into compliance with federal and State air quality standards. CEQA requires that certain proposed projects be analyzed for consistency with the AQMP. For a project to be consistent with the AQMP adopted by the SCAQMD, the pollutants emitted from the project should not exceed the SCAQMD daily threshold or cause a significant impact on air quality, or the project must already have been included in the AQMP projection. However, if feasible mitigation measures are implemented and shown to reduce the impact level from significant to less than significant, a project may be deemed consistent with the AQMP. The AQMP uses the assumptions and forecast projections of local planning agencies to determine control strategies for regional compliance status. Since the AQMP is based on the local General Plan Update (2015), projects that are deemed consistent with the General Plan Update (2015) are found to be consistent with the AQMP.

The Project will be required to follow the Coachella Valley PM₁₀ State Implementation Plan which outlines additional emission reduction measures associated with Rule 403.1. **SC-AQ-1** is required to remain consistent to the Coachella Valley PM₁₀ State Implementation Plan.

The proposed Project's emissions exceed the regional significance thresholds, even with mitigation measures, and would therefore be considered significant and unavoidable. (Draft EIR, p. 4.4-46.)

2. Criteria Pollutants

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

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.4-47.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Projects could contribute to an existing or projected air quality exceedance because the South Coast Air Basin (SoCAB) is currently in nonattainment for O₃, PM₁₀, and PM_{2.5}. With regard to determining the significance of the cumulative contribution from the Project, the SCAQMD recommends that any given project's potential contribution to cumulative impacts be assessed using the same significance criteria as for project-specific impacts. Therefore, individual projects that do not generate operational or construction emissions that exceed the SCAQMD's daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the air basin is in nonattainment and therefore would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable. As previously noted, the Project will not exceed the applicable SCAQMD regional thresholds for construction (with mitigation incorporated); however, the Project will exceed the applicable SCAQMD regional thresholds for operational-source emissions. The proposed Project's emissions exceed the regional significance operational thresholds, even with mitigation measures, and would therefore be considered significant and unavoidable. (Draft EIR, p. 4.4-47.)

D. TRANSPORTATION / TRAFFIC

1. Plans, Policies, and Ordinances

Threshold: Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation n including mass transit and non-motorized travel and relevant components

of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Finding: Significant and unavoidable. (Draft EIR, p. 4.14-31.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (State CEQA Guidelines, section 15091(a)(2).)

Explanation:

Intersection Level of Service for Project Completion (Year 2022) With Project Conditions

Intersection levels of service for the existing network with background growth, and the proposed Project are shown in **Table 4.14.4-7, Intersection Analysis for Project Completion (Year 2022) With Project Conditions**. As shown in **Table 4.14.4-7**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact.

For the Project Completion (Year 2022) With Project traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours, with the exception of the following intersections that are expected to operate at an unacceptable Level of Service during peak hours without mitigation:

- Tyler Street at Avenue 47; and
- SR-86 at Avenue 50.

It should be noted that improvements for existing plus Project conditions include roadway construction and traffic control which will be part of the Project design. The analysis software used for the TIS cannot calculate LOS for uncontrolled intersections or nonexistent roads, and thus a "without mitigation" scenario is not applicable in this case.

With implementation of intersection improvements as mitigation measures, shown in **Table 4.14.4-8, Intersection Mitigation for Project Completion (Year 2022) With Project Conditions**, all study area intersections are projected to operate at LOS D or better in the Project Completion (Year 2022) With Project peak hour conditions.

This is reflected in **Mitigation Measure MM-TR-2**, which requires the Project applicant (prior to the 1st occupancy) to complete several specific intersection improvements. Although implementation of the improvements defined in **MM-TR-2** would reduce the significant impacts, the City cannot control the timing of when the intersection improvement for the location on Caltrans facilities (SR-86 and Avenue 50) is implemented. For this reason, even with implementation of **MM-TR-2**, impacts would remain significant and unavoidable at this location. (Draft EIR, pp. 4.14-31--4.14-35.)

MM-TR-2 For Project Completion (Year 2022) With Project Conditions, the Project applicant is required to make the following improvements at the following intersections (prior to the 1st occupancy):

- Tyler Street and Avenue 47:
 - Install NB left-turn lane.
 - o Install NB thru-turn lane.
 - o Install SB left-turn lane.
 - o Install SB thru-turn lane.
 - o Install EB left-turn lane.
 - o Install EB thru-turn lane.
 - o Install WB left-turn lane.
 - o Install WB thru-turn lane.
- Intersection of SR-86 and Avenue 50:
 - o Install a traffic signal.

Project Completion (Year 2022) With Project and Cumulative Projects Traffic Volumes

Project Completion (Year 2022) With Project and Cumulative Projects traffic conditions include existing traffic volumes on surrounding roadways, Project traffic, cumulative projects traffic, and area wide growth. The AM and PM peak hour intersection turning movement volumes and average daily traffic are shown on **Figure 4.14.4-27, Project Completion (Year 2022) With Project and Cumulative Project Traffic Volumes**.

Intersection Level of Service for Project Completion (Year 2022) With Project and Cumulative Projects Conditions Intersection levels of service for the existing network with background growth, and the proposed Project are shown in **Table 4.14.4-10, Intersection Analysis for Project Completion (Year 2022) With Project and Cumulative Conditions**. As shown in **Table 4.14.4-10**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact. For the Project Completion

(Year 2022) With Project and Cumulative Projects traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours, with the exception of the following intersections that are expected to operate at an unacceptable Level of Service during peak hours without mitigation:

- Dillon Road at I-10 WB Ramps;
- Dillon Road at I-10 EB Ramps;
- Dillon Road at Shadow View Boulevard;
- Dillon Road at SR-86 NB Ramps;
- Dillon Road at SR-86 SB) Ramps;
- Dillon Road at Avenue 48;
- Tyler Street at Avenue 47;
- Tyler at Avenue 48;
- Tyler Street at Avenue 50;
- SR-86 at Avenue 50; and
- Polk Street at Avenue 50.

It should be noted that improvements for existing plus Project conditions include roadway construction and traffic control, which will be part of the Project design. The analysis software used for the TIS cannot calculate LOS for uncontrolled intersections or nonexistent roads, and thus a "without mitigation" scenario is not applicable in this case.

With payment of fair-share contribution to intersection improvements as mitigation measures, all study area intersections are projected to operate at LOS D or better in the Project Completion (Year 2022) With Project and Cumulative Projects peak hour conditions.

This is reflected in **Mitigation Measure MM-TR-3**, which requires the Project applicant (prior to the 1st occupancy) to make a fair-share contribution for several improvements, as shown on Draft EIR **Table 4.14.4-12, Project Fair-Share Intersection Contribution for Project Completion (Year 2022) With Project and Cumulative Conditions**. It should be noted that improvements required under **Mitigation Measures MM-TR-1** and **MM-TR-2** will not require a fair-share contribution in addition to the physical improvements for the following intersections listed in **Table 4.14.4-12**.

Although payment of fair-share contribution to the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, even with implementation of **MM-TR-3**, impacts would remain significant and unavoidable at these locations. (Draft EIR, p. 4.14-37--4.14-45.)

MM-TR-3 For Project Completion (Year 2022) With Project and Cumulative Projects Conditions, the Project applicant shall make a fair-share contribution for the following improvements at the following intersections, as shown on Table 4.14.4-12 [of the Draft EIR] (prior to the 1st occupancy):

- Dillon Road and I-10 WB Ramps: 13.5%
 - Install Traffic Signal
- Dillon Road and I-10 EB Ramps: 17.94%
 - Install Traffic Signal
- Dillon Road and Shadow View Boulevard: 20.86%
 - Install Two (2) NB right-turn lanes
 - Install NB right-turn overlap phase
 - Install One (1) additional SB left-turn lane
 - Install One (1) additional WB left-turn lane
 - Install WB right-turn overlap phase
- Dillon Road and SR-86 NB Ramps 22.83%
 - Install One (1) additional NB thru lane
- Dillon Road and SR-86 SB Ramps 24.14%
 - Install One (1) additional NB thru lane
 - Install One (1) additional NB right-turn lane
- Dillon Road and Avenue 48: 23.96%
 - Install One (1) additional EB right-turn lane
 - Install One (1) additional WB right-turn lane
- • Tyler Street and Avenue 47: 48.34%
 - Install Traffic Signal
 - Install One (1) additional NB left-turn lane
- Tyler Street and Avenue 48: 32.62%
 - Install Traffic Signal
 - Install NB left-turn lane
 - Install NB thru lane
 - Install SB left-turn lane
 - Install SB thru lane
 - Install EB left-turn lane
 - Install EB thru lane
 - Install WB left-turn lane
 - Install WB thru lane
- Tyler Street at Avenue 50: 13.82%
 - Install Traffic Signal
 - Install Three (3) NB left-turn lanes
 - Install One (1) additional SB thru lane
 - Install Two (2) additional SB right-turn lanes
 - Install SB right-turn overlap phase
 - Install Two (2) EB left-turn lanes
 - Install Two (2) EB right-turn lanes
 - Install EB right-turn overlap phase
- SR-86 and Avenue 50: 13.59%

- Install One (1) additional NB thru lane
- Install Two (2) additional SB right-turn lanes
- Install Two (2) additional EB left-turn lanes
- Install One (1) additional EB thru lane
- Install One (1) EB right-turn lane
- Install One (1) WB right-turn lane
- Install One (1) additional WB thru lane
- Improve signal phasing to protected east/west
- Polk Street at Avenue 50: 3.33%
 - Install Traffic Signal
 - Install NB left-turn lane
 - Install NB thru turn lane
 - Install SB left-turn lane
 - Install SB thru turn lane
 - Install EB left-turn lane
 - Install EB thru turn lane
 - Install WB left-turn lane
 - Install WB thru turn lane

Intersection Level of Service for General Plan Buildout (Year 2035) With Project Conditions

Intersection levels of service for the General Plan Buildout (Year 2035) With Project conditions are shown in **Table 4.14.4-16, Intersection Analysis for General Plan Buildout (Year 2035) With Project Conditions**. As shown in **Table 4.14.4-16**, HCM calculations are based on the existing intersection geometrics and the intersection geometrics necessary to mitigate the Project impact.

For the General Plan Buildout (Year 2035) With Project traffic conditions, all study area intersections are expected to operate at Level of Service D or better during the peak hours, with the exception of the following intersections that are expected to operate at an unacceptable Level of Service during peak hours without mitigation:

1. Dillon Road at I-10 WB Ramps;
2. Dillon Road at I-10 EB Ramps;
4. Dillon Road at Shadow View Boulevard;
5. Dillon Road at SR-86 NB Ramps;
6. Dillon Road at SR-86 SB Ramps;
7. Dillon Road at Avenue 48;
10. Tyler Street at Avenue 47;
11. Tyler at Avenue 48;
12. Tyler Street at Avenue 50;
13. SR-86 at Avenue 50; and
18. Polk Street at Avenue 50.

With implementation of intersection improvements as mitigation measures, all study area intersections are projected to operate at LOS D or better in the General Plan Buildout (Year 2035) With Project peak hour conditions. These improvements are reflected in **MM-TR-3**, which requires the Project applicant (prior to the 1st occupancy) to make a fair-share contribution for the following improvements at the following intersections, as shown on **Table 4.14.4-12**.

Although implementation of the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, even with implementation of **MM-TR-3**, impacts would remain significant and unavoidable at these locations. Lastly, it should be noted that the Project fair-share contribution is lower for the General Plan Buildout (Year 2035) With Project Conditions than the Project Completion (Year 2022) With Project and Cumulative Conditions. However, the payment of fair-share contribution was made prior to the 1st occupancy. (Draft EIR, pp. 4.14-51—4.14-54.)

2. Congestion Management Programs

Threshold: Does the Project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Finding: Significant and unavoidable. (Draft EIR, p. 4.14-56.) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (State CEQA Guidelines, section 15091(a)(2).)

Explanation: The CMP utilizes a LOS standard of LOS E, except for non-exempt locations where the standard is LOS F. The Project intersection impact analyses discussed above as part of the discussion contained under Threshold a, above, is based on the more restrictive LOS D standards from the local jurisdiction in which the intersection is located (City of Coachella). The CMP system in the City of Coachella Valley includes SR-111, SR-86, and I-10.

According to **Table 4.14.4-4, Intersection Analysis for Existing Plus Project Conditions**, shows that no impacts will occur to study area intersections on SR-111, SR-86, or I-10 that would cause these intersections to operate at less than CMP LOS E standard. No impacts are anticipated.

Table 4.14.4-7, Intersection Analysis for Project Completion (Year 2022) With Project Conditions, shows three study area intersections on SR-111, SR-86, or I-10 are not forecast to operate at less than the CMP LOS E standard in the Project Completion (Year 2022) With Project Conditions with the incorporation of **Mitigation Measure TR-2**.

Table 4.14.4-10, Intersection Analysis for Project Completion (Year 2022) With Project and Cumulative Conditions, shows two study area intersections (SR-86 and I-10) are forecast to operate at less than the CMP LOS E standard in the Project Completion (Year 2022). Because the proposed Project causes the LOS to fall below the standard or causes further degradation at these intersections, this is considered to be a Project direct significant impact and mitigation is required. Mitigation for this significant impact is provided in **MM-TR-3**. Although implementation of the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities are implemented. For this reason, even with implementation of **MM-TR-3**, impacts would remain significant and unavoidable at these locations. SR-111 operates at an acceptable LOS. No mitigation is required.

Table 4.14.4-16, Intersection Analysis for General Plan Buildout (Year 2035) With Project Conditions, shows two study area intersections (SR-86 and I-10) are forecast to operate at less than the CMP LOS E standard in the General Plan Buildout (Year 2035) With Project Conditions. Because the proposed Project causes the LOS to fall below the standard or causes further degradation at these intersections, this is considered to be a Project direct significant impact and mitigation is required. Mitigation for this significant impact is provided in **MM-TR-3**. Although implementation of the improvements defined in **MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities are implemented. For this reason, even with implementation of **MM-TR-3**, impacts would remain significant and unavoidable at these locations. SR-111 operates at an acceptable LOS. No mitigation is required.

Mitigation for this significant impact is provided in **Mitigation Measures MM-TR-2** and **MM-TR-3**. Although implementation of **Mitigation Measures MM-TR-2** and **MM-TR-3** would reduce the significant impacts by requiring the Project's fair share contribution in the form of DIF and TUMF fee payments towards the future intersection

improvements, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. TUMF is included as **Standard Condition SC-TR-1**. For this reason, even with implementation of **Standard Condition SC-TR-1**, and **Mitigation Measures MM-TR-2** and **MM-TR-3**, cumulative impacts would remain significant and unavoidable at these locations. (Draft EIR, pp. 4.14-56—4.14-57.)

SECTION V **CUMULATIVE IMPACTS**

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

AESTHETICS RESOURCES

Development of the proposed Project will contribute to the change of the general area with an intensification of development substantially greater than that which presently occurs on the site or in the surrounding vicinity. There will be an associated change in views, both to and from the Project site, and due to this Project's contribution to the change in the area pastoral landscape, this change in scenic views has been identified as cumulatively considerable and an unavoidable significant adverse impact if this Project is developed before any of the other proposed development in the area. The proposed Project modifications to the onsite landscape were not identified as being a significant adverse aesthetic/visual impact. Since the proposed Project makes a cumulatively considerable contribution to the cumulative change that will be experienced at this location, it is considered to cause/contribute to a cumulatively significant adverse impact. (Draft EIR, p. 6-4.)

AGRICULTURE AND FOREST RESOURCES

The Project is consistent with the adopted General Plan Update (2015) and impacts on agricultural resources were determined to be significant and unavoidable as a result of the Project. Cumulative impacts to agricultural resources were determined to be adequately evaluated in the General Plan Update Final EIR (2015) and, therefore, pursuant to §15152(f)(1), cumulative impacts to agricultural resources are treated as significant for purposes of this EIR, consistent with the General Plan Update Final EIR (2015). (Draft EIR, p. 6-4.)

AIR QUALITY/GREENHOUSE GAS

The City of Coachella's Climate Action Plan provides direction on how the City plans to achieve a 15% reduction below 2010 (per service population) emissions by 2020. Projects that do not exceed 3,000 MTCO_{2e} per year will be consistent with the GHG Plan with the incorporation of **MM-AQ-10** through **MM-AQ-13** and the planting of approximately 2,406 new trees, the Project's emissions would be reduced to 3.27 MTCO_{2e}/SP/yr., which meets the threshold. Therefore, operation of the proposed Project would not create a significant cumulative impact to global climate change.

BIOLOGICAL RESOURCES

With the incorporation of standard conditions and mitigation, the Project will not cause adverse cumulative effects related to the reduction of sensitive vegetation communities present in Riverside County because there are no such species located within the Project area and the Project can be implemented consistent with the criteria identified in the CVMSHCP.

Because the proposed Project and the cumulative projects in the Coachella Valley would comply with the CVMSHCP, and the CVMSHCP and its associated EIR/EIS have analyzed cumulative impacts within the region of the proposed project under CEQA, NEPA, CESA, and FESA, cumulative impacts to biological resources associated with the proposed Project have been previously considered and analyzed. It was determined in the EIR/EIS that cumulative impacts to biological resources would be less than significant through the implementation of the CVMSHCP.

The proposed Project and any other future public or private projects are subject to CVMSHCP compliance including the payment of fees (see SC-BIO-1), which helps cover the cost of acquiring habitat and implementing the CVMSHCP and, therefore, any cumulative impacts on biological resources are less than significant. (Draft EIR, pp. 6-6—6-8.)

CULTURAL RESOURCES

The proposed Project, in conjunction with other development in the City, has the potential to cumulatively impact archaeological and paleontological resources; however, it should be noted that each development proposal received by the City undergoes environmental review pursuant to CEQA. However, with implementation of **MM-CUL-1** through **MM-CUL-5**, the contribution of the Specific Plan to the cumulative loss of known and unknown cultural resources throughout the City would be reduced to below a level of significance. (Draft EIR, pp. 6-8—6-9.)

GEOLOGY AND SOILS RESOURCES

The proposed Project would be required to implement **MM-GEO-1** through **MM-GEO-4**, and comply with applicable State and local requirements, including but not limited to the City of Coachella Building Code and the California Building Code. The proposed Project's individual impacts related to geotechnical constraints are considered less than significant after mitigation. Therefore, the Project's contribution to regional cumulative impacts regarding geotechnical constraints is considered potentially less than significant. (Draft EIR, p. 6-9.)

HAZARDS AND HAZARDOUS MATERIALS

According to the analysis above, with adherence to standard conditions, and mitigation measures, Project impacts will not exceed established thresholds for hazards and hazardous materials. Since the Project is below the established thresholds, cumulative impacts will remain less than significant.

On the other hand, as the City grows, the demand for public service resources to respond

to hazards and hazardous materials grows incrementally. The Project will add to the cumulative demand for such resources.

Each future Project within the Vista Del Agua Specific Plan shall participate in the Development Impact Fee Program as adopted by the City to mitigate a portion of these impacts. This will provide funding for capital improvements such as land, equipment purchases and fire station construction. The Project will contribute incrementally to cumulative impacts related to the need to reduce cumulative effects on Fire Services.

The Project's potentially significant or cumulative considerable impacts to Fire Protection and Emergency Response Services can be reduced to less than significant and payment of fees by all cumulative projects can effectively reduce the overall cumulative impacts to such services. Therefore, cumulative impacts are considered less than significant. (Draft EIR, pp. 6-9—6-10.)

HYDROLOGY AND WATER QUALITY

Each of the cumulative projects, individually and cumulatively, could potentially increase the volume of storm water runoff and contribute to pollutant loading in storm water runoff reaching both the City's storm drain system and the Whitewater River, resulting in cumulative impacts to hydrology and surface water quality. However, as with the proposed Project, each of the cumulative projects would also be subject to NPDES and MS4 Permit requirements for both construction and operation. Each project would be required to develop a SWPPP and WQMPs and would be evaluated individually to determine appropriate BMPs to minimize impacts to surface water quality and vector. These requirements are reflected in **Standard Conditions SC-HYD-1, SC-HYD-2, SC-HYD-3, and SC-HYD-4** (construction general permit, water quality management plans, BMPs, and hydrology reports, respectively), as well as **MM-HYD-1**.

In addition, the City Department of Public Works reviews all development projects on a case-by-case basis to ensure that sufficient local and regional drainage capacity is available. Thus, the Project's contribution to cumulative impacts to hydrology and water quality would be *less than significant*. (Draft EIR, p. 6-10.)

LAND USE AND PLANNING

Implementation of the proposed Project, when considered in conjunction with other existing and planned developments in the Project area, would result in the development of a mostly vacant and undeveloped site. With the incorporation of the CVMSHCP Mitigation Fee (see **SC-BIO-1**), the Project will not conflict with any applicable habitat conservation plan or natural community conservation plan. Cumulative impacts are considered less than significant with incorporation of this standard condition. (Draft EIR, pp. 6-10—6-11.)

NOISE

For the proposed Project, cumulative impacts are the incremental effects of the proposed Project when viewed in connection with the effects of past, current, and potential future projects within the cumulative impact area of the City of Coachella. Because Project impacts are below

established thresholds for these issue areas, when combined with other Projects in the area, it will not result in any cumulative impacts. (Draft EIR, pp. 6-11—6-12.)

POPULATION AND HOUSING

The proposed Project together with other commercial and residential developments within the City will serve an existing demand for employment, while also meeting the cumulative demand of employment that will result from the City's projected future population. These increases for population, housing, and employment would be within the total projected growth forecasts for 2035 by the City. Implementation of the proposed project would not result in a cumulatively significant population or housing impact and the proposed Specific Plan land uses would not significantly induce growth in areas where growth was not previously anticipated. (Draft EIR, p. 6-11.)

PUBLIC SERVICES AND RECREATION RESOURCES

The Project, in conjunction with other developments will result in the incremental increased demands on public services. However, the General Plan Update (2015) proposes multiple strategies and policies to reduce potential cumulative impacts on an individual project basis through the requirement and phasing of infrastructure necessary to support the Project and payment of Development Impact Fees. These General Plan Update (2015) policies, conditions of approval, and payment of development fees will reduce potential incremental impacts on public facilities and ensure the provision of adequate levels of service. Therefore, cumulative impacts would be less than significant.

The proposed Project would also contribute to a cumulative growth in population. However, because the proposed Project includes an amount of parkland and recreational areas that exceeds the minimum requirements of the City either through dedication or payment of in-lieu fees, implementation of the proposed Project would not have a significant cumulative contribution to increased uses and physical deterioration of existing parks and recreational facilities.

Implementation of the proposed Project in combination with cumulative projects in the area would increase use of existing parks and recreation facilities. However, as future residential development is proposed, the City would require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which would contribute to future recreational facilities. Payment of these fees and/or implementation of new parks on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities, or new parks. Therefore, the Project's cumulative contribution impacts to parks and recreation resources would be less than significant. (Draft EIR, pp. 6-12—6-13.)

TRANSPORTATION/TRAFFIC

The Project's contribution to the Transportation Uniform Mitigation Fee (TUMF) program as a fair share contribution is considered sufficient to address the Project's fair share toward a mitigation measure or measures designed to alleviate any potential cumulative impacts. With adherence to standard conditions and mitigation measures, established thresholds related to

transportation/traffic can be mitigated under CEQA. However, even though implementation of the mitigation measures would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, cumulative impacts would remain significant and unavoidable at these locations (Caltrans facilities SR-86, and I-10) with the Project and cumulative projects factored in.

In addition, the cumulative impacts to Dillon Road (I-10 to SR-86 and SR-86 to Highway 111) in 2035 Plus Project condition has been identified as a potentially significant and unavoidable impact because additional widening beyond the General Plan classification is likely infeasible. (Draft EIR, pp. 6-13—6-14.)

UTILITIES AND SERVICE SYSTEMS

According to the Coachella Valley Water District (CVWD), there is an adequate water supply and sewer capacity, respectively, to meet the demand of the Project(s). Water and wastewater management systems are capable of meeting the cumulative demand for these systems. Thus, the Project will not cause cumulatively considerable significant adverse impacts on these systems.

Cumulative impacts to landfill capacity will be less than significant due to the Project construction debris and operational waste representing a less than substantial cumulative increment with adherence to standard conditions. Therefore, due to available capacity and implementation of the above Standard Conditions, which provide for recycling on site to reduce Project operational waste, cumulative impacts to the existing landfills resulting from waste generated by Project implementation are considered less than significant.

Since the project would constitute a small incremental increase of the current residential and commercial customer base and the Project is required to comply with California Code of Regulations Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings (see **Standard Condition SC-UTIL-6**) and be served by existing service and transmission lines within and around the Project area, this Project's cumulative energy impacts are concluded to a less than significant cumulative impact.

As previously stated, the analysis of cable, telephone and internet services is defined as the service territory for Time Warner Cable and Verizon. Both Time Warner Cable and Verizon would extend current facilities to meet project service demands. As these services are not operating above capacity, these service providers are anticipated to meet communication demands associated with past, present, and future development within the project area. Therefore, no cumulative impacts related to cable, telephone, and internet service will occur due to Project implementation. (Draft EIR, p. 6-14.)

SECTION VI **FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL** **CHANGES**

Sections 15126(c) and 15126.2(c) of the CEQA Guidelines, require that an EIR address any significant irreversible environmental changes that would occur should the project be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources is not justified.

Development of the Project would cause an irretrievable commitment to the change of the general area with an intensification of development substantially greater than that which presently occurs on the site or in the surrounding vicinity. In particular, there will be an associated change in views, both to and from the Project site, and due to this Project's contribution to the change in the area pastoral landscape, this change in scenic views would result in significant and unavoidable impacts to aesthetics. Furthermore, the Project site and the immediate surrounding area are relatively undeveloped with little to no existing light sources, and thus the Project is anticipated to introduce a substantial amount of light and glare sources, where none previously existed, resulting in a significant adverse impact. (Draft EIR, p. 6-2.)

Conversion of the Project site from vacant land to residential, commercial and open space uses will permanently remove the potential for the land to be farmed in the future, resulting in significant unavoidable impacts to agriculture and forest resources. (Draft EIR, p. 6-2.)

Once the Project is fully operational, the Project is anticipated to exceed SCAQMD regional thresholds, even with the incorporation of mitigation measures. Thus, the Project is anticipated to have significant unavoidable impacts to air quality. (Draft EIR, pp. 6-2—6-3.)

With adherence to **Standard Condition SC-TR-1** and incorporation of **Mitigation Measures MM-TR-1** through **MM-TR-5**, established thresholds related to transportation/traffic can be mitigated under CEQA. However, even though implementation of the improvements defined in **Mitigation Measure MM-TR-3** would reduce the significant impacts, the City cannot control the timing of when the intersection improvements for the locations on Caltrans facilities (SR-86, and I-10) are implemented. For this reason, even with implementation of **MM-TR-3**, cumulative impacts would remain significant and unavoidable at these locations (Caltrans facilities (SR-86, and I-10) with the Project and cumulative projects factored in. In addition, the cumulative impacts to Dillon Road (I-10 to SR-86 and SR-86 to Highway 111) in 2035 Plus Project condition has been identified as a potentially significant and unavoidable impact because additional widening beyond the General Plan classification is likely infeasible. (Draft EIR, p. 6-3.)

SECTION VII **GROWTH-INDUCING IMPACTS**

Section 15126.2(d) of the State CEQA Guidelines requires a Draft EIR to discuss the ways the Project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. In accordance with State CEQA Guidelines Section 15126.2(d), a Project would be considered to have a growth-inducing effect if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Tax existing community service facilities, requiring the construction of new facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

In addition, CEQA Guidelines that that growth inducement must not be assumed.

The proposed Project together with other commercial and residential developments within the City will serve an existing demand for employment, while also meeting the cumulative demand of employment that will result from the City's projected future population. These increases for population, housing, and employment would be within the total projected growth forecasts for 2035. In addition, implementation of the proposed project would be consistent with the City's vision of the Project site because the existing General Plan Update (2015) designation for the site is "Specific Plan." Implementation of the proposed Project would not result in a cumulatively significant population or housing impact and the proposed Specific Plan land uses would not significantly induce growth in areas where growth was not previously anticipated. Therefore, the Project is not considered growth inducing. (Draft EIR, p. 6-1.)

SECTION VIII **ALTERNATIVES**

A. BACKGROUND

The Draft EIR analyzed three alternatives to the Project as proposed and evaluated these alternatives for their ability to avoid or reduce the Project's significant environmental effects while also meeting the majority of the Project's objectives. The City finds that it has considered and rejected as infeasible the alternatives identified in the EIR and described below. This section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the Project objectives, as required by CEQA.

Where significant impacts are identified, section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

- (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

- (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

- (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or

substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

B. PROJECT OBJECTIVES

The following objectives have been established for the Project (Draft EIR, p. 5-1):

1. Create a distinctive “sense of community” unifying areas through high quality design criteria and utilizing the natural surroundings;
2. High Connectivity - Implement an aesthetically pleasing and functional community concept by integrating community areas, residential areas, parks and commercial areas through connection of walkways, paseos and trails;
3. Provide community focus areas within walking distance between neighborhoods;
4. Provide a balanced mix of economically viable commercial and residential land uses that will promote local job creation;
5. Provide a transition blend of rural and suburban lifestyles; and
6. Provide a diverse mix of housing options.

C. ALTERNATIVES CONSIDERED BUT REJECTED FROM DETAILED ANALYSIS

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency’s determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternatives were considered but rejected as part of the environmental analysis for the Project.

1. **Desert Lakes Property (Alternative Project Site):** The 1,500 ac Desert Lakes property on the north side of I-10 between Polk Street and Lincoln Street was considered as an alternative site. This alternative site would still need infrastructure to be brought up through La Entrada to get potable water and sewer flows to the Coachella Waste Water Treatment Plant at Avenue 54 and Polk Street. However, this alternative location was dismissed from further analysis because it is not under the control of the applicant and is considerably large in

size than the proposed Project. Analysis of this alternative site is therefore not feasible. (Draft EIR, p. 5-2.)

2. **Shadow View Area (Alternative Project Site):** The 750 ac Shadow View Specific Plan property and land adjacent to that property was considered. The Shadow View area is bounded on the west by the 86-S Expressway and Dillon Road, on the north by I-10, on the east by the Coachella Canal, and on the south by Avenue 50.” However, this alternative location was also dismissed from further analysis because it is not under the control of the applicant and is considerably larger in size than the proposed Project. Analysis of an alternative site is therefore not feasible. (Draft EIR, p. 5-2.)

Finding: The City Council rejects both the Desert Lakes Property and the Shadow View Area Alternative Sites, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative sites do not avoid any significant and unavoidable impacts, (2) the alternative sites would likely not further reduce any of the proposed project’s significant impacts; and (3) the alternative sites are technically, financially, and legally infeasible given that the Project Applicant does not own other land that would accommodate the proposed Project. Therefore, the Desert Lakes Property and the Shadow View Area Alternative Sites are eliminated from further consideration.

D. EVALUATION OF ALTERNATIVES SELECTED FOR ANALYSIS

The alternatives selected for further detailed review within the EIR focus on alternatives that could the Project’s significant environmental impacts, while still meeting most of the basic Project objectives. Those alternatives include:

- **Alternative 1: No Project/No Build Alternative** (Draft EIR, pp. 5-3 to 5-13)
- **Alternative 2: Reduced Residential Density Alternative** (Draft EIR, pp. 5-13 to 5-17)
- **Alternative 3: Vista del Sur Access Alternative** (Draft EIR, pp. 5-18 to 5-21)

1. Alternative 1: No Project/No Build Alternative

Description: Under Alternative 1, the Project would not be constructed, and the Project site would remain in its current undeveloped condition. No new development would occur on the site, and no ground-disturbing activities would be undertaken, although it is likely the site will ultimately be developed in the future since the General Plan Update (2015) envisions change in this area. (Draft EIR, p. 5-12.)

Impacts: Alternative 1 would reduce all the significant and unavoidable impacts occurring under the Project to no impact or levels that are less than significant, including with respect to aesthetics, agriculture, operational air quality emissions, and transportation/traffic because the site would not be developed. (Draft EIR, pp. 5-3-5-13.) Alternative 1 would result in greater impacts to land use/planning than the Project

because the existing vacant Project site would remain, which is inconsistent with the General Plan Update (2015) and zoning underlying the Project site. (Draft EIR, p. 5-7.) According to the General Plan Update (2015), the Land Use Designations on the Project site include Neighborhood Center, Suburban Retail District, Urban Neighborhood, General Neighborhood and Suburban Neighborhood (General Plan Update [2015], p. 04-59). The 2013 General Plan Land Use that is used in the Draft EIR has a designation of Entertainment Commercial (Draft EIR, p. 3-12). The current Zoning Classifications are General Commercial, Residential Single-Family, and Manufacturing Service (Draft EIR, p. 3-12). Allowing the site to remain vacant would not achieve development of the land uses envisioned under both the 2013 General Plan and the 2015 General Plan Update, nor would infrastructure be developed consistent with the City's Circulation Element. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020)

Attainment of Project Objectives: Alternative 1 would not meet any of the identified objectives established for the proposed Project. For example, the No Project/No Build Alternative would not create a distinctive “sense of community” by unifying the areas through development, nor will it provide a diverse mix of housing options for the community. Nor would the community be connected or developed with a balanced mix of economically viable commercial and residential land uses. Housing options would not be provided and there would be no transition between rural and suburban lifestyles, as would be created by the Project. None of these Objectives would be met under Alternative 1. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020)

Feasibility: Allowing the site to remain vacant would not achieve development of the land uses envisioned under both the 2013 General Plan and the 2015 General Plan Update, nor would infrastructure be developed consistent with the City's Circulation Element. Alternative 1 would also not provide a reasonable development expected, and planned for, by the City. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020)

Finding: The City Council rejects Alternative 1: No Project, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives; (2) the alternative is infeasible.

2. **Alternative 2: Reduced Residential Density Alternative (RRDA)**

Description: A Reduced Density Residential Alternative (RRDA) was chosen to address significant unavoidable impacts associated with implementation of the Project. Unlike the Project that proposes up to 1,640 dwelling units within seven Planning Areas, the RRDA assumes that a total of 909 dwelling units will be developed overall. For purposes of analysis this alternative assumes that the all 216.48 acres of residential acreage

development will be developed at 4.2 dwelling units per acre under the RRDA. (Draft EIR, p. 5-13.)

Impacts: The RRDA will result in similar significant and unavoidable aesthetic and agricultural impacts as that of the Project because the Project development overall footprint will be assumed to remain the same, and the scale and amount of development would be comparable. (Draft EIR, pp. 5-13—5-14.) However, it would reduce the Project's significant and unavoidable air quality and transportation impacts. Impacts to land use/planning will be greater under the RRDA. On the other hand, RRDA will have reduced air quality/greenhouse gas and transportation/traffic impacts than the proposed Project. (Draft EIR, pp. 5-14, 5-16.)

Attainment of Project Objectives: The reduction of the Project size under the RRDA has a comparable negative effect on the ability of the Project to meet Project costs, i.e. development feasibility and certain Project objectives may not be attained because certain infrastructure improvements may not be feasible. In particular, the RRDA will not meet the following Project objectives:

- High Connectivity - Implement an aesthetically pleasing and functional community concept by integrating community areas, residential areas, parks and commercial areas through connection of walkways, paseos and trails;
- Provide community focus areas within walking distance between neighborhoods;
- Provide a balanced mix of economically viable commercial and residential land uses that will promote local job creation;
- Provide a transition blend of rural and suburban lifestyles; and
- Provide a diverse mix of housing options

(Draft EIR, p. 5-17; Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Furthermore, less fees and funding would be provided through the RRDA to upgrade regional transportation infrastructure, public service and utilities.

Feasibility: The RRDA is inconsistent with the land use designations set forth in the General Plan Update 2015. According to the General Plan Update (2015), the Land Use Designations on the Project site include Neighborhood Center, Suburban Retail District, Urban Neighborhood, General Neighborhood and Suburban Neighborhood (General Plan Update [2015], p. 04-59). Development of 216.48 acres of the site with a density of 4.2 dwelling units per acre does not comply with the current land use designations. Of the residential land use designations underlying the Project site, the largest is the General Neighborhood designation, which permits 7-25 dwelling units per acre with an average of 12 dwelling units per acre for new projects. The RRDA is substantially below this

average. The Urban Neighborhood designation permits 20-35 dwelling units per acre, with a 30 dwelling unit average. The RRDA's 4.2 dwelling units per acre would be inconsistent with this designation. The Suburban Neighborhood designation, making up a smaller portion of the Project site, allows 2-8 dwelling units per acre with a 5 dwelling unit per acre average for new projects. While the RRDA would comport with this designation, it is still below the average number of dwelling units for new projects.

The Project site is located within Subarea 11 – Commercial Entertainment District, as set forth in the General Plan Update 2015. The vision for this subarea provides “a range of residential densities and building types should be encouraged in this subarea, provided they are designed to integrate with the high intensity commercial uses planned for the area. The subarea must also exhibit strong, fine-grained connections to the surrounding neighborhoods of the subarea and the adjacent subareas, allowing community members easy access to shopping and entertainment.” (General Plan Update [2015], p. 04-76.) The RRDA would provide only one type of residential density, not a range of residential densities. Additionally, as set forth above, the reduced number of units in the RRDA would compromise the viability of the commercial areas, limiting future residents' access to shopping and entertainment.

The Policy Direction for Subarea 11 provides for up to 25 percent Suburban Neighborhood in the final designation mix. (General Plan Update [2015], p. 04-76.) Development of 216.48 acres of the Project area as Suburban Neighborhood under the RRDA would compromise the final designation mix set forth in the General Plan Update 2015.

The RRDA would not comply with the current zoning on site, which consists of General Commercial, Residential Single-Family, and Manufacturing Service (Draft EIR, p. 3-12). The RRDA proposes development of 4.2 dwelling units per acre in the area planned for residential uses under the Project. The majority of this acreage is currently designated General Commercial, which does not permit single-family residential uses. Thus, the RRDA is inconsistent with current zoning.

The alternative is economically infeasible because the reduced dwelling units planned under the RRDA would not support a viable mix of commercial uses. Additionally, less fees and funding would be provided through the RRDA to upgrade regional transportation infrastructure, public service and utilities. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Finding: The City Council rejects Alternative 2: Reduced Residential Density Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet most of the Project objectives; (2) the alternative fails to avoid or reduce the Project's significant and unavoidable impacts relating to aesthetics and agriculture and would result in increased impacts relating to land use planning; and (3) the alternative is infeasible.

3. Alternative 3: Vista Del Sur Alternative

Description: The Vista del Sur Alternative (VDSA) is being analyzed in the event that the westerly extension of Avenue 48/Shadow View Boulevard cannot be completed due to the need for the Project applicant to acquire the necessary right-of-way to install this roadway. Vista del Sur is a dedicated City roadway which connects to the northerly extension of Street "A." This alternative would allow for the development of the Project as proposed but with another connection to Dillon Road to the west of the Project site. Under the VDSA scenario, approximately 5,834 linear feet of roadway (at 30' in width) will be constructed. This is in contrast to the Project's westerly extension of Avenue 48/Shadow View Boulevard that would involve 11,600 linear feet of roadway improvements. (Draft EIR, p. 5-18.)

Impacts: The VDSA would not involve the removal of aesthetic resources that would occur under the westerly extension of Avenue 48/Shadow View Boulevard, but all other Project impacts to aesthetic resources would remain the same. Accordingly, aesthetic resource impacts from VDSA would be less than that of the proposed Project but would not completely avoid or reduce the significant and unavoidable aesthetic impacts. (Draft EIR, p. 5-18.) With respect to agricultural resources, the VDSA would have less impacts than the Project because it would not involve the removal of agricultural resources that would otherwise occur under the westerly extension of Avenue 48/Shadow View Boulevard if the proposed Project were to proceed. (Draft EIR, p. 5-18.) However, VDSA would not eliminate or reduce the significant and unavoidable impacts on agricultural resources. Similarly, the VDSA would have reduced air quality impacts than the Project, resulting in a 50% reduction in construction emissions, and less cumulative greenhouse gas emissions, but does not eliminate or reduce the significant and unavoidable air quality/greenhouse gas impacts. (Draft EIR, p. 5-18.)

Finally, VDSA would also have significant and unavoidable transportation/traffic issues. (Draft EIR, p. 5-20.) Thus, implementation of mitigation measures would still be required. The configuration of the intersection of Vista Del Sur and Dillon Road will limit turning movements to and from this intersection, which will further impede traffic circulation and emergency vehicle access. There will be no left-turn movement from southbound Dillon Road to Vista Del Sur. A right-turn movement will be allowed from Dillon Road (northbound) onto Vista Del Sur. Vista Del Sur will only allow for a right-turn movement onto northbound Dillon Road. Under the VDSA, the intersection geometrics will only allow Vista del Sur to serve as secondary access to the Project site. This will actually serve to exacerbate traffic conditions on Dillon Road and at the intersection of Dillon Road and Vista Del Sur. Traffic impacts would be greater due to the inefficient manner in which this intersection will function and the increased number of u-turns that will be required to access the site. This will negatively affect the AM and PM peak hours of this intersection, as well as the Dillon Road segment in proximity of this intersection. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Attainment of Project Objectives: The VDSA meets all of the Project objectives. (Draft

EIR, p. 5-21.)

Feasibility: Alternative 3 does not include Shadowview Boulevard, which is set forth in the City's Circulation Element, as an arterial street (see General Plan, p. O5-7 [Figure 5-1], and p. O5-3 [Table 5-1, Street Typologies]). General Plan Figure 5-1 illustrates that Shadow View Blvd is designated as a Major Arterial with Bicycle Facility (to be developed to a 118-foot right-of-way with six travel lanes) and is planned to connect Dillon Road easterly to Avenue 48.

The intersection geometrics necessary to accommodate Alternative 3 make the alternative infeasible as they lead to an exacerbation of traffic impacts. No left turning movements will be allowed at the intersection of Dillon Road and Vista Del Sur. The increased number of u-turns and inefficient functioning of the intersection will negatively affect the AM and PM peak hours of this intersection, as well as the Dillon Road segment in proximity of this intersection.

Additionally, emergency vehicle access will also be negatively impacted. Emergency vehicles will also be restricted from accessing the Project site via a left turning movement at the intersection of Dillon Road and Vista Del Sur. This could negatively impact response times in the event of an emergency.

Restricted access could result in safety issues for motorists and pedestrians at the Dillon Road and Vista Del Sur intersection due to the increased number of u-turns. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Finding: The City Council rejects Alternative 3: Vista del Sur Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to avoid or reduce the Project significant and unavoidable impacts relating to aesthetics, agriculture, air quality and transportation; and (2) the alternative is infeasible.

4. Alternative 4: Tyler Street Southerly Extension from Avenue 47 to 800' south of Avenue 49 (Primary Access) and Extension of Vista Del Sur to Dillon Road (Secondary Access) Alternative

Description: Alternative 4 is being analyzed for Project access without the need for the development of Shadow View Boulevard (for either primary or secondary access to the Project site). Under Alternative 4, Avenue 47 will be extended westerly from Street "A" to Tyler Street and Tyler Street will be extended southerly to 800' south of Avenue 49 (which will tie into the Caltrans State Route 86/Avenue 50 New Interchange Project). This would serve as the primary access to the Project. Avenue 47 and Tyler Street are dedicated City roadways. This 4th alternative was developed in response to comments. The purpose of this Alternative was to explore an option whereby no portion of the Shadow View Specific Plan, including Shadow View Boulevard would be needed for either primary, or secondary access to the Vista Del Agua Project. Vista Del Sur would

become the secondary access. As discussed above in Alternative 3, No left turning movements will be allowed at the intersection of Dillon Road and Vista Del Sur. Vehicles will be required to drive past this intersection and make a u-turn southerly of this intersection. After the u-turn, Vista Del Sur access will be a right-hand turning movement. Traffic impacts would be greater due to the inefficient manner in which this intersection will function and the increased number of u-turns that will be required to access the site. This will negatively affect the AM and PM peak hours of this intersection, as well as the Dillon Road segment in proximity of this intersection.

Vista Del Sur is a dedicated City roadway which connects to the northerly extension of Street "A." Under the Alternative 4 scenario, approximately 13,721 linear feet of roadway (at 30' in width) will be constructed for Avenue 47, Tyler Street and Vista Del Sur (1,762 feet, 6,125 feet and 5,834 feet, respectively). This is in contrast to the Project's westerly extension of Avenue 48/Shadow View Boulevard that would involve 11,600 linear feet of roadway improvements. (Draft EIR, p. 5-18.)

Impacts: The Project, as well as Alternative 2, involves the westerly extension of Avenue 48/Shadow View Boulevard. Alternative 4 does not. Alternative 3 would not allow the westerly extension of Avenue 48/Shadow View Boulevard but would, instead, rely on Vista Del Sur for primary and secondary access. Alternative 4 would involve the removal of aesthetic resources that would occur under the westerly extension of Avenue 48/Shadow View Boulevard; however, Project impacts to aesthetic resources would remain the same along the Tyler Street extension. Accordingly, aesthetic resource impacts from Alternative 4 would be less than that of the proposed Project but would not completely avoid or reduce the significant and unavoidable aesthetic impacts. (Draft EIR, p. 5-18.) With respect to agricultural resources, Alternative 4 would have less impacts than the Project because it would not involve the removal of agricultural resources that would otherwise occur under the westerly extension of Avenue 48/Shadow View Boulevard if the proposed Project were to proceed. (Draft EIR, p. 5-18.) However, Alternative 4 would not eliminate or reduce the significant and unavoidable impacts on agricultural resources. Alternative 4 would have similar air quality impacts as the Project and does not eliminate or reduce the significant and unavoidable air quality/greenhouse gas impacts. (Draft EIR, p. 5-18.) Finally, Alternative 4 would have similar significant and unavoidable transportation/traffic issues as that of the Project. (Draft EIR, p. 5-20.) Thus, implementation of mitigation measures would still be required.

Attainment of Project Objectives: Similar to the VDSA, Alternative 4 meets all of the Project objectives. (Draft EIR, p. 5-21.)

Feasibility: Alternative 4 does not include Shadowview Boulevard, which is set forth in the City's Circulation Element, as an arterial street (see General Plan, p. O5-7 [Figure 5-1], and p. O5-3 [Table 5-1, Street Typologies]). General Plan Figure 5-1 illustrates that Shadow View Blvd is designated as a Major Arterial with Bicycle Facility (to be developed to a 118-foot right-of-way with six travel lanes) and is planned to connect Dillon Road easterly to Avenue 48. (Vista Del Agua – Environmental Impact Report (SCH# 2015031003) Discussion of Alternatives to Shadow View Boulevard as Either Primary or Secondary Access to the Vista Del Agua Project, January 31, 2020.)

Finding: The City Council rejects Alternative 4 as (1) failing to avoid or substantially reduce significant environmental impacts, and (2) Alternative 4 is infeasible.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

As discussed above, the No Project/No Build Alternative would be environmentally superior to the proposed Project on the basis of the minimization or avoidance of physical environmental impacts. However, according to the CEQA Guidelines, if the environmentally superior alternative is the No Project Alternative, the EIR shall identify an environmentally superior alternative among the other alternatives (Section 15126.6(c).)

In terms of the physical effects on the environment, the environmentally superior alternative (other than the No Project/No Build Alternative) is the RRDA. While RRDA would have less impacts on air quality and transportation/traffic than the proposed Project, it would still have significant and unavoidable impacts on aesthetics and agricultural resources. Furthermore, RRDA does not meet most of the Project objectives, such as providing a balanced mix of economically viable commercial and residential land uses that will promote local job creation; provide a transition blend of rural and suburban lifestyles; and provide a diverse mix of housing options.

SECTION IX
ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits of the Project against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of the Project against its unavoidable adverse impacts after mitigation in regards to aesthetics resources, agriculture and forestry resources, air quality – operations, and transportation/traffic. While recognizing that the unavoidable adverse impacts are significant under CEQA thresholds, the City Council nonetheless finds that the unavoidable adverse impacts that will result from the Project are acceptable and outweighed by specific social, economic and other benefits of the Project.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings,

which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The City Council therefore finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the Project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. **Promote General Plan Land Use Principals, Policies, and Objectives:** The proposed Project will implement the development of a creatively-designed master planned community that expresses and embodies the City's vision of its future as articulated in the fundamental land use principals, policies, and objectives of the City's General Plan.
2. **Provide a Quality, Livable Community:** The proposed Project will provide a quality, livable community through the implementation of a Specific Plan that will ensure a consistent quality of design, allow for the provision and maintenance of community amenities, and create a collection of cohesive, well-defined neighborhoods that provide residents with a clear sense of place and identity within the diverse fabric of the larger community.
3. **Provide a Range of Housing Opportunities:** The proposed Project will provide a range of high-quality housing opportunities by developing a diverse range of housing types that will include both single-family (4.5 to 6.5 dwelling units per acre) and multi-family (12 to 20 dwelling units per acre) options. Such housing will be made available at a variety of price points, responsive to market demand, varying lifestyles, and the developing economic profile of the community.
4. **Promote Sustainability:** The proposed Project will promote the concept of sustainable community development by implementing green building practices in the selection of construction materials, the recycling of construction waste, and the use of energy and water efficient building practices. The Project will integrate eco-friendly design approaches that relate to site, landscape, and building design, including optimizing building orientation; implementing shade strategies; and, promoting use of photovoltaic solar arrays on building roofs or parking lot shade structures.
5. **Promote Water and Energy Efficiency:** The proposed Project will incorporate energy and water efficient design and technology into the planned residential homes, commercial buildings, and landscaping for the Vista Del Agua Specific Plan development to respect the desert environment and promote sustainable development methods.
6. **Conserve Water Resources:** The proposed Project will conserve water resources and reduce demand for potable water within the Specific Plan area by maximizing the use of recycled water where appropriate (including for landscape irrigation); implementing drought-tolerant landscaping; utilizing high-efficiency plumbing fixtures and appliances throughout the Project; and, through Project layout that will be able to accommodate an

onsite sewer/reclaimed water treatment facility, if necessary, to create non-potable water supplies and utilize canal water for irrigation purposes.

7. **Increase Employment Opportunities:** The proposed Project will increase local job opportunities during both the construction and post-construction phases over the 30-year phased buildout. Planned development of approximately 1,500,000 square feet of mixed-use commercial uses, including retail and office space, will provide economic benefits, as well as business and employment opportunities for residents of the local community and surrounding areas.
8. **Promote Ease of Navigation:** The proposed Project will create a community that is easy to navigate through careful use of landscape, signage, and entry design based on the Specific Plan's design objectives.
9. **Provide Recreational Amenities:** The proposed Project includes dedication of an approximately 14-acre parcel in proximity of the Coachella Canal for an approximate 13.8-acre neighborhood park site (PA 9), as well as an approximate 12.6-acre Paseo, which traverses Planning Areas 5 and 6. PA 9 is solely designated for a park site.

According to the Specific Plan, the following are permitted uses in PA9:

- Nature study area
- Public and private parks, greenbelts, common areas
- Pedestrian & bicycle trails
- Rest Stop
- Restroom facilities
- Public utilities facilities
- Flood control facilities
- Trails (hiking, walking)

The planned recreational amenities which will serve the needs of neighborhood residents and others in the City of Coachella and surrounding communities. The proposed Project will result in construction of a mixture of private and public community and neighborhood parks, offering large-scale open areas to accommodate varying community activities, sports facilities, or other commercial activities for public use and a private recreation center for Project residents.

10. **Encourage Safe and Efficient Circulation:** The proposed Project will provide a safe and efficient roadway network, linking all internal elements of the planned community with the surrounding area.
11. **Encourage Alternative Transportation:** The proposed Project will encourage alternative transportation choices through the creation of a walkable community with well-defined pedestrian linkages between neighborhoods, recreational amenities, schools, and commercial uses; the provision of bike paths; the creation of Low Speed Vehicle/Neighborhood Electric Vehicle (LSV/NEV) linkages; and, the development of multi-purpose trails. High-density and medium-density residential uses located in

proximity to transit and mixed-use activity nodes/community cores will reduce dependency on the automobile and encourage the use of alternative transportation.

12. **Provide Improved Vehicular Circulation and Emergency Access:** The proposed Project will result in the extension of Avenues 47 and 48 and Shadow View Boulevard to provide access into the site from existing roadways to the west. The proposed Project would extend these streets to create adequate circulation and emergency access for the proposed development and adjacent properties, enhancing public safety for future residents of the area.
13. **Promote Community Security:** The proposed Project will promote community security and safety through appropriate outdoor lighting; design concepts such as residents having direct views of the streets and outdoor living spaces; privacy and/or perimeter theme walls; and, encouraging community involvement through the area's master homeowner's association.
14. **Address Drainage and Water Quality Issues:** The proposed Project will provide adequate drainage, flood control, and water quality improvements that will satisfy applicable local, State, and federal criteria, while respecting and enhancing/preserving natural onsite and offsite drainage functions and features. Drainages onsite will be maintained to provide open space connections for pedestrian and non-motorized mobility along their edges and for the continued conveyance of stormwater.
15. **Ensure Provision of Public Services:** The proposed Project will ensure the provision of adequate public services, utilities and infrastructure in a timely manner as development occurs.