

# VISTA DEL AGUA

## Volume IV – Final EIR Final Environmental Impact Report SCH NO. 2015031003

**Lead Agency**  
CITY OF COACHELLA



*Developed by:*

**CVP Palm Springs, LLC**  
145 E. Warm Springs Road  
Las Vegas, NV 89119

*In Affiliation with:*

**Strategic Land Partners, L.P.**  
12671 High Bluff Drive, Suite 150  
San Diego, CA 92130  
James Kozak - President  
858-523-0761

*Prepared by:*

**Matthew Fagan Consulting Services, Inc.**  
42011 Avenida Vista Ladera  
Temecula, CA 92591  
951-265-5428

**June 2019**

---

## VOLUME IV - TABLE OF CONTENTS

Volume I – EIR

Volume II – EIR Appendices (Provided on a CD at the back of Volume I)

Volume III – Draft Specific Plan

### Volume IV – Final EIR

1.0	Introduction	1-1
2.0	Comments and Responses	2-1
2.0 a.	Comments Received from Initial EIR Circulation – June 2018	2-1
1.1	State Office of Planning and Research (6-7-18)	2-1
1.2	State Office of Planning and Research (6-14-18)	2-5
2	South Coast Air Quality Management District (SCAQMD) (6-14-18)	2-8
3	Twenty-Nine Palms Band of Mission Indians (6-11-18)	2-16
4.1	Lorzeau / Drury LLP on behalf of the Laborers International Union of North America, Local Union 1184 (6-13-18)	2-22
4.2	Lorzeau / Drury LLP on behalf of the Laborers International Union of North America, Local Union 1184 (7-10-18)	2-25
5	Riverside County Fire Department (7-11-18)	2-28
6	California Department of Transportation (7-18-18)	2-33
7	DiMare - Shadow View T.I.C. - Rutan (7-20-18)	2-38
8	Agua Caliente Band of Cahuilla Indians (7-20-18)	2-51
9	Department of Conservation (7-22-18)	2-53
10	Riverside County Fire Department (7-11-18)	2-56
11	Torres Martinez Desert Cahuilla Indians (7-26-18)	2-60
12	Imperial Irrigation District (7-19-18)	2-62
2.0 b.	Comments Received from EIR Recirculation – August 2018	2-69
R1	Twenty-Nine Palms Band of Mission Indians (8-10-18)	2-69
R2	Imperial Irrigation District (8-13-18)	2-75
R3	Airport Land Use Commission (ALUC) (8-9-18)	2-81

---

R4 – DiMare - Shadow View T.I.C. - Rutan (9-20-18)	2-83
2.0 c. Comments Received from Planning Commission Workshop – March 2019	2-92
PC – DiMare - Shadow View T.I.C. - Rutan (3-8-19)	2-92
3.0 Errata	3-1
4.0 Mitigation Monitoring and Reporting Program	4-1
A. Mitigation Monitoring Requirements and Procedures	4-1

Appendix 1, EIR Distribution List

## 1.0 INTRODUCTION

The Final Environmental Impact Report (Final EIR) for the proposed Vista del Agua Specific Plan has been prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines and the City of Coachella policies for implementing CEQA.

The following is an excerpt from State CEQA Guidelines section 15132 that states: “The Final EIR shall consist of:

- (a) The Draft EIR or a version of the draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.”

The Final EIR includes all of these required components. Volumes I and II are the EIR and EIR Appendices, respectively. Volume III is the Draft Specific Plan, which forms the basis for the “Project” being evaluated in this EIR. This Volume IV document includes all of the additional items needed to comprise the Final EIR.

In accordance with section 15088 of the State CEQA Guidelines, the City of Coachella, as the lead agency for the proposed Project, evaluated comments received on the EIR (State Clearinghouse No. 2015031003) and has prepared the following responses to the comments received. The preceding Table of Contents provides of a list of all persons, organizations, and public agencies commenting on the EIR. Section 2.0 includes the Responses to Comments received by the City of Coachella on the EIR. It should be noted that responses to comments also resulted in various editorial clarifications and corrections to the original EIR text. Added or modified text is shown in Section 3.0, Errata, by underlining (example) while deleted text is shown by striking (~~example~~). The additional information, corrections, and clarifications do not substantively affect the conclusions within the EIR.

Responses to comments have also been sent directly to commenting agencies. This satisfies the requirement of Section 21092.5 of CEQA to send responses to the public agency comments received on the EIR at least 10 days prior to Project approval.

## BACKGROUND

On March 2, 2015, the City of Coachella issued a Notice of Preparation (NOP) for the proposed Project to identify the potential environmental impacts of the project (refer to Program EIR Appendix A). An NOP is a document that is sent by the lead agency to notify public agencies and interested parties that the lead agency plans to prepare an EIR for the Project. The purpose of the NOP is to solicit comments from public agencies and interested parties, and to identify issues that should be considered in the EIR.

The NOP for the proposed Project was sent to trustee and responsible agencies, members of the public, other interested parties, and the California Office of Planning and Research, State Clearinghouse for the required 30-day public review period, which ended on April 1, 2015. During the review period, public agencies and members of the public had the opportunity to respond to the NOP to identify issues of special concern to them and to suggest additional issues to be considered in the EIR.

In addition, the City held a public scoping meeting on March 12, 2015 to discuss characteristics of



the proposed Project, its planning status, the nature of its potential environmental effects, and the scope (i.e., the specific issues) of the EIR analysis. The scoping meeting provided further opportunities for public input regarding environmental concerns and issues that should be addressed in the EIR.

The EIR for the proposed Project was distributed to trustee and responsible agencies, members of the public, other interested parties, and the California Office of Planning and Research, State Clearinghouse on June 8, 2018. This began the 45-day public review period, which ended on July 23, 2018. Public comments were received by the City of Coachella Development Services Department and have been responded to by the City in accordance with CEQA requirements; there were a total of 12 Comment Letters received.

Due to a noticing technicality, the EIR for the proposed Project was re-distributed to trustee and responsible agencies, members of the public, other interested parties, and the California Office of Planning and Research, State Clearinghouse on August 10, 2018 (Refer to Appendix 1, EIR Distribution List.). This began a second 45-day public review period, which ended on September 24, 2018. Public comments were received by the City of Coachella Development Services Department and have been responded to by the City in accordance with CEQA requirements; there were a total of 4 Comment Letters received on the re-distributed EIR.

Section 3.0 includes any additional or clarifying information resulting from preparation of the Responses to Comments as well as any minor revisions (additions or deletions) to the text of the EIR. Additionally, it should be noted that these Responses to Comments and Errata merely clarify, amplify, and expand on the fully adequate analysis and significance conclusions that were already set forth in the EIR for public review. CEQA Guidelines Section 15088.5 makes clear that such clarifications and amplifications are appropriate under CEQA and do not require recirculation of the EIR. Specifically, Section 15088.5 states:

*“(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:*

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

*(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."*

As set forth in more detail in these Responses to Comments and Errata, none of the clarifications or amplifications set forth herein change the significance conclusions presented in the EIR or the substantially alters the analysis presented for public review. Furthermore, the EIR circulated for public review, and re-circulated, was fully adequate under CEQA such that meaningful public review was not precluded. Thus, the clarifications provided in these Responses to Comments and Errata do not constitute significant new information that might trigger recirculation.

## **2.0 COMMENTS AND RESPONSES**

### **2.0 a. COMMENTS RECEIVED FROM INITIAL EIR CIRCULATION – JUNE 2018**

#### **Comment Letter No. 1.1**

Scott Morgan, Director  
State Clearinghouse, State Office of Planning and Research (6-7-18)

- 1.1a This is a transmittal letter from the State Clearinghouse to the City of Coachella indicating that the City has complied with CEQA notification procedures relative to State Agencies. No further response is required.

**Notice of Completion & Environmental Document Transmittal**

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

**SCH# 2015031003**

**Project Title: Vista Del Agua**

Lead Agency: City of Coachella Contact Person: Luis Lopez, Dev. Svcs. Director  
 Mailing Address: 1515 6<sup>th</sup> Street Phone: 760.398.3102  
 City: Coachella Zip: 92236 County: Riverside

**Project Location:** County: Riverside City/Nearest Community: Coachella

Cross Streets: Avenue 48 and Polk Street Zip Code: 92236

Longitude/Latitude (degrees, minutes and seconds): ° ' " N / ° ' " W Total Acres: 275

Assessor's Parcel No.: 603-130-003, 603-130-004, 603-130-009, 603-150-004, 603-150-005, 603-150-007, 603-150-008, 603-150-009, 603-150-010, 605-150-011, 603-150-102, and 603-112-004 Section: 28 Twp.: 5S Range: 8E Base: SBBM

Within 2 Miles: State Hwy #: I-10 Waterways: Coachella Storm Water Channel and the All Airports: N/A Railways: Southern Pacific  
 Schools: N/A

**Document Type:**

CEQA:	NOP	<input checked="" type="checkbox"/> <b>Draft EIR</b>	NEPA:	NOI	Other:	Joint Document
	Early Cons	Supplement/Subsequent EIR		EA		Final Document
	Neg Dec	(Prior SCH No.) _____		Draft EIS		Other: _____
	Mit Neg Dec	Other: _____		FONSI		

**Local Action Type:**

General Plan Update X	Specific Plan X	Rezone X	Annexation
General Plan Amendment	Master Plan	Prezone	Redevelopment
General Plan Element	Planned Unit Development	Use Permit	Coastal Permit
Community Plan	Site Plan	Land Division (Subdivision, etc.) X	Other: <u>Comm. Facilities Dist.</u>

**Development Type:**

Residential: Units 1640 Acres 275  
 Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_ Transportation: Type \_\_\_\_\_  
 Commercial: Sq.ft. TBD Acres 26 Employees TBD Mining: Mineral \_\_\_\_\_  
 Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_ Power: Type \_\_\_\_\_ MW \_\_\_\_\_  
 Educational: \_\_\_\_\_ Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_  
 Recreational: \_\_\_\_\_ Hazardous Waste: Type \_\_\_\_\_  
 Water Facilities: Type \_\_\_\_\_ MGD Other: Open Space/Trails 23 acres

**Project Issues Discussed in Document:**

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

**Present Land Use/Zoning/General Plan Designation:**

Present Land Use: The Project site is currently undeveloped, with numerous unimproved area, trails from off-road recreational vehicles and paint ball activities.  
 Current Zoning: General Commercial (C-G), Open Space (O-S), Residential Single-Family  
 General Plan Designation: Entertainment Commercial (C-E).  
 The proposed Change of Zone will rezone the Project site to the Specific Plan (SP).

**FILED / POSTED**

County of Riverside  
 Peter Aldana  
 Assessor-County Clerk-Recorder

E-201800679  
 08/07/2018 01:09 PM Fee: \$ 0.00  
 Page 1 of 3

Removed: \_\_\_\_\_ By: \_\_\_\_\_ Deputy



REVISED 2010

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

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number at previous draft document) please fill in.

**Reviewing Agencies Checklist**

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Air Resources Board              | Office of Historic Preservation  |
| <input type="checkbox"/> Boating & Waterways, Department of          | Office of Public School Construction                                     |
| <input type="checkbox"/> California Emergency Management Agency      | Parks & Recreation, Department of  |
| <input type="checkbox"/> California Highway Patrol                   | Pesticide Regulation, Department of                                      |
| <input checked="" type="checkbox"/> Caltrans District # 8            | <input checked="" type="checkbox"/> Public Utilities Commission          |
| <input type="checkbox"/> Caltrans Division of Aeronautics            | <input type="checkbox"/> Regional WQCB # 7                               |
| <input type="checkbox"/> Caltrans Planning                           | Resources Agency   |
| <input type="checkbox"/> Central Valley Flood Protection Board       | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy          | S.F. Bay Conservation & Development Comm.                                |
| <input type="checkbox"/> Coastal Commission                          | San Gabriel & Lower L.A. Rivers & Mtns. Conservancy                      |
| <input type="checkbox"/> Colorado River Board                        | San Joaquin River Conservancy  |
| <input type="checkbox"/> Conservation, Department of                 | Santa Monica Mtns. Conservancy   |
| <input type="checkbox"/> Corrections, Department of                  | State Lands Commission   |
| <input type="checkbox"/> Delta Protection Commission                 | SWRCB: Clean Water Grants  |
| <input type="checkbox"/> Education, Department of                    | SWRCB: Water Quality   |
| <input type="checkbox"/> Energy Commission                           | SWRCB: Water Rights  |
| <input type="checkbox"/> S Fish & Game Region #                      | Tahoe Regional Planning Agency   |
| <input type="checkbox"/> Food & Agriculture, Department of           | Toxic Substances Control, Department of                                  |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | Water Resources, Department of   |
| <input type="checkbox"/> General Services, Department of             | Other: _____   |
| <input type="checkbox"/> S Health Services, Department of            | Other: _____   |
| <input type="checkbox"/> Housing & Community Development             |  |
| <input type="checkbox"/> S Native American Heritage Commission       |  |

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

Starting Date June 7, 2018 Ending Date July 23, 2018

**Lead Agency (Complete if applicable):**

Consulting Firm: Matthew Fagan Consulting Services, Inc.  
 Address: 42011 Avenida Vista Ladera City/State/Zip: Temecula, CA 92591  
 Contact: Matthew Fagan Phone: 951.265.542

**Applicant:** CVP Palm Springs, LLC  
 Address: 145 E. Warm Springs Road  
 City/State/Zip: Las Vegas, NV 89119  
 Phone: 858.699.7440  
**In affiliation with:**  
 Strategic Land Partners, LLC  
 Address: 12671 High Bluff Drive, Suite 150  
 City/State/Zip: San Diego, CA 92130

**Signature of Lead Agency Representative:** *Chris Lopez* **Date:** 6/4/18

**Project Description**

CVP Palm Springs, LLC, in affiliation with Strategic Land Partners, L.P., (together, “Project proponent”) is proposing “Vista del Agua”, a master planned development on approximately 275 acres (as well as approximately 29 acres of off-site infrastructure improvements, totaling approximately 304 acres, both on and off-site) within the City of Coachella, within Riverside County, California (hereafter, “Project”). The Project includes 1,640 multi-family and single-family residential units, general commercial and neighborhood commercial uses, and open space in the form of a community park and trails and paseos. The Project also proposes onsite infrastructure, as well as approximately 29 acres of offsite infrastructure improvements in the City of Coachella, Riverside County, California.

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 the Project site to residential, commercial (suburban retail and neighborhood commercial), and open space (neighborhood park and paseo) uses. To accomplish this, the Project proponent seeks 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 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).

The GPA, SP, CZ, and TPM, area are generally located south of Interstate 10 (I-10) and Vista Del Sur, east of Tyler Street, and north of Avenue 48.

PA	LAND USE	ACRES	UNITS	DENSITY	SQUARE FOOTAGE
1	General Commercial	16.80	N/A	N/A	191,337
	Open Space	0.81	N/A	N/A	N/A
2	Multi-Family Residential	7.34	147	20.0	N/A
3	Multi-Family Residential	10.10	202	20.0	N/A
4	Multi-Family Residential	22.05	265	12.0	N/A
5	Single Family Residential	42.92	236	5.5	N/A
6	Single Family Residential	71.65	466	6.5	N/A
7	Single Family Residential	46.92	258	5.5	N/A
8	Single Family Residential	14.78	66	4.5	N/A
9	Park	13.82	N/A	N/A	N/A
10	Neighborhood Commercial*	8.27	N/A	N/A	90,060
	Backbone Streets	19.92	N/A	N/A	N/A
<b>TOTAL</b>				<b>7.6</b>	<b>281,397</b>
<b>L</b>		<b>275.38</b>	<b>1,640</b>		

\* May be developed as 41 Single Family Units.

**Comment Letter No. 1.2**

Scott Morgan, Director  
State Clearinghouse, State Office of Planning and Research (6-14-18)

- 1.2a This is a copy of a transmittal letter from the State Clearinghouse to the Reviewing Agencies indicating that the City corrected information regarding the Project. No further response is required.



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

**Memorandum**

**Date:** June 14, 2018  
**To:** All Reviewing Agencies  
**From:** Scott Morgan, Director  
**Re:** SCH # 2015031003  
**Vista Del Agua Specific Plan**

---

The Lead Agency has corrected some information regarding the above-mentioned project. Please see the attached materials for more specific information. All other project information remains the same.

1.2a

cc: Luis Lopez  
City of Coachella  
1515 6<sup>th</sup> Street  
Coachella, CA 92236

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
1-916-445-0613 FAX 1-916-558-3164 www.opr.ca.gov



**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95834 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

**SCH# 2015031003**

**Project Title:** Vista Del Agua

**Lead Agency:** City of Coachella **Contact Person:** Luis Lopez, Dev. Svcs. Director  
**Mailing Address:** 1215 6th Street **Phone:** 760.298.3102  
**City:** Coachella **Zip:** 92236 **County:** Riverside

**Project Location:** County: Riverside City/Nearest Community: Coachella

**Cross Streets:** Avenue 48 and Polk Street **Zip Code:** 92236

**Longitude/Latitude (degrees, minutes and seconds):** 33° 12' 11" N / 117° 0' 11" W **Total Acres:** 275

**Assessor's Parcel No.:** 603-130-003, 603-130-004, 603-130-009, 603-150-004, 603-150-005, 603-150-007, 603-150-008, 603-150-009, 603-150-010, 605-150-011, 603-150-102, and 603-112-004 **Section:** 28 **Twp.:** 4S **Range:** 8E **Base:** SBBM

**Within 2 Miles:** State Hwy #: 1-10 **Waterways:** Coachella Storm Water Channel and the All. Airports: N/A **Railways:** Southern Pacific  
**Schools:** N/A

**Document Type:**

**CHQA:** NOP  **Draft EIR**  **NFPA:**  **NOI**  **Other:**  **Joint Document**  
 Early Cons. Supplement/Subsequent EIR  **EA**  **Final Document**  
 Neg Dec (Prior SCH No.)  **Draft EIS**  **Other:**   
 Mit Neg Dec  **Other:**

Government Office of Planning & Research

**Local Action Type:**

General Plan Update X  **Specific Plan X**  **Rezone X**  **Annexation**  
 General Plan Amendment  **Master Plan**  **Use Permit**  **Development**  
 General Plan Element  **Planned Unit Development**  **Land Division (Subdivision, etc.) X**  **Coastal Permit**  
 Community Plan  **Site Plan**  **Other Comm. Facilities Dist.**

JUN 07 2018

STATE CLEARINGHOUSE

**Development Type:**

**Residential:** Units 1,640 **Acres:** 275  
**Office:** Sq. Ft. **Acres:** **Employees:** **Transportation:** Type  
**Commercial:** Sq. Ft. TBD **Acres:** 26 **Employees:** TBD **Mining:** **Mineral:**  
**Industrial:** Sq. Ft. **Acres:** **Employees:** **Power:** **Type:** **MW:**  
**Water Facilities:** Type **MGD:** **Other:** **Open Space/Trails:** 23 acres

**Project Issues Discussed in Document:**

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

**Present Land Use/Zoning/General Plan Designation:**

**Present Land Use:** The Project site is currently undeveloped, with numerous unimproved dirt roads from use of agricultural activities in the area, trails from off-road recreational vehicles and paint ball activities.  
**Current Zoning:** General Commercial (C-G), Open Space (O-S), Residential Single-Family (R-S), and Manufacturing Service (M-S).  
**General Plan Designation:** Entertainment Commercial (C-E).  
 The proposed Change of Zone will rezone the Project site to the Specific Plan (SP).

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

CVP Palm Springs, LLC, in affiliation with Strategic Land Partners, L.P., (together, "Project proponent") is proposing "Vista del Agua", a master planned development on approximately 275 acres (as well as approximately 29 acres of off-site infrastructure improvements, totaling approximately 304 acres, both on and off-site) within the City of Coachella, within Riverside County, California (hereafter, "Project"). The Project includes 1,640 multi-family and single-family residential units, general commercial and neighborhood commercial uses, and open space in the form of a community park and trails and poses. The Project also proposes onsite infrastructure, as well as approximately 29 acres of off-site infrastructure improvements in the City of Coachella, Riverside County, California.

State Clearinghouse Contact: 609  
(916) 445-0613

State Review Began: 6 - 7 - 2018

SCH COMPLIANCE 7 - 23 - 2018

**Project Sent to the following State Agencies**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> <b>Resources</b>    | <input type="checkbox"/> <b>Cal EPA</b>                    |
| <input type="checkbox"/> Boating & Waterways            | <input checked="" type="checkbox"/> ARB: Airport & Freight |
| <input type="checkbox"/> Central Valley Flood Prot.     | <input type="checkbox"/> ARB: Transportation Projects      |
| <input type="checkbox"/> Coastal Comm                   | <input type="checkbox"/> ARB: Major Industrial/Energy      |
| <input checked="" type="checkbox"/> Colorado Rvr Bd     | <input type="checkbox"/> Resources, Recycl & Recovery      |
| <input checked="" type="checkbox"/> Conservation        | <input type="checkbox"/> SWRCB: Div. of Drinking Water     |
| <input checked="" type="checkbox"/> CDFW # <u>6</u>     | <input type="checkbox"/> SWRCB: Div. Drinking Wtr #        |
| <input checked="" type="checkbox"/> Cal Fire            | <input type="checkbox"/> SWRCB: Div. Financial Assist.     |
| <input type="checkbox"/> Historic Preservation          | <input type="checkbox"/> SWRCB: Wtr Quality                |
| <input checked="" type="checkbox"/> Parks & Rec         | <input type="checkbox"/> SWRCB: Wtr Rights                 |
| <input type="checkbox"/> Bay Cons & Dev Comm.           | <input checked="" type="checkbox"/> Reg. WQCB # <u>7</u>   |
| <input type="checkbox"/> DWR                            | <input type="checkbox"/> Toxic Sub. Cont. CTC              |
|   | <input type="checkbox"/> <b>Yth/Adlt Corrections</b>       |
|   | <input type="checkbox"/> Corrections                       |
| <input type="checkbox"/> <b>CalSTA</b>                  | <input type="checkbox"/> <b>Independent Comm</b>           |
| <input type="checkbox"/> Aeronautics                    | <input type="checkbox"/> Delta Protection Comm             |
| <input checked="" type="checkbox"/> CHP                 | <input type="checkbox"/> Delta Stewardship Council         |
| <input checked="" type="checkbox"/> Caltrans # <u>9</u> | <input type="checkbox"/> Energy Commission                 |
| <input type="checkbox"/> Trans Planning                 | <input checked="" type="checkbox"/> NAHC                   |
| <input type="checkbox"/> <b>Other</b>                   | <input checked="" type="checkbox"/> Public Utilities Comm  |
| <input type="checkbox"/> Education                      | <input type="checkbox"/> Santa Monica Bay Restoration      |
| <input checked="" type="checkbox"/> OES                 | <input checked="" type="checkbox"/> State Lands Comm       |
| <input type="checkbox"/> Food & Agriculture             | <input type="checkbox"/> Tahoe Rgl Plan Agency             |
| <input checked="" type="checkbox"/> HCD                 | <input type="checkbox"/> Conservancy                       |
| <input type="checkbox"/> <b>State/Consumer Svcs</b>     | <input type="checkbox"/> Other: <input type="checkbox"/>   |
| <input type="checkbox"/> General Services               |  |

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: **2015031003**

Please forward late comments directly to the Lead Agency

AQMD/APCD 33

(Resources: 6 / 9)

---

**Comment Letter No. 2**

Lijin Sun, J.D., Program Supervisor  
South Coast Air Quality Management District (SCAQMD) (6-14-18)

- 2a These are introductory statements that do not require a response.
- 2b Comments provided by SCAQMD staff are addressed in Responses 2d through 2j, below.
- 2c These are introductory statements that do not require a response.
- 2d This comment pertains to information contained in Chapter 3, Project Description of the EIR. According to pp. 4-4-35, Air Quality and Greenhouse Gas of the EIR:

*“Construction was anticipated to begin no sooner than January 2015 with a time horizon for completion by 2022. To represent a worst-case scenario, the Project was analyzed in a single phase of construction.”*

In addition:

*“The CalEEMod default construction equipment list was multiplied by three (3) to meet the expedited schedule.”*

As stated above, for construction purposes, and to present a conservative, worst-case scenario, one (1) phase of construction is proposed, and this phase will be expedited in order to meet rigorous construction timelines. Therefore, the amount of anticipated overlap between construction and operations will be minimal. Regional construction emissions were deemed to be less than significant with the incorporation of **Standard Condition SC-AQ-1**, and **Mitigation Measures MM-AQ-1** through **MM-AQ-10**. Localized construction emissions were deemed to be under SCAQMD thresholds.

As stated on p. 4.4-56 of the EIR:

*“When the Project is fully operational, the Project would exceed SCAQMD regional thresholds for VOC, NO<sub>x</sub> and CO. Even with the incorporation of mitigation measures the Project would have a significant and unavoidable impact as it pertains to air quality. There will be a time gap between construction and “fully operational” thereby, further supporting the fact that the amount of anticipated overlap between construction and operations will be minimal.”*

The Project was analyzed at the program level and the specific construction phasing and timing of each tract and planning area is not known at this time. The EIR has put into place several specific mitigation measures to ensure daily emissions levels do not exceed the allowable thresholds; including limiting the amount of daily disturbance area, using clean diesel equipment, using low VOC paints and coating techniques, and restricting construction phasing to assure thresholds are not exceeded. As part of that analysis, a current baseline will be utilized, as well as an understanding of other activities (construction or operations), which would encompass any overlap that could have an effect on emissions. Thresholds will not be allowed to be exceeded.

Lastly, Per SCAQMD requirements for analyzing and reporting emissions, as stated in the SCAQMD CEQA Air Quality Handbook (1993), Chapter 9, Page 9-15, construction and

operation related emissions should be considered separately when comparing results to the thresholds of significance.

Therefore, additional analysis of overlapping phases is not required to comply with the established SCAQMD guidelines. The analysis considers the worst-case, daily emissions from all Project phases occurring simultaneously. Additional analysis is not required.

2e This comment reiterates information from the Health Risk Assessment (HRA) analysis contained in the EIR. No additional response is required.

2f Per the California Supreme Court Case, *California Building Industry Association v. Bay Area Air Quality Management District* (December 17, 2015, Case No. S213478) (CBIA), CEQA does not generally consider the existing environment's effect on a project's future users or residents. This means, in this case, that the impact from diesel emission exposure (a known human carcinogen) caused by this project, on project residents along the I-10 Freeway does not fall under CEQA's purview. However, this issue is still a factor that decision-makers may consider in determining whether or not to approve the proposed Project. Further, SCAQMD does not support siting homes, schools and other sensitive uses along freeways, and doing so would be in conflict with CARB's Land Use Handbook and the Strategies to Reduce Air Pollution Exposure near High-Volume Roadways.

In addition, the following General Plan policy would apply to the City's position in terms of siting sensitive receptors in proximity to the I-10 Freeway:

**SUSTAINABILITY + NATURAL ENVIRONMENT:**

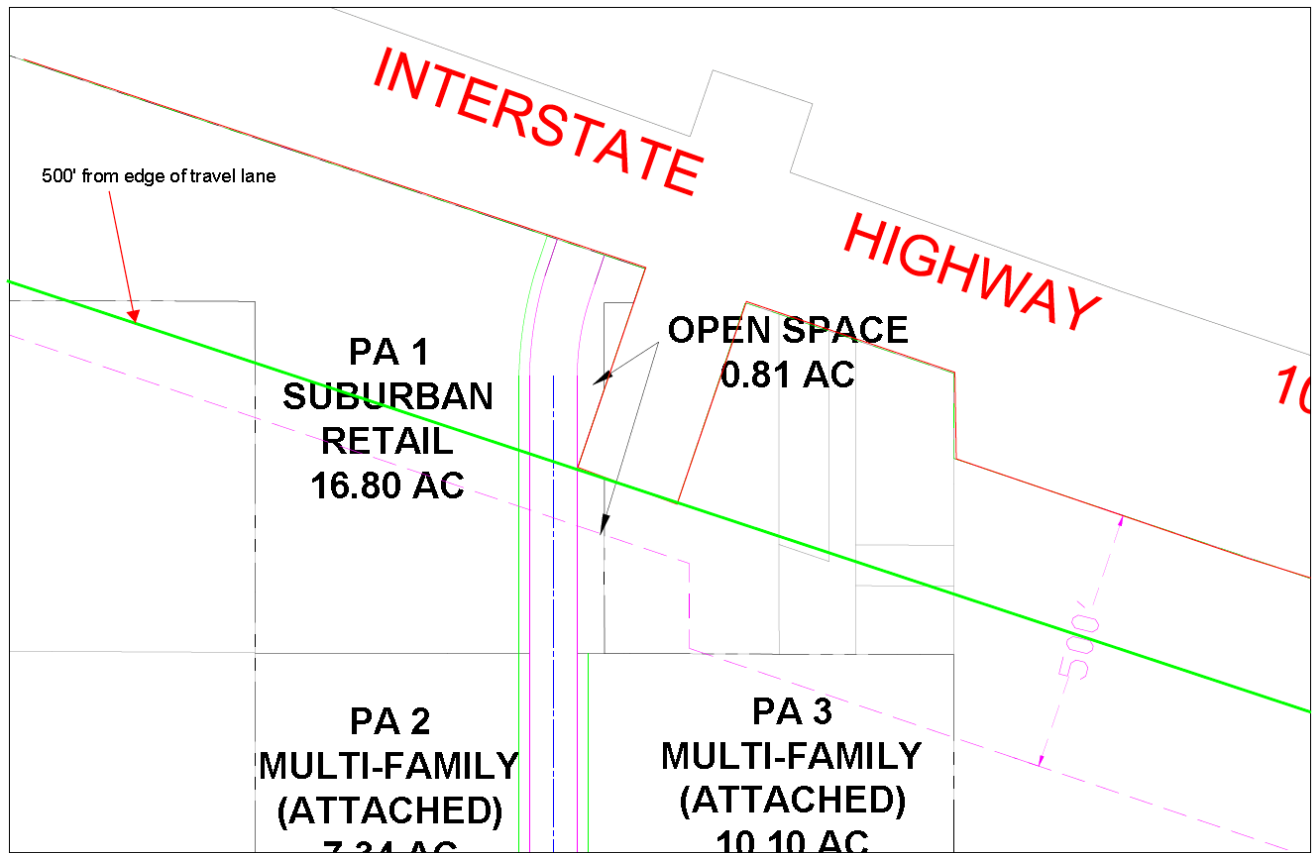
*11.3 "Sensitive receptors. Prohibit the siting of land uses that adversely impact existing sensitive receptors, including schools, childcare centers, senior housing, and subsidized affordable housing. The minimum distance separating these uses should be 500 feet."*

As measured from the outermost travel lane of the I-10 Freeway, the closest sensitive receptor (PA 3 – Multi-Family Attached) would be well over 500 feet as shown on the Figure below.

As previously described above, based on the CBIA case findings, the impact from diesel emission exposure to residents along the I-10 Freeway does not fall under CEQA's purview.

The Project is consistent with the SCAQMD Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning, CARB's AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE, and the City of Coachella's General Plan, as the Project has no residential units that will be located within 500 feet from the travel way of the freeway, which is the area where higher pollution concentrations would occur. The discussion of ADT on the I-10 is not considered a screening threshold, but rather informational data which describes the existing environmental setting within the context of the relative concentration of diesel particulate matter in relation to the distance from the edge of a freeway. The guidance documents describe busy roads with ADT of 50,000 to 100,000 vehicles having high pollution levels within 500 feet; therefore, siting a residential development further than 500 feet away from a roadway with less than 50,000 vehicles would be consistent with State's recommendations. A condition of approval will be added to the Project to ensure no residential homes are located within 500 feet of the I-

10, this may require designating a small portion of the northeast corner of PA 3 to be restricted to parking, storage, or open space area only.



- 2g Please reference the discussion in Response to Comment 2f, above.
- 2h Based on the information in Response to Comment 2f, above, no additional analysis is required. No additional mitigation is required. Therefore, no filtration systems (MERV 13 or better) will be needed.
- 2i Please reference the discussion in Response to Comment 2f, above. No filters will be required. No enforcement will be required.
- 2j The recommended language change to Mitigation Measure MM-AQ-2, requiring the use of Tier 4 or better, has been made. Please reference Section 3.0, Errata.



SENT VIA E-MAIL AND USPS:

June 14, 2018

[LLopez@coachella.org](mailto:LLopez@coachella.org)

Luis Lopez

City of Coachella – Planning Division

1515 6<sup>th</sup> Street

Coachella, CA 92236

**Draft Environmental Impact Report (EIR) for the Proposed  
Vista Del Agua Specific Plan (SCH No.: 2015031003)**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final EIR.

**SCAQMD Staff's Summary of Project Description**

The Lead Agency proposes to build 1,640 residential units, 281,397 square feet of commercial uses, a 13.8-acre park, 12.7 acres of paseo and trail uses, and 29 acres of off-site infrastructure improvements on 304 acres (Proposed Project). Based on a review of Project Location and aerial photographs, SCAQMD staff found that Planning Area 3 with a multifamily residential designation is located in a close proximity to Interstate 10 (I-10). The Proposed Project is expected to be developed over time with an expected buildout year of 2022<sup>1</sup>.

**SCAQMD Staff's Summary of the Air Quality and Health Risk Assessment (HRA) Analyses**

In the Air Quality Analysis, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD air quality CEQA regional and localized thresholds of significance. The Lead Agency found that the Proposed Project's construction air quality impacts would be less than significant after incorporating Standard Condition (SC)-AQ-1 and Mitigation Measure (MM)-AQ-1 through MM-AQ-10<sup>2</sup>. However, the Proposed Project would result in significant and unavoidable impacts from NO<sub>x</sub>, VOC, and CO emissions during operation after incorporating MM-AQ-11 through MM-AQ-13<sup>3</sup>.

2a

Furthermore, The Lead Agency discussed SCAQMD's 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)*" in the Health Risk Assessment (HRA) analysis<sup>4</sup>. The Lead Agency stated that "the busiest roadway segment near the Project site is Interstate 10, which will have an estimated 40,855 average daily traffic (ADT) in Year 2035<sup>5</sup>." Since the I-10 segment that is closest to the Proposed Project has a lower ADT than the ADTs used to define freeways and busy roadways in urban areas, and since cancer risk from diesel particulate matter emissions decrease as the distance from the edge of a freeway increases, the Lead Agency found that the Proposed Project's HRA impact would be less than significant<sup>6</sup>.

<sup>1</sup> Draft EIR. Page 4.4-4.

<sup>2</sup> Draft EIR. Pages 4.4-54 to 56.

<sup>3</sup> Draft EIR. Pages 4.4-56.

<sup>4</sup> Draft EIR. Pages 4.4-46.

<sup>5</sup> *Ibid.*

<sup>6</sup> Draft EIR. Page 4.4-47.

Luis Lopez

2

June 14, 2018

SCAQMD Staff's General Comments

SCAQMD staff has comments on the air quality analysis methodology. Please see the attachment for more information. Additionally, notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD's concern about the potential public health impacts of siting sensitive land uses such as residential uses within a close proximity of freeways, SCAQMD staff recommends that the Lead Agency consider the health impacts on people at the Proposed Project when making local planning and land use decisions. See the attachment for more information.

2b

Closing

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

2c

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov) or Daniel Garcia, Program Supervisor, at [dgarcia@aqmd.gov](mailto:dgarcia@aqmd.gov) if you have any questions.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development &amp; Area Sources

Attachment  
LS  
[RVC180612-05](#)  
Control Number



Luis Lopez

3

June 14, 2018

## ATTACHMENT

**Air Quality Analysis – Overlapping Construction and Operational Impacts**

1. The Proposed Project would be developed over time in six phases<sup>7</sup>. Construction of one phase may overlap with operation of another phase. However, it did not appear that the Lead Agency analyzed a scenario where construction activities overlap with operational activities in the Draft EIR. If an overlapping construction and operation scenario is reasonably foreseeable, and to analyze a worst-case impact scenario, SCAQMD staff recommends that the Lead Agency identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions, and compare the combined emissions to SCAQMD air quality CEQA *operational* thresholds of significance to determine the level of significance in the Final EIR. In the event that the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project's air quality impacts would be significant, the Lead Agency should evaluate if this is a new significant impact requiring new mitigation measures in addition to the existing MM-AQ-1 through MM-AQ-13.

2d

**Health Risk Assessment (HRA) Analysis**

2. As stated above, the Lead Agency used the SCAQMD guidance document to support the finding that the Proposed Project's HRA impact would be less than significant<sup>8</sup>. The reason to support this finding is that the busiest segment of I-10 near the Proposed Project has 40,855 average daily traffic (ADT) in Year 2035, which is far below the 100,000 ADT and 50,000 ADT for defining freeways and busy roadways<sup>9</sup>.

2e

SCAQMD staff is concerned with this analysis. First, SCAQMD staff does not agree with using the ADT values as a screening threshold to determine if a quantitative HRA analysis would be warranted in CEQA for projects that are located in a close proximity to freeways. The ADTs are used to define freeways and busy traffic corridors in urban and rural areas<sup>10</sup>. They are not intended to be used as a screening tool to determine the level of significance for the Proposed Project's health risk impacts. Second, the SCAQMD guidance document includes advisory recommendations on siting sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities near freeways and high-volume roads. The guidance document is intended to assist Lead Agencies in evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Therefore, the guidance document is not intended to be used as substantial evidence to support the Lead Agency's finding that the Proposed Project's HRA impact would be less than significant. Third, as shown in Table 2-2 in Appendix D to the Draft EIR, while cancer risks from diesel particulate matter decrease within the first 100 – 150 meters from the edge of a roadway in both urban and rural areas, they substantially exceed SCAQMD CEQA significance threshold of 10 in a million for cancer risks.

2f

3. Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. As stated above, SCAQMD staff found that Planning Area 3 of the Proposed Project is located in a close proximity to I-10. Residents living in the Planning Area 3 would be exposed to diesel particulate matter emissions from vehicles and diesel-fueled heavy-duty trucks traveling on I-10. Diesel particulate matter is a toxic air contaminant and a carcinogen. To facilitate the purpose and goal of CEQA on public disclosure, SCAQMD staff recommends that the Lead Agency consider the health impacts on people at the

2g

<sup>7</sup> Draft EIR, Page 3-7.

<sup>8</sup> Draft EIR, Page 4.4-47.

<sup>9</sup> *Ibid.*

<sup>10</sup> South Coast Air Quality Management District, May 6, 2005. *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)*. Page 2-5.

Luis Lopez

4

June 14, 2018

Proposed Project by performing a HRA<sup>11</sup> analysis to disclose the potential health risks in the Final EIR<sup>12</sup>.

2g

*Limits to Enhanced Filtration Units*

4. Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Because of the potential adverse health risks involved with siting sensitive receptors near sources of air pollution, it is essential that any proposed strategy must be carefully evaluated before implementation.

In the event that enhanced filtration units are proposed for installation at the multifamily residences in Planning Area 3 either as a new mitigation measure or project standard condition, SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters<sup>13</sup>, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased operational costs in energy. It is typically assumed that the filters operate 100 percent of the time while people are indoors, and the environmental analysis does not generally account for the times when people have their windows open or are outdoors (e.g., in common space areas of the project). In addition, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

2h

*Enforceability of Enhanced Filtration Units*

5. If enhanced filtration units are installed, and to ensure that they are enforceable throughout the lifetime of the Proposed Project as well as effective in reducing exposures to diesel particulate matter emissions, SCAQMD staff recommends that the Lead Agency provide additional details on ongoing, regular maintenance of filters in the Final EIR. To facilitate a good faith effort at full disclosure and provide useful information to future residents at the Proposed Project, at a minimum, the Final EIR should include the following information:

- Disclose the potential health impacts to prospective residents from living in a close proximity of I-10 and the reduced effectiveness of air filtration system when windows are open and/or when residents are outdoor (e.g., in the common areas);
- Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are installed on-site at the multifamily residences in Planning Area 3 before a permit of occupancy is issued;
- Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected regularly;
- Provide information to residents on where the MERV filters can be purchased;
- Disclose the potential increase in energy costs for running the HVAC system to prospective residents;

2i

<sup>11</sup> South Coast Air Quality Management District. Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>12</sup> SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

<sup>13</sup> This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.



Luis Lopez

5

June 14, 2018

- Provide recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units to prospective residents;
- Identify the responsible entity such as residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
- Identify, provide, and disclose any ongoing cost sharing strategies, if any, for the purchase and replacement of the enhanced filtration units;
- Set City-wide or Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
- Develop a City-wide or Project-specific process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

2i

**Recommended Change to MM-AQ-2: Tier 4 Construction Equipment or Better**

6. MM-AQ-2 requires the use of Tier 4 construction equipment<sup>14</sup>. Since the Proposed Project will be developed over time, and technology continues to improve and advance at a rapid pace, SCAQMD staff recommends that the Lead Agency revise MM-AQ-2 to require the use of Tier 4 or better construction equipment rated at 50 horsepower or greater during construction in the Final EIR.

2j

<sup>14</sup> Draft EIR. Page 1-13.

**Comment Letter No. 3**

Anthony Madrigal Jr., Tribal Historic Preservation Officer  
Twenty-Nine Palms Band of Mission Indians (6-11-18)

- 3a These are introductory statements that do not require a response.
- 3b These are restatements of information contained in Subchapter 4.6, Cultural Resources of the EIR that do not require a response.
- 3c This is a restatement of Mitigation Measure MM-CUL-1 as it pertains to avoidance of RIV-7835 (Planning Area 5). The Tribal Historic Preservation Officer (THPO) met with the City and modification to the language contained in Mitigation Measure MM-CUL-1 was provided. Please reference Section 3.0, Errata.
- 3d This is a restatement of Mitigation Measure MM-CUL-2 as it pertains to Archaeological and Native American Monitors. No modifications were requested by the THPO to Mitigation Measure MM-CUL-2.
- 3e This is a restatement of Mitigation Measure MM-CUL-3 as it pertains to an Archaeological Monitoring Plan and Accidental Discovery. The THPO met with the City and modification to the language contained in Mitigation Measure MM-CUL-3 was provided. Please reference Section 3.0, Errata.
- 3f This is a restatement of Mitigation Measure MM-CUL-4 as it pertains to disposition of Human Remains. No modifications were requested by the THPO to Mitigation Measure MM-CUL-4.
- 3g The Tribe will be notified of modifications to Mitigation Measures MM-CUL-1 through Mitigation Measure MM-CUL-4 through the Final EIR process. The last paragraph is a closing statement that does not require a response.



**TWENTY-NINE PALMS BAND OF MISSION INDIANS**

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

June 11, 2018

**CERTIFIED MAIL # 7013 2250 0001 8740 5124  
RETURN RECEIPT REQUESTED**

Luis Lopez  
City of Coachella – Planning Division  
1515 6<sup>th</sup> Street  
Coachella, CA 92236

**RE: Notice of Completion of Draft Environmental Impact Report  
Vista Del Agua Specific Plan and Development Agreement  
APN: 603-130-003, 603-130-004, 603-130-009, 603-150-004, 603-150-005, 603-150-007, 603-150-008, 603-150-009, 603-150-010, 603-150-011, 603-150-102, and 603-112-004**

Dear Mr. Lopez,

This letter is in regards to consultation under the California Environmental Quality Act (CEQA) for the Vista Del Agua Specific Plan and Development Agreement (Project). This project proposes a phased development of a new master-planned community in the City of Coachella. A total of approximately 304 acres of development both on and off-site is anticipated. The Project includes 1,640 multi-family and single-family residential units, general commercial and neighborhood commercial uses, and open space in the form of a community park and trails and paseos. This project is approximately 1-mile from the Twenty-Nine Palms Band of Mission Indians (Tribe) Reservation located near the City of Coachella.

3a

The Tribal Historic Preservation Office dedicated to protect and preserve cultural resources that concern the Twenty-Nine Palms Band of Mission Indians (Tribe), are not aware of any additional cultural resources within the project area. However, Environmental Impact Report (EIR) summarizes that the project contains three previously recorded prehistoric sites and two newly recorded historic sites; RIV-7834, RIV-7835, RIV-7836, RIV-11775, and RIV-11776. One of these sites, RIV-7835, continued surface ceramic scatter that may represent a seasonally occupied campsite alongside the former shoreline of prehistoric Lake Cahuilla. While this site initially was determined not a significant resource; after Phase II testing the site was determined to be significant as a rare resource affected by the project, and significant under Criterion D (National Register Bulletin VIII) because of its potential to provide information important to prehistory. This resource was recommended to be avoided, which would cause levels of impact to be reduced to a less than significant level.

3b

In the Draft Environmental Impact Report, there were measures established to reduce the level of impacts to Cultural Resources to less than significant with mitigation. These included:

3c

MM-CUL-1 RIV-7835 Avoidance (Planning Area 5): Prior to the issuance of a grading plan, 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.*

After review of the site plans and location of CA-RIV-7835, it is recommended that the THPO meets with the City and Developer to ensure that measures are in place to avoid CA-RIV-7835. While an Open Space area has been established, detailed planning documents that include the Paseo and Open Space are needed to ensure that the site is properly avoided. Environmentally Sensitive Area (ESA) fencing/flagging is recommended around CA-RIV-7835, in a buffer area to ensure that there will be no impacts from construction activities. ESA fences should be placed prior to project activities along the edge of the APE and monitored periodically by a qualified archaeological and Native American monitor during any ground disturbing activities related to the construction of this Project. An archaeological monitor should be on site during fence installation, and spot check should occur during construction to ensure that the ESA fencing is maintained. Removal of the fence should only occur after all ground disturbing activities have taken place in PA 5 and removal should be monitored and signed off by the project archaeologist and Native American Monitor(s).

3c

*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.*

3d

The THPO agrees that both an archaeological monitor and Native American Monitor(s) should be obtained for the project. The Tribe requests that monitors from the Twenty-Nine Palms Band of Mission Indians be present during ground-disturbing activities. Depending on the amount of ground disturbance, work area, and the number of construction vehicles in service, additional monitors should be on-site if warranted by workload demands.

*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*

3e



*prepared by a qualified archaeologist and shall be reviewed by the City of Coachella Director of Development Services. 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 San Bernardino*

3e

*Archaeological Information Center 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.*

While the Tribe agrees that a Monitoring Plan should be established and overseen by the project archaeologist, consulting Tribe(s) should also review the document before it is approved by the City of Coachella Director of Development Services. The consulting Tribe(s) should be notified and consulted on the disposition of resources that are not able to be avoided or reburied should be

3e

It should also be noted that the San Bernardino Archaeological Information Center is no longer in service and all subsequent documentation should be received and submitted to the applicable Information Center. The closest Information Center would be the Eastern Information Center located in Riverside, California (serving Inyo, Mono, and Riverside Counties).

*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.*

3f

As previously stated the San Bernardino Archaeological Information Center is no longer in service. All subsequent documentation should be submitted to the applicable Information Center.

3f

In order to cause less than a significant impact to cultural resources for the Vista Del Agua Project, specific mitigation measures would have to be followed (MM CUL 1 – 4). These measures described specific performance criteria for migration at the time of project approval. If there have been any changes to the Draft Environmental Impact Report or publication of a Final Environmental Impact Report, please notify the Tribe.

3g

The Tribe and THPO look forward to continuing working with the City of Coachella on this project. If you have any questions, please do not hesitate to contact the Tribal Historic Preservation Office at (760) 775-3259 or by email: [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov).

Sincerely,



Anthony Madrigal, Jr.  
Tribal Historic Preservation Officer

cc: Darrell Mike, Twenty-Nine Palms Tribal Chairman  
Sarah Bliss, Twenty-Nine Palms Cultural Resources Manager

**Comment Letter No. 4.1**

Richard Drury

Lorzeau / Drury LLP on behalf of the Laborers International Union of North America, Local Union 1184 (6-13-18)

- 4.1a These are introductory statements that do not require a response.
- 4.1b This is a request for notification of any and all actions or hearings related to activities undertaken related to the Project. Consistent with the notification for the EIR, the offices of Lozeau Drury LLP will be notified of any actions taken pursuant to CEQA, as well as any hearings related to the Project.
- 4.1c This is a statement reiterating Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092 as it pertains to the City of Coachella mailing notices to any person who has filed a written request. No response is needed.





T 510.836.4200  
F 510.836.4205

410 12th Street, Suite 250  
Oakland, Ca 94607

www.lozeaudrury.com  
richard@lozeaudrury.com

*Via Email and U.S. Mail*

June 13, 2018

William Pattison, City Manager  
City Manager's Office  
City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
[bpattison@coachella.org](mailto:bpattison@coachella.org)

Angela M. Zepeda, City Clerk  
City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
[azepeda@coachella.org](mailto:azepeda@coachella.org)

Luis Lopez, Community Development Director  
1515 Sixth Street  
Coachella, CA 92236  
(760) 398-3502  
[llopez@coachella.org](mailto:llopez@coachella.org)

**Re: CEQA and Land Use Notice Request for the Vista Del Agua Specific Plan, SCH2015031003**

Dear Mr. Pattison, Ms. Zepeda, Mr. Lopez:

I am writing on behalf of the Laborers International Union of North America, Local Union 1184 and its members living in Riverside County and/or the City of Coachella ("LIUNA"), regarding the Vista Del Agua Specific Plan, aka SCH2015031003, Specific Plan (#14-01), and Change of Zone (#14-01) including all actions related or referring to the proposed development and construction of a master planned development on approximately 275 acres (as well as approximately 29 acres of off-site infrastructure improvements, totaling approximately 304 acres, both on and off-site) within the City of Coachella, within Riverside County, California ("Project").

4.1a

We hereby request that the City of Coachella ("City") send by electronic mail, if possible or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:

4.1b

June 13, 2018

CEQA and Land Use Notice Request for the Vista Del Agua Specific Plan, SCH2015031003

Page 2 of 2

- Notices of any public hearing held pursuant to CEQA.
- Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
- Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
- Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

4.1b

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.


Please send notice by electronic mail, if possible or U.S. Mail to:

Richard Drury  
 Daniel Charlier-Smith  
 Lozeau Drury LLP  
 410 12<sup>th</sup> Street, Suite 250  
 Oakland, CA 94607  
 510 836-4200  
[richard@lozeaudrury.com](mailto:richard@lozeaudrury.com)  
[daniel@lozeaudrury.com](mailto:daniel@lozeaudrury.com)

4.1c

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Daniel Charlier-Smith  
 Paralegal  
 Lozeau | Drury LLP

**Comment Letter No. 4.2**

Douglas Chermack

Lorzeau / Drury LLP on behalf of the Laborers International Union of North America, Local Union 1184 (7-10-18)

- 4.2a These are introductory statements that do not require a response.
- 4.2b This comment states that the EIR fails as an informational document but does not identify any specific issues relating to the EIR's analyses or mitigation measures. The City notes this comment, but no further discussion is required by CEQA. The Final EIR will be provided a minimum of ten (10) days prior to the public hearing for this Project. Comment noted about reserving the right to supplement the comments in this comment letter.



T 510.836.4200  
F 510.836.4205

410 12th Street, Suite 250  
Oakland, Ca 94607

www.lozeaudrury.com  
doug@lozeaudrury.com

*Via Email and U.S. Mail*

July 10, 2018

William Pattison, City Manager  
City Manager’s Office  
City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
[bpattison@coachella.org](mailto:bpattison@coachella.org)

Angela M. Zepeda, City Clerk  
City of Coachella  
1515 Sixth Street  
Coachella, CA 92236  
[azepeda@coachella.org](mailto:azepeda@coachella.org)

Luis Lopez  
Community Development Director  
1515 Sixth Street  
Coachella, CA 92236  
(760) 398-3502  
[llopez@coachella.org](mailto:llopez@coachella.org)

**Re: Vista Del Agua Specific Plan – Draft Environmental Impact Report (SCH2015031003)**

Dear Mr. Pattison, Ms. Zepeda, and Mr. Lopez:

I am writing on behalf of the Laborers International Union of North America, Local Union 1184 and its members living in Riverside County and/or the City of Coachella (“LIUNA”), regarding the Vista Del Agua Specific Plan, aka SCH2015031003, Specific Plan (#14-01), and Change of Zone (#14-01) including all actions related or referring to the proposed development and construction of a master planned development on approximately 275 acres (as well as approximately 29 acres of off-site infrastructure improvements, totaling approximately 304 acres, both on and off-site) within the City of Coachella, within Riverside County, California (“Project”).

4.2a

After reviewing the DEIR, we conclude that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project’s impacts. Commenters request that the City of Coachella Development Services Department,


4.2b

July 10, 2018  
Vista Del Agua Specific Plan  
CEQA Comment  
Page 2

City Council, and your staffs address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000, et seq., prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

4.2b

Sincerely,



Douglas J. Chermak

**Comment Letter No.5**

Luke Milick, AFM  
Riverside County Fire Department (7-11-18)

5a These are introductory statements that do not require a response.

5b The Project will not be solely responsible for the need for an additional fire station.

According to p. 4.13-5 of the EIR:

*“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. To ensure adequate fire protection services in the event of an emergency, the City maintains a mutual aid agreement with surrounding city and county jurisdictions where additional resources are available to the City when the need arises.*

*Other existing stations proximate to the City of Coachella and the Project site include:*

- *Fire Station #86, located approximately 5.5 miles west of the Project site at 46990 Jackson Street in the City of Indio;*
- *Fire Station #87, located approximately 4.5 miles northwest of the Project site at 42900 Golf Center Parkway in the City of Indio; and,*
- *Fire Station #39, located approximately 7.5 miles south of the Project site at 86911 Avenue 58 in the unincorporated community of Thermal.*

*Through the Regional Fire Service System, the City of Coachella receives an immediate response from the outlying stations, including personnel and equipment for any major event or multiple events that may occur within the City. The City of Coachella is also in a cost sharing agreement with the Cities of Indio, La Quinta and Riverside County for the use of the 100' ladder truck located at Fire Station #86.”*

According to p. 4.13-6 of the EIR:

*“The station serving this area is the Coachella Fire Station #79, located approximately 3.5 miles southwest of the Project site. This station staffs 11 full-time firefighters including one (1) paramedic and is equipped with one (1) Type-1 fire engine that provides 24-hour, year around service. Fire engine staffing includes three (3) to four (4) persons per engine per day and includes paramedic staff. (Staffing, unit types, and hours verified through verbal communication).*

*Based on this information, Fire Station #79 would arrive within approximately 9 minutes; Fire Station #86 within approximately 13 minutes; Fire Station #87 within approximately 9 minutes; and Fire Station #39 within approximately 13 minutes. These times are approximate and actual response times currently meet or exceed the Urban Land Use protection goals found in the Fire Protection Master Plan. According to the Riverside County Map My County, the Project site is not located within a hazardous fire area.”*

It should be noted that according to the Specific Plan, fire stations are a permitted use in the following Planning Areas:

- Planning Area 1 (Commercial),

It should also be noted that according to the Specific Plan, fire stations are a conditionally permitted use in the following Planning Areas:

- Planning Area 2 (Residential),
- Planning Area 3 (Residential),
- Planning Area 4 (Residential),
- Planning Area 5 (Residential),
- Planning Area 6 (Residential),
- Planning Area 7 (Residential),
- Planning Area 8 (Residential),

5c The Project site is located within an area that is planned for conversion of existing agricultural uses to urban style development. As also stated on p. 4.13-5 of the EIR:

*“It should be noted that the General Plan Update Final EIR (2015) recommended that the City of Coachella consider the addition of new fire service facilities to meet the increased demand for future fire protection and emergency medical services under the General Plan Update Final EIR (2015). The La Entrada Project Development Agreement ([https://laentradacommunity.com/download/ordinance\\_1067/FINAL%20APPROVE%20La%20Entrada%20Development%20Agreement.pdf](https://laentradacommunity.com/download/ordinance_1067/FINAL%20APPROVE%20La%20Entrada%20Development%20Agreement.pdf)) requires that upon issuance of a certificate of occupancy for the 1,500th Unit, the Master Developer shall provide the necessary land and facilities for a three-person engine company.*

*Chapter 4.45 of the Coachella Municipal Code establishes a Development Impact Fee be placed on all new development within the City which is directly related to the funding and construction of fire protection and emergency response facilities necessary to address direct and cumulative impacts generated by new development. According to Section 4.45.030 of Chapter 4.45 of the Coachella Municipal Code the following public facilities must be constructed, installed and paid for or financed: General Government facilities; library facilities, park and recreation facilities, street facilities, fire facilities and police facilities. Development Impact Fees are reviewed and adjusted administratively on an annual basis each fiscal year.”*

In addition, as stated on p. 4.13-19 of the EIR:

*“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.”*

Lastly, according to p. 4.13-15 of the EIR:

*“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.”*

Fire facilities planning will be coordinated between the Riverside County Fire Department (RVCFD) and the City of Coachella in order to assure that all future projects (including the proposed Project) will be adequately served.

Lastly, all plans will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition and is required per Municipal Code Section 15.24 (Fire Code). No additional mitigation measures are necessary.

- 5d Mitigation for adverse impacts will be provided by the Project through adherence to Section 15.24, Fire Code of the Municipal Code, payment of Development Impact Fees (Chapter 4.45 of the Municipal Code) and generation of recurring revenues to the City’s General Fund.

According to p. 4.13-5 of the EIR, payment of Development Impact Fees, as summarized in response 5c, and the Specific Plan providing for the location of Fire Stations in various Planning Areas, as discussed in response 5b, will ensure that the need for an additional fire station can be met.

- 5e All plans, which demonstrate Fire Department emergency vehicle access road locations and design (in accordance with California Fire Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards) will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.

- 5f All Fire Department waster system(s) plans, (in accordance with California Fire Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards) will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.

- 5g All plans, (in accordance with California Fire Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards) will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.

- 5h Comment noted. No additional response is required.





**CAL FIRE - RIVERSIDE UNIT  
RIVERSIDE COUNTY FIRE DEPARTMENT**

**DANIEL R. TALBOT - FIRE CHIEF**  
Office of the Fire Marshal (East)  
77-933 Las Montanas Rd., Ste 201, Palm Desert, CA 92211  
Bus: (760) 863-8886 ~ Fax: (760) 863-7072 ~ www.rvcfire.org

**PROUDLY SERVING THE  
UNINCORPORATED  
AREAS OF RIVERSIDE  
COUNTY AND THE  
CITIES OF:**

- BANNING
- BEAUMONT
- CANYON LAKE
- COACHELLA
- DESERT HOT SPRINGS
- EASTVALE
- INDIAN WELLS
- INDIO
- JURUPA VALLEY
- LAKE ELSINORE
- LA QUINTA
- MENIFEE
- MORENO VALLEY
- NORCO
- PALM DESERT
- PERRIS
- RANCHO MIRAGE
- RUBIDOUX CSD
- SAN JACINTO
- TEMECULA
- WILDOMAR

**BOARD OF  
SUPERVISORS**

- KEVIN JEFFRIES DISTRICT 1
- JOHN TAVAGLIONE DISTRICT 2
- CHARLES WASHINGTON DISTRICT 3
- V. MANUEL PEREZ DISTRICT 4
- MARION ASHLEY DISTRICT 5

City of Coachella  
Attn:  
1515 6TH ST  
COACHELLA, CA 92236

July 11, 2018

<b>Project Name:</b>	Vista del Agua (EA14-04/ SCH#2015031003)	<b>Permit Number:</b>	FPEIR1800002
<b>Project Address:</b>	S. Vista del Sur, E Tyler Street N. Avenue 48, W. Polk Street Coachella, CA 92236	<b>Case Type:</b>	Fire Environmental Impact Re
<b>APN(s):</b>	603150005; 603122005; 603130009; 603150008; 603150010; 603150012; 603150011; 603130003; 603150009; 603150004; 603150007; 603130004	<b>Reviewer:</b>	Luke Milick
		<b>Review Number:</b>	2

Riverside County Fire Department (RVCFD) Office of the Fire Marshal (OFM) has reviewed the submitted plans for the referenced project and they are approved with the following conditions.

**015 - Fire  
Fire**

Please include the following comments on your response to the City regarding the project referenced above:

With respect to the Draft Environmental Impact Report for the Vista Del Agua Specific Plan, the Riverside County Fire Department offers the following:

Fire protection for the above referenced project will be provided by the Coachella Fire Station 79, located at 1377 6th Street in Coachella and will respond with one Type 1 Engine providing paramedic service. This station is staffed 24 hours a day, 7 days a week, with a 3-person engine crew providing paramedic service. The distance from the station to the proposed development is approximately three and a half (3.5) miles. This is outside our standard for a travel time of 4 minutes for the first arriving engine company and a total response time of 7 minutes. Therefore, an additional fire station with engine and crew is required to serve the area and will be needed prior to occupancy.

The proposed project will have an incremental, cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic and population. It is recommended that the City collect proportional development impact fees to help fund mitigation measures to address impacts to fire services. While Development Impact Fees (DIF) might assist in the one-time mitigation for capital projects, considering ongoing governmental funding challenges, we encourage your administrative staff and legislative bodies to review and determine if mitigations are necessary for ongoing fiscal impacts to our operational services. An example of a mitigation to assist with operational funding is a Community Facilities District. Other ongoing funding methods could be explored.

Please be advised that prior to building permit issuance, plans will be required to be submitted to the Riverside County Fire Marshal for review and approval. Please contact the County Fire Marshals Office at 951-955-4777 for more information regarding submittal requirements. If we can be of further assistance, please feel free to contact the Riverside County Fire Department Strategic Planning Division at [RRUStrategicPlanningBureau@fire.ca.gov](mailto:RRUStrategicPlanningBureau@fire.ca.gov)

Sincerely,  
Dexter Galang  
Gen - Custom

5a

5b

5c



## CAL FIRE - RIVERSIDE UNIT RIVERSIDE COUNTY FIRE DEPARTMENT

**DANIEL R. TALBOT - FIRE CHIEF**  
Office of the Fire Marshal (East)  
77-933 Las Montanas Rd., Ste 201, Palm Desert, CA 92211  
Bus: (760) 863-8886 ~ Fax: (760) 863-7072 ~ [www.rvcfire.org](http://www.rvcfire.org)

**PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:**

- BANNING
- BEAUMONT
- CANYON LAKE
- COACHELLA
- DESERT HOT SPRINGS
- EASTVALE
- INDIAN WELLS
- INDIO
- JURUPA VALLEY
- LAKE ELSINORE
- LA QUINTA
- MENIFEE
- MORENO VALLEY
- NORCO
- PALM DESERT
- PERRIS
- RANCHO MIRAGE
- RUBIDOUX CSD
- SAN JACINTO
- TEMECULA
- WILDOMAR

**BOARD OF SUPERVISORS**

- KEVIN JEFFRIES  
DISTRICT 1
- JOHN TAVAGLIONE  
DISTRICT 2
- CHARLES WASHINGTON  
DISTRICT 3
- V. MANUEL PEREZ  
DISTRICT 4
- MARION ASHLEY  
DISTRICT 5

**ADVERSE IMPACTS**

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic and population. The project proponents/developers will be expected to provide for a proportional mitigation to these impacts via capital improvements and/or impact fees.

5d

**ACCESS**

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

5e

**WATER**

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

5f

**FIRE CONSTRUCTION PERMITS REQUIRED**

Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

5g

Construction shall remain accessible and exposed for inspection purposes until approved by the Fire Department. The approval of plans and specifications does not permit the violation, deletion, omission or faulty installation of any requirements of California Code of Regulations, Title 19, Title 24, and locally adopted ordinances.

5h

Should you have additional questions, please contact me via phone at 760-393-3386 or email at [Luke.Milick@fire.ca.gov](mailto:Luke.Milick@fire.ca.gov).

\_\_\_\_\_  
Luke Milick  
AFM

**Comment Letter No.6**

Mark Roberts, ACIP  
California Department of Transportation (7-18-18)

- 6a These are introductory statements, which includes the Project location and Project description, that do not require a response.
- 6b This comment about Caltrans jurisdiction of the State Highway System is noted. No response is required.
- 6c Comment noted. No response is required.
- 6d This comment indicates that Caltrans is requesting a current, full Traffic Impact Study (TIS); that all State facilities within a 5-mile radius of the Project site should be analyzed; the data in the TIS should not be more than 2 years old; based on the 2016 Southern California of Government 2016 Regional Transportation Model; and lastly, use the Highway Capacity Manual 6 methodology for all traffic analysis.

A full Project Specific TIS (*The City of Coachella General Plan, Traffic Impact Study City of Coachella, California*, prepared by RK Engineering Group, Inc., dated October 14, 2014, revised June 14, 2016) was provided as Appendix O to the EIR.

The Project study area was based on the Riverside County TIA guidelines criteria. The minimum study area includes any intersection of "Collector" or higher classification street, with "Collector" or higher classification streets, at which the proposed project will add 50 or more peak hour trips, not exceeding a 5-mile radius from the Project site (p. 4.14-5 of the EIR). Caltrans facilities analyzed are included in Table 4.13.2-2 (p. 4.14-6 of the EIR).

**Table 4.14.2-2  
Study Area Intersections**

	<b>North-South Street</b>	<b>East-West Street</b>
1.	Dillon Road	I-10 WB Ramps
2.	Dillon Road	I-10 EB Ramps
3.	Dillon Road	Vista Del Sur
4.	Dillon Road	Shadow View Boulevard
5.	Dillon Road	SR-86 NB Ramps
6.	Dillon Road	SR-86 SB Ramps
7.	Dillon Road	Avenue 48
8.	Grapefruit Boulevard (Hwy 111)	Avenue 48
9.	Tyler Street	Vista Del Sur
10.	Tyler Street	Avenue 47
11.	Tyler Street	Avenue 48
12.	Tyler Street	Avenue 50
13.	SR-86	Avenue 50
14.	Street "A"	Vista Del Sur
15.	Street "A"	Avenue 47
16.	Street "A"	Avenue 48
17.	Polk Street	Avenue 48
18.	Polk Street	Avenue 50

The baseline for the analysis in this EIR is the conditions at the time the Notice of Preparation (NOP) was issued. The NOP review period began on March 2, 2015 and ended 30 days later on April 1, 2015. The environmental setting has changed little since the NOP was issued. This was validated through the revisions to the Air Quality, Greenhouse Gas, Noise, and Traffic technical studies in mid-2016 (p. 4.14-3 of the EIR). Traffic counts were conducted in May 2014. The standard acceptable time period for establishing baseline conditions is usually within of year of the Notice of Preparation (NOP) for the EIR (2015). The traffic counts were conducted within a one (1) year period of the NOP filing and should be considered an adequate representation of baseline conditions. Based on discussion with City of Coachella staff, there has not been significant development in the area since traffic counts were obtained and cumulative development traffic has not significantly changed. Traffic counts from May 2014 are still considered adequate for analysis of baseline conditions (p. 4.14-7 of the EIR). Therefore, the data is not more than 2 years old.

The Southern California Association of Governments noted that new development be

guided toward existing infrastructure and services and reviewed for conformity with the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to SB 375 (Letter #11). SB 375 is also addressed under subchapter 4.4 Air Quality and Greenhouse Gas. Please refer to Subchapter 4.12, Population and Housing, for the Project consistency analysis with the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) (p. 4.14-3 of the EIR).

Lastly, as it pertains to the Highway Capacity Manual (HCM), according to p. 4.14-4 of the EIR:

*“The current technical guide to the evaluation of traffic operations is the Highway Capacity Manual (HCM). The HCM defines level of service as a qualitative measure which describes operational conditions within a traffic stream, generally in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. The criteria used to evaluate LOS (Level of Service) conditions vary based on the type of roadway and whether the traffic flow is considered interrupted or uninterrupted.*

*The level of service is typically dependent on the quality of traffic flow at the intersections along a roadway. The HCM methodology expresses the level of service at an intersection in terms of delay time for the various intersection approaches.*

*The HCM uses different procedures depending on the type of intersection control. The levels of service determined in the TIS are determined using the HCM methodology.*

*For signalized intersections, average control delay per vehicle is used to determine level of service. Levels of service at signalized study intersections have been evaluated using the HCM intersection analysis program.”*

- 6e The Project Specific TIS (The City of Coachella General Plan, *Traffic Impact Study City of Coachella, California*, prepared by RK Engineering Group, Inc., dated October 14, 2014, revised June 14, 2016) was provided as Appendix O to the EIR. No new TIS will be prepared.

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 8  
 IGR/COMMUNITY & REGIONAL PLANNING  
 464 WEST 4<sup>TH</sup> STREET, 6<sup>TH</sup> FLOOR MS – 725  
 SAN BERNARDINO, CA 92401  
 PHONE (909) 383-4557  
 TTY 711  
 www.dot.ca.gov



*Making Conservation  
 a California Way of Life.*

July 18, 2018

Mr. Luis Lopez  
 City of Coachella  
 Planning Division  
 1515 6<sup>th</sup> Street  
 Coachella, CA 92236

Dear Mr. Lopez:

Vista Del Agua Specific Plan, SCH#2015031003  
 08-RIV – 10, PM 59.419, GTS# 2018-00219

The California Department of Transportation (Caltrans) reviewed the Draft Environmental Impact for the Vista Del Agua Specific Plan. This proposed project is located on 275 acres, south of Interstate 10 (I-10) and Vista Del Sur, east of Tyler Street, and north of Avenue 48. It will consist of 1,640 multi-family and single-family residential units, general and neighborhood commercial, parks, trails and paseos. Due to the Project being located immediately adjacent to State right-of-way, we are concerned with potential impacts to existing facilities that may result with the proposed development.

6a

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to ensure mitigation measures are provided where appropriate to offset associated impacts with the proposed project.

6b

Although this project is under the jurisdiction of the City of Palm Springs, due to the project's potential impact to the State facility it is also subject to the policies and regulations that govern the SHS. Our areas of concern, pertaining to State facilities, include transportation/traffic issues. Due to these potential impacts to I-10 we have the following comments:

6c

The initial Notice of Preparation and Scoping hearing was in 2015. Traffic counts were conducted in May 2014. Development within the Coachella Valley has changed within those four years. We are therefore asking for a current full Traffic Impact Study (TIS). All State facilities within a 5-mile radius of the Project should be analyzed in the TIS. The data used in the TIS should not be more than 2 years old, and shall be based on the Southern California Association of Governments

6d


*"Provide a safe, sustainable, integrated and efficient transportation system  
 to enhance California's economy and livability"*

Mr. Luis Lopez  
July 18, 2018  
Page 2

2016 Regional Transportation Plan Model. Use the Highway Capacity Manual 6 methodology for all traffic analyses (see *Caltrans Guide for the Preparation of Traffic Impact Studies* at [http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf)) | 6d

Submit two hard copies of the TIS and appendices, two electric files (CD), and a Synchro analysis for review. | 6e

Sincerely,

  
for MARK ROBERTS, ACIP  
Office Chief  
IGR/Community & Regional Planning

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*



**Comment Letter No. 7**

M. Katherine Jensen, Rutan & Tucker, LLP  
DiMare - Shadow View T.I.C. - Rutan (7-20-18)

7a These are introductory statements that do not require a response.

7b The locations of the off-site improvements were coordinated with information contained in the City's General Plan Circulation Element, as well as the Shadow View Specific Plan. This is public information. The Project has been planned utilizing this information. As shown in the Specific Plan, improvements are anticipated to take place on privately owned property of the Shadow View Owners.

The EIR reasonably assumes the construction of Shadow View Boulevard, based on that roadway's inclusion in various, long-standing planning documents. Specifically, the Shadow View Specific Plan shows Shadow View Boulevard as a proposed street crossing the Shadow View Specific Plan area (see Shadow View Specific Plan, p. 3-11 [Exhibit 3-5]). The Shadow View Specific Plan also includes Shadow View Boulevard cross sections, indicating that Shadow View Boulevard will ultimately be constructed to a 120-foot right of way (see Shadow View Specific Plan, p. 3-12 [Exhibit 3-6]). Finally, the Shadow View Specific Plan shows Shadow View Boulevard as a road to be constructed by the residential developer of Shadow View (see Shadow View Specific Plan, pp. 3-9 and -10).

Further, the City of Coachella General Plan 2035 shows Shadow View Boulevard as part of 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]).

Construction of Shadow View Boulevard has already been analyzed under the California Environmental Quality Act as part of the Coachella General Plan 2035 Program EIR, which was certified by the City Council on April 22, 2015 via Resolution 2015-03.

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.

City administrative practice allows minor re-alignments of Section-Line streets. Shadow View Boulevard is currently aligned with the Avenue 48 section line and the old section-line street easement will be adjusted to connect northwesterly to Dillon Road, pursuant to the General Plan.

Further, Tentative Tract Map 34993, which approved the residential villages subdivision for Shadow View, recorded the street right-of-way through the Shadow View properties. However, the owners let the tentative map expire. (See City Resolution No. 2007-73 for Tentative Tract Map No. 34865 [adopted September 12, 2007].) Shadow View Boulevard is described as running from Dillon Road to the intersection of Tyler Street and Avenue 48 on this Tentative Map.

7c All available Project documents have been provided to the Shadow View Owners. Without further specificity as to which Project documents they are claiming to have been denied, no further response is required. Comment noted pertaining to the right to provide additional comments.



- 
- 7d Comment noted. No response is required.
- 7e “This comment is general in nature and does not provide specific information as to how the Notices of Completion supposedly fails to comply with Public Resources Code Section 21092(b)...As described throughout the EIR, it has been prepared in compliance with Public Resources Code Section 21092(b).”
- 7f The EIR was recirculated from August 10, 2018 to September 24, 2018. Notice of the public review and comment period for the recirculated EIR was provided consistent with CEQA Guidelines (Section 15105), resulting in a comment period of 45 days.
- 7g The EIR was originally circulated on June 8, 2018. The letter that was sent on June 13, 2018 (mentioned in the comment letter from Rutan & Tucker, LLP) was an addendum to the original notice revising the Project APNs; this was not the re-circulation notice. As described in 7g, the EIR was recirculated from August 10, 2018 to September 24, 2018. Notices were mailed out on August 7, 2018 and the City’s review period began on August 10, 2018, giving three (3) days for the mail to travel (The review period, per CEQA, begins when the Office of Planning and Research receives the document/package, which was on August 9, 2018; however, the City wanted to grant extra time for mail to travel.). Notice of the public review and comment period for the recirculated EIR was provided consistent with the CEQA Guidelines (Section 15105. Public Review Period for an EIR or a Proposed Negative Declaration or Mitigated Negative Declaration) with a 45 day review period, the EIR was recirculated and the length and description of the public review was correct, and the comment period was for the correct 45 days. A full 45 days was provided under the second notice.
- 7h All Notices of Completion/Availability (dated June 8, 2018 for the original notice and August 7, 2018 for the re-circulation) of the EIR that were issued, identified the City of Coachella as the lead agency, and provided the contact person, mailing address and phone number. This satisfies the requirement to identify the address at which copies of all documents can be made available for inspection. All available Project documents have been provided to the Shadow View Owners. See Response 7i with respect to comment about City’s alleged denial of access to documents.
- 7i At this time, the Applicant and the City are still negotiating the terms of the Development Agreement (DA) and therefore no DA is currently before the City for review and approval. When and if a DA is completed, it will come before the City for consideration, review and approval at a duly noticed public hearing. However, the DA terms will focus on administrative and financial issues associated with the Project, and therefore the terms are not anticipated to result in any physical environmental impacts different from those analyzed and disclosed in the EIR. Regardless, if and when a DA is brought forward, its terms will be compared against the EIR for consistency with the Project Description provided in the EIR, and to ensure that the terms will not result in any new or substantially more severe environmental impacts. As required by CEQA, in the unanticipated event that the terms of a DA are determined to result in potentially significant impacts different than those disclosed in the EIR, supplemental environmental review would be required prior to execution of the DA.
- 7j Please refer to response to comment 7i.
- 7k Comment noted that tentative maps have expired and that no roadway or other right-of-way dedications has been provided. The alignments of the roadways were coordinated

with information contained in the City's General Plan Mobility Element, as well as the Conceptual Amendment to the Shadow View Specific Plan as illustrated as Figure 4-25 of the Coachella General Plan. Furthermore, Policy Directive 11 located on p. 04-77 of the General Plan Update states:

*"Require an amendment to portions of the Shadow View Specific Plan in general, conceptual conformance with the site plan concept shown in Figure 4-25. With this modification, and notwithstanding the percentages set forth in Policy Directive No. 12, the remaining components of the Shadow View Specific Plan, as shown on Exhibit 3-4, Land Use Master Plan, of the approved Specific Plan, including the single family residential development, is determined to be consistent with the goals and policies of the Commercial Entertainment District."*

The Vista Del Agua EIR used the general alignment of Shadow View Boulevard as shown on Figure 5-1, Transportation Network contained in the Mobility Element of the General Plan and Figure 4-25, Conceptual Amendments to the Shadow View Specific Plan as shown on Figure 4-25 of the Coachella General Plan for the general alignment of Shadow View Boulevard for the analysis in the EIR.

Based on that information, no analysis was deferred. Upon submittal of future plans that have a definitive roadway alignment, said plans will be reviewed for consistency with the EIR. If they are consistent with the analysis contained in the EIR, then no further analysis will be required. If they are inconsistent, then additional analysis may be required pursuant to CEQA Sections 15162 (Subsequent EIRs and Negative Declarations) and/or 15163 (Supplement to an EIR). Section 3.5 does not identify the approvals necessary for the acquisition of property within the Shadow View Specific Plan area. Chapter 3.5, as well as the analysis contained in the EIR, focuses upon the physical effects of these improvements upon the environment.

As stated in Response 7b, the Shadow View Property owners were contacted by the Project applicant subsequent to receiving this comment letter.

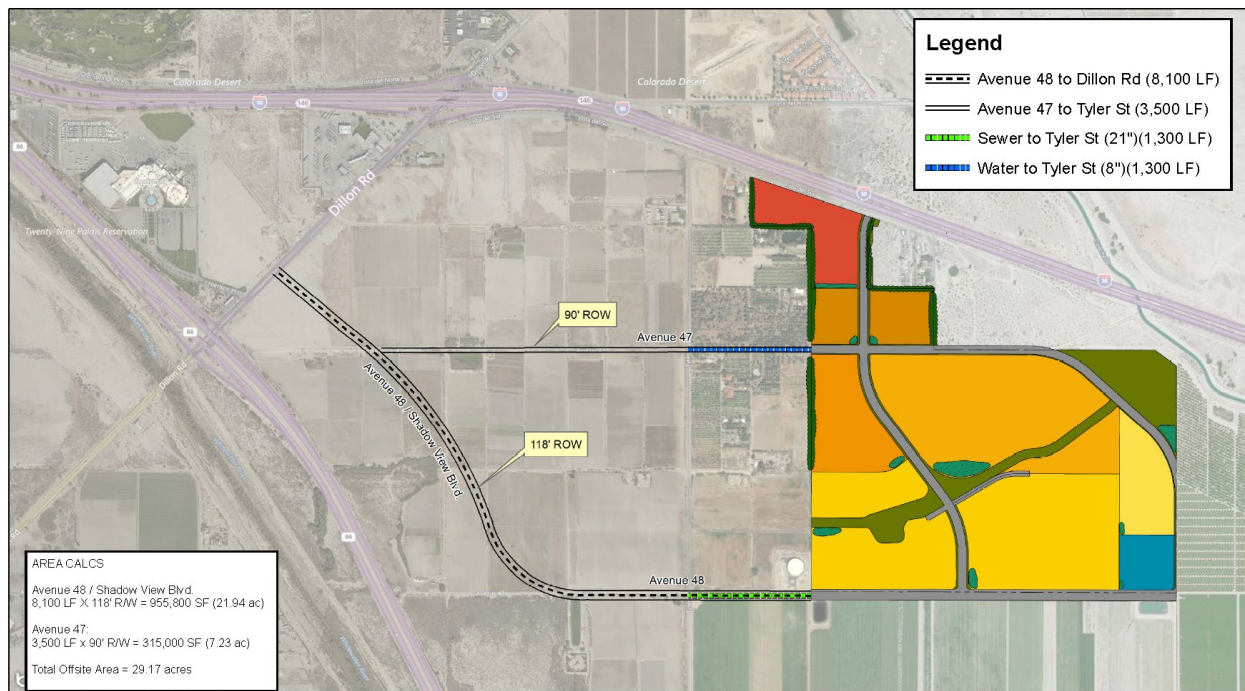
- 71 Chapter 3, Project Description describes the nature and locations of the off-site Project components. According to the General Plan Circulation Element Map, Avenue 48 and Avenue 47 are shown as "New Major Corridor" and "New Minor Corridor," respectively, on Figure 2-3, Road Network Vision of the General Plan. Therefore, it is the intent of the City for these roadways to be improved and open for public use. Chapter 4 references to "rights-of-way" refer to the general locations of these roadways. At the time of the NOP, these were still potential rights-of-way on the active Shadow View maps. At the time of the circulation of the EIR, these maps had expired. Right of way will need to be acquired in order to construct these roadways. The roadway alignments for Avenue 48, Shadow View Boulevard and Avenue 47 are conceptual at this time. However, their locations are consistent with the General Plan Circulation Element and the Shadow View Specific Plan. There is no discussion about property rights or eminent domain. There is no discussion about property rights/eminent domain. As stated in Response to comment 7k, the EIR does not identify the approvals necessary for the acquisition of property within the Shadow View Specific Plan area (i.e., eminent domain). The analysis contained in the EIR focus upon the physical effects of these improvements upon the environment. Should the Project be approved, and the necessary rights-of-way be acquired, the EIR may be used for CEQA purposes. No additional analysis is required.

- 7m This comment entirely or partially consists of the expression of an opinion not supported

by factual evidence or legal argument. The City is unable to determine the true issue that the comment raises with respect to the project description because the comment is too vague and does not lend itself to further explanation. The City notes this comment, but no further discussion is required by CEQA.

7n According to Figure 3.4.2-3, Circulation Plan of the EIR, Avenue 48 and Avenue 47 are shown as extending westerly from the Vista Del Agua Site, past Tyler Street, through the Shadow View Project site, connecting to Shadow View Boulevard. Both Avenue 48 and Avenue are identified in the *City of Coachella General Plan, Traffic Impact Study City of Coachella, California*, prepared by RK Engineering Group, Inc., dated October 14, 2014, revised June 14, 2016 (*TIS, Appendix O*), as “Future or Unpaved Roads.” According to the General Plan Circulation Element Map, Avenue 48 and Avenue 47 are shown as “New Major Corridor” and “New Minor Corridor,” respectively, on Figure 2-3, Road Network Vision of the General Plan. Therefore, it is the intent of the City for these roadways to be improved and open for public use. Right of way will need to be acquired in order to construct these roadways. The comment pertaining to the homeless encampments is noted and will be provided as information to the decision makers. No additional analysis is required.

7o Please reference the Figure below, which supplements Figure 4.11.2-1, *Circulation Plan*, of the EIR, which depicts the approximate 29 acres for the off-site improvements. The roadway alignments for Avenue 48, Shadow View Boulevard and Avenue 47 are conceptual at this time and are shown on Figure 4.11.2-1, which uses a recent aerial photo base, to allow for ease of identification. However, their locations are consistent with the General Plan Circulation Element and the Shadow View Specific Plan. As shown in the Figure below, the entire right-of-way width was multiplied by the length (linear feet) to get the total approximate 29 acres for the off-site improvements. This represented a “worst-case” scenario for the scope of the off-site improvement areas. As discussed below, 30’ wide pavement is proposed within these right-of-way areas, with the remainder of the right-of-way remaining undeveloped.



- 7p Please reference the discussion about Circulation Element Roadways and proposed right-of-way acquisition in response to comment 7l. No right-of-way currently exists; however, the General Plan Circulation Element and the Shadow View Specific Plan indicate that future roadways are anticipated.
- 7q The circulation improvements on p. 3-5 of the EIR primarily pertain to the on-site Project circulation. As it pertains to the off-site roadway improvements, these are characterized correctly, stating the ultimate right-of-way for Avenue 48, Shadow View Boulevard and Avenue 47 (p. 3-5 of the EIR). No schematic of the 30' of pavement is provided at this time, as the location is approximate and will be located within the ultimate right-of-way. There is no specific design, only a general area where these roadways will be installed. Final, specific design will be outlined per Project Conditions of Approval, and is subject to City review and approval, subsequent to both Project approval and the review and approval of street improvement plans. The interim 30' of pavement will be utilized solely for vehicular traffic; RK Engineering Group, Inc., was consulted for their input regarding this comment, their calculations confirm that 30 feet of pavement would allow for a 2-lane undivided roadway and no bike lanes are provided. The improvements shown on pp. 5-1 and 5-2 of the Vista Del Agua Specific Plan are also the on-site Project roadways. These provide more detail for the subsequent implementing projects (i.e. tract map, development plan, conditional use permit).
- 7r RK Engineering Group, Inc., was consulted for their input regarding this comment, their calculations confirm that 30 feet of pavement would allow for a 2-lane undivided roadway with a minimum ADT capacity up to 10,400 vehicles per day. Based on the *City of Coachella General Plan* and the *Traffic Impact Study City of Coachella, California*, prepared by RK Engineering Group, Inc., dated October 14, 2014, revised June 14, 2016 (*TIS, Appendix O*), the Project would assign approximately 7,800 average daily trips (ADT) to this segment. Therefore, the interim improvements shall be adequate to accommodate the entire buildout of the Project. The 30 feet width of pavement will serve to mitigate Project impacts and is not considered a "fair share" contribution. Shadow View Boulevard will serve to mitigate Project impacts. This roadway was not slated for fair-share contribution in the EIR; rather, intersections were identified in the EIR for fair share contributions (reference MM-TR-3 p. 4.14-61 and 4.16-62) As a condition of approval, subsequent traffic analyses will be required as each phase of the development is proposed and any additional improvements, such as to widen intersections, would be identified.
- 7s Please see response to comment 7r above as it pertains to the correlation between ADT capacity and the need for 30 feet of pavement.
- 7t Page 1-5 of the *TIS* indicates local 2-lane undivided roadways have a capacity of up to 10,400 ADT. Please refer to response to comment 7r indicating that 30 feet of pavement would allow for a 2-lane undivided roadway with a minimum ADT capacity up to 10,400 vehicles per day.
- 7u **MM-TR-1** will be revised to read, "For Existing Plus Project Conditions, the Project applicant is required to make the following improvements at the following intersections and roadway segments..." Also, the first bullet point under **MM-TR-1** will be revised to remove the requirement that the Project, "Construct new extension of Avenue 47/Shadow View Boulevard to Dillon Road." Instead add the following:
- Roadway Segment Improvements
    - Construct new extension of Shadow View Boulevard from to Dillon Road to

- Avenue 48;
- o Construct new extension of Avenue 47 from Tyler Street to Shadow View Boulevard; and
- o Construct new extension of Avenue 48 from Tyler Street to Shadow View Boulevard.

The revisions to **MM-TR-1** represent clarifications and refinements that will not require recirculation of the EIR. Shadow View Drive is identified as Avenue 48/Shadow View Boulevard in the EIR (see Section 3.4.2.4).

7v The responsibility to ensure all mitigation measures are implemented and fair-share contributions are paid is the responsibility of the City of Coachella.

7w Comment noted about General Plan Policy 2.10 (Contiguous development pattern). Key words to be noted are “encourage,” “incentivize,” and “minimize.” As it pertains to General Plan p. 2-09, key words include “will generally be” and “will be avoided.” While these are suggestive, they are not mandated. When taken into a greater context, the Project is located easterly of the Shadow View Specific Plan and within an area that is slated/planned for an urban level of development. The Project is a long-term plan and is anticipated to be developed in a manner and time frame consistent with the surrounding properties.

7x Please reference the discussion in 7w above.

7y As stated on p. 5-18 of the EIR:

*“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.”*

While not stated in the EIR, this assumption utilized for this alternative was similar to the trip distribution patterns that would be utilized for the Project. Similar to Avenue 48/Shadow View Boulevard, Vista Del Sur would provide the primary access (via Street “A”). Secondary access would be provided via existing Tyler Street. Tyler Street intersection improvements are included in **Mitigation Measures MM-TR-1** through **MM-TR-3**.

7z As stated on p. 5-18 of the EIR, *under the Vista del Sur Alternative scenario, approximately 5,834 linear feet of roadway (at 30’ in width) will be constructed.* It is anticipated that this improvement would be within the existing Vista del Sur right-of-way. Please reference Response to comment 7y.

7aa The City, as lead agency, has analyzed three alternatives (Chapter 5 of the EIR), consistent with the applicable text in the State CEQA Guidelines contained in Section 15126 as follows:

Section 15126.6 (a): *Alternatives to the Proposed Project. 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.*

Section 15126.6 (b) *Purpose. 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.*

Pursuant to Section 15126.6(d), Evaluation of Alternatives, the significant effects of each alternative are discussed in less detail than those of the proposed Project but in enough detail to provide perspective and allow for a reasoned choice among alternatives to the proposed Project.

The alternatives considered in this EIR included:

- 1 No Project Alternative (NPA);
- 2 Reduced Residential Density Alternative (RRDA); and
- 3 Vista del Sur Access Alternative (VDSA).

Two alternative locations were dismissed from analysis because they were not under the control of the applicant, and they were considerably larger in size than the proposed Project. An analysis of an alternative site was therefore not feasible.

No other alternatives to the proposed Project were given consideration or evaluated in the EIR since no other practical or feasible alternatives were proposed.

All issue areas analyzed with the proposed Project were analyzed for the three alternatives. These issue areas included: aesthetic resource, agriculture and forestry resources, air quality/greenhouse gas, biological resources, cultural resources, geology and soils resources, hazards and hazardous materials, hydrology and water quality resources, land use and planning, mineral resources, noise, population and housing, public services (fire and sheriff services, libraries, schools, health services), transportation/traffic, and utilities and service systems (water and sewer, natural gas and electricity, solid waste, maintenance of public facilities and other governmental services, adopted energy conservation plans).

The analysis was comprehensive and thorough as it pertained to the alternatives and their respective comparisons with the Project. This will provide the decision makers adequate information should they choose to approve an alternative rather than the Project.

7bb Comment noted. The commenter will be provided with future notifications as it pertains to the Project.



M. Katherine Jenson  
Direct Dial: (714) 641-3413  
E-mail: kjenson@rutan.com

July 20, 2018

**VIA E-MAIL AND  
FEDERAL EXPRESS**

Mr. Luis Lopez  
City of Coachella, Planning Division  
1515 6th Street  
Coachella, CA 92236  
LLopez@coachella.org

Re: Comments on Draft Environmental Impact Report  
Vista del Agua Specific Plan and Purported Development  
Agreement

Dear Mr. Lopez:

This letter is submitted jointly by DiMare/Shadow View T.I.C. (“DiMare”) and Shadow View Land and Farming, LLC, an affiliate of Reading International, Inc. (“Reading”). Collectively, DiMare and Reading (“Shadow View Owners”) own the property comprising the Shadow View Specific Plan, immediately north of the proposed Vista del Agua Project (“Project”).

7a

The Shadow View Owners have serious concerns regarding the proposed Vista del Agua development. While quite unclear from the Draft Environmental Impact Report (“DEIR”), it appears that the vast majority of the 29 acres of off-site improvements are planned to take place on the privately owned property of the Shadow View Owners. Yet, the applicant has never contacted the Shadow View Owners to discuss the use of this private property. Nor have they been contacted by the City or its consultants. It therefore comes as a shock to see DEIR figures depicting the carving up of their property with public infrastructure to serve what can best be described as a hopscotched and sprawling development that has virtually no regard for what is currently on the ground within the Shadow View Project area let alone what is planned there in the future.

7b

The Shadow View Owners submit the following preliminary comments based upon what they have been able to ascertain from the DEIR. Because they have been denied access to Project documents, however, they must reserve the right to provide additional comments once the required information and documentation is provided.

7c





Mr. Luis Lopez  
 City of Coachella, Planning Division  
 July 20, 2018  
 Page 2

1. Defects in Notice of Completion.

Two Notices of Completion have been prepared for this DEIR. The first was dated June 8, 2018. The second was dated June 13, 2018, and it provided a corrected description of the location of the Project. 7d

Even putting aside the defective property description in the first Notice, neither Notice meets the requirements of Public Resources Code section 21092(b). 7e

First, the length and description of the public review period is flawed. The period provided for comment was less than 45 days. On its face, and assuming receipt of the Notice on June 8<sup>th</sup>, the Notice informed readers that the comments had to be submitted “prior to” July 23, 2018, *i.e.*, before July 23, 2018. The plain reading of that reference is that the comments must be submitted on or before July 22, 2018, a Sunday. That results in a comment period of less than 45 days. 7f

More importantly, the first Notice was mailed via certified mail, with a return receipt, and was received well after June 8, 2018. This will be reflected on the return receipts sent back from the recipients. The second Notice was mailed on or after June 13, 2018, and was not received until June 19, 2018. The Notice must be given in sufficient time so that the public has notice of the full review period. (*Gilroy Citizens for Responsible Planning v. City of Gilroy* (2006) 140 Cal.App.4th 911, 922.) 7g

Pursuant to Public Resources Code section 21092(b)(2), the Notice of Completion of the DEIR was required to identify the address at which copies of all documents referenced in the DEIR are available for inspection. No such information is included in the Notice. As will be discussed below, this, together with the City’s refusal to provide documents upon request, including responding to formal Public Records Act requests, has impeded the public’s ability to comment on the DEIR. 7h

2. Denial of Access to Documents.

One of the five entitlements for the Project is a Development Agreement. While the Draft Specific Plan and Map are included in the Appendices for reference, the Development Agreement is not. On June 20, 2018, I requested a copy of the Agreement by e-mail. I was informed the same day by Ron Goldman that it was not available for distribution. On June 25, 2018, I submitted a formal Public Records Act request to the City Clerk requesting this document, and any term sheets or other writings reflecting its content. Neither I nor my clients have received any response to this request. 7i



Mr. Luis Lopez  
 City of Coachella, Planning Division  
 July 20, 2018  
 Page 3

The DEIR says that the “physical improvements associated with the [Development Agreement] have been described in Subchapters 3.4.1, 3.4.2, and 3.4.3, above.” (DEIR, p. 3-8.) Because we have no ability to review the Development Agreement, there is no way to verify that this is correct. In addition, we expect that the Development Agreement will have extensive information about the 29 acres of off-site improvements referenced in the Project Description. Without this information, it is not possible to verify that the DEIR has captured all of the potential impacts arising from the installation and operation of those improvements.

7j

3. Erroneous References to “Right-of-Ways” within the Shadow View Specific Plan Area.

As you know, the various tract maps within the Shadow View Specific Plan area have all expired. Since they were never finalized, no roadway or other right-of-way dedications were ever provided by the Shadow View Owners. The DEIR repeatedly refers to the 29 acres of off-site improvements as being placed within “right-of-way.” Section 3.5 does not identify any approvals that would be necessary for the acquisition of property within the Shadow View Specific Plan area. For example, there is no reference to potential eminent domain proceedings or the adoption of resolutions of necessity. Instead, on page 3-2, the City appears to be punting on the issue of right-of-way. Specifically, while acknowledging that “additional right-of-way may be needed to accommodate the off-site roadways (including Shadow View Boulevard),” the DEIR defers any analysis of this until the “tentative tract map stage.” Given that the main and secondary access to the Project utilize Shadow View Boulevard (page 3-5), how can this analysis be deferred? The entire Traffic Impact Analysis rests on the assumption that the right-of-way and access points will be available. Yet, as referenced above, the Shadow View Owners have never been contacted by the applicant.

7k

Later in the document, the DEIR seems to concede that there is no such right-of-way when it discusses the Vista del Sur alternative. Therefore, with regard to all references to “right-of-way” within the Shadow View Specific Plan area, please specify to what “right-of-way” property rights you are referring in the Chapter 3 and Chapter 4 references. In addition, if it is the City’s intention to utilize this document as the environmental clearance for eminent domain proceedings to acquire the property rights necessary for the off-site improvements for the Vista del Agua Project, please revise the text of the DEIR accordingly.

7l

4. Misleading, Inconsistent and Confusing Descriptions of the 29 Acres of Off-Site Improvements.

While the DEIR consistently refers to 29 acres of off-site improvements, and generally describes those improvements as being within the Shadow View Specific Plan area, the description of the improvements themselves and where the 29 acres is located is vague, inconsistent and, at times, nonsensical.

7m



Mr. Luis Lopez  
 City of Coachella, Planning Division  
 July 20, 2018  
 Page 4

There are repeated references to and depictions of Avenue 48 and Avenue 47 as being extended through the Shadow View Specific Plan Area. As you know, those roads do not currently exist. While there are certain dirt roads within the Shadow View Specific Plan area, they are not open to the public. Indeed, as a result of issues with homeless encampments, and at the insistence of the City, the Shadow View Owners recently incurred great expense to clean up and fence the Shadow View property. 7n

There is no map which depicts the 29 acres. Nor are the parcels comprising the 29 acres identified. Moreover, the way the descriptions have been worded suggests there are major omissions in the descriptions. For example, on page 3-5, the roadway extensions that the applicant must build during Phase I is described as consisting of 11,600 linear feet of roadway, with a width of 30 feet. This equates to 348,000 square feet of pavement. One would assume that the sewer and water lines would be within the roadway extensions. Yet this square footage equated to just 27.5 % of the 29 acres (1,263,240 square feet). What improvements would the applicant propose for the remaining 72.5% of the 29 acres? 7o

Page 3-1 indicates that water lines, sewer lines and roadway extensions will be within Avenue 47 and Avenue 48 right-of-ways. What right-of-ways? Page 3-2 indicates the same, but now includes “Shadow Hills Blvd.” What area is being referenced? Does the City claim to hold right-of-way within Shadow Hills Blvd.? 7p

The description of Circulation on page 3-5 is equally confusing. It indicates that the majority of the traffic will utilize Avenue 48/“Shadow View Drive” as the main access roadway. It references that the Vista del Agua Project will provide the improvements referenced on pages 5-1 and 5-2 of the Specific Plan. Those pages describe the full improvements to those roadways, including pedestrian and bike lanes. Yet in the third paragraph on page 3-5, under the heading of “Circulation,” the DEIR states that the Project will only be responsible for a total of 30’ feet of paving. Precisely what improvements will the Project be providing in these off-site locations? And please provide a schematic of what the 30 feet of paving would look like when the pedestrian and bike lanes are added. 7q

The document indicates that this 30-feet of paved roadway is commensurate with the needs/impacts generated by the Project. Where has this been calculated or justified? This suggests that these improvements are being treated as “fair share” improvements. However, that is not how the corresponding mitigation measures describe the required improvements. 7r

5. Concerns with Traffic Mitigation Measures Being Incomplete and Ineffective.

Mitigation Measure MM-TR-1 requires the applicant to construct a new extension of Avenue 47/Shadow View Boulevard to Dillion Road. It does not indicate that this roadway will 7s

119/030958-0001  
 12513692.2 a07/20/18





Mr. Luis Lopez  
 City of Coachella, Planning Division  
 July 20, 2018  
 Page 5

be only 30 feet in width. Nor does the Traffic Impact Study in the Appendices indicate that the assumed mitigation will be only a partial construction of the referenced roadway. To the contrary, it states that the referenced mitigation measures are the minimum required to improve operations to LOS D or better. (See footnote 1 to Table 4.14.4-5.) 7s

Please indicate where in the analysis it is demonstrated that the various referenced roadway improvements imposed as mitigation will be adequate if built only to 30 feet in width. 7t

The Specific Plan and the DEIR clearly indicate that the Project will use Avenue 48/Shadow View Boulevard as the main access roadway and Avenue 47/Shadow View Boulevard will be a secondary access. (E.g., p. 3-5.) However, Shadow View Drive is not mentioned in the Project Phasing (Table 3.4.2-1). Moreover, the extension of Avenue 48 and its connection to Shadow View Boulevard appears to be omitted from the Mitigation Measures altogether. Why is this not a mitigation measure? How does the DEIR assume that the extension of Avenue 48 will occur? 7u

With regard to the “fair share payment” mitigation contained in Mitigation Measure MM-TR-3, where is the assurance that the measure will actually be completed? For example, collecting 3.33% for an improvement does not provide any assurance that the measure will actually be constructed. This type of measure only works where it is part of a program specifically designed to ensure the improvement will ultimately be installed. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173.) 7v

6. Land Use Consistency.

We note that in the Land Use section (4.10), many General Plan policies are referenced, but the following, which is one of the most critical relating to this Project, is omitted:

**2.10 Contiguous development pattern.** Encourage and incentivize development to occur contiguous to, or proximate to, existing built areas to facilitate delivery of City services and minimize “leapfrog” development not connected to existing urbanized areas. 7w

(See also General Plan p. 2-09 “New development will generally be contiguous (or proximate) to existing development and leapfrog development will be avoided.”)

The Land Use analysis should address the Project’s potential inconsistency with this policy. Given the Project’s isolated location, and the distance to urbanized areas, this Project appears to be directly at odds with this core policy. 7x



Mr. Luis Lopez  
City of Coachella, Planning Division  
July 20, 2018  
Page 6

7. Alternative Analysis.

The Vista del Sur alternative assumes that the Project will take no access across the Shadow View Specific Plan area. It also concludes that the traffic impacts of that alternative are the same as the Project. Is there any analysis that supports that conclusion? How can this conclusion be supported when there would be an elimination of both the primary and secondary access points?

7y

What changes and improvements would be necessary for Tyler Street to accommodate this alternative?

7z

The DEIR's level of analysis of this alternative does not appear to be sufficient to support a decision to adopt that alternative in lieu of the Project. The Shadow View Owners request that the City undertake an in-depth analysis of that alternative so that if the City is inclined to approve this Project, the City would be in a position to approve that alternative rather than the Project.

7aa

Thank you for the opportunity to comment on this DEIR. In addition to the Shadow View Property Owners, please include me on all future notifications regarding this Project.

7bb

Very truly yours,

RUTAN & TUCKER, LLP

M. Katherine Jenson

**Comment Letter No.8**

Katie Kroft, Cultural Resources manager  
Agua Caliente Band of Cahuilla Indians (7-20-18)

- 8a        These are introductory statements that do not require a response.
- 8b        Comment noted. Per Comment Letter #3, the Twenty-Nine Palms Band of Mission Indians has requested to monitor the site during ground disturbance activities.
- 8c        These are closing statements that do not require a response.

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-017-2014-002

July 20, 2018

[VIA EMAIL TO:llopez@coachella.org]  
City of Coachella  
Mr. Luis Lopez  
1515 Sixth Street  
Coachella, CA 92236

**Re: Draft EIR- Vista Del Agua Specific Plan**

Dear Mr. Luis Lopez,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Vista Del Agua project. We have reviewed the documents and have the following comments:

8a

\*Please contact our office in the event that no other tribes in the area respond to your request for monitoring. The phone number for monitoring services is 760-699-6828.

8b

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at ACBCI-THPO@aguacaliente.net.

8c

Cordially,

Katie Croft  
Cultural Resources Manager  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS



**Comment Letter No.9**

Monique Wilber, Conservation Program Support Supervisor  
Department of Conservation (7-22-18)

- 9a These are introductory statements that do not require a response.
- 9b This is a description of the Project. No response is required.
- 9c This is a description of the Project location and setting. No response is required.
- 9d This paragraph cites CEQA Section 21002 as it pertains to alternatives and mitigation to lessen the effects of the Project. This comment also addresses the conclusions reached by the City's General Plan Environmental Impact Report (2015 EIR). As stated on p. 4.3-11 of the EIR:

*"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."*

The City has considered the recommendation to "reevaluate the establishment and use of such mitigation programs and/or detail why such mitigation programs remain unfeasible as related to the proposed project." They City has determined that the policy direction and analysis for this issue has already discussed in the General Plan and 2015 EIR. No additional mitigation will be added.

- 9e The City has considered the recommendation for the use of permanent agricultural conservation easements. They City has determined that the policy direction and analysis for this issue has already discussed in the General Plan and 2015 EIR. No additional mitigation will be added.
- 9f Comment noted. No additional response is required.
- 9g These are closing statements that do not require a response.



State of California • Natural Resources Agency  
Department of Conservation  
**Division of Land Resource Protection**  
801 K Street • MS 14-15  
Sacramento, CA 95814  
(916) 324-0850 • FAX (916) 327-3430

*Edmund G. Brown Jr., Governor*  
*Kathryn M. Lyddan, Division Director*

July 22, 2018

**VIA EMAIL: [LLOPEZ@COACHELLA.ORG](mailto:LLOPEZ@COACHELLA.ORG)**

Mr. Luis Lopez  
City of Coachella, Planning Division  
1515 6<sup>th</sup> Street,  
Coachella, CA 92236

Dear Mr. Lopez:

**DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE VISTA DEL AGUA SPECIFIC PLAN AND DEVELOPMENT AGREEMENT, SCH #2015031003**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation submitted by the City of Coachella (City) for the Vista Del Agua Specific Plan and Development Agreement. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

9a

Project Description

The proposed project consists of the phased development of a new master planned community in the City of Coachella located on approximately 275. The project includes 1,640 multi-family and single-family residential units, general commercial and neighborhood commercial uses, and open space in the form of a community park and trails and paseos. The project also proposes onsite infrastructure, as well as approximately 29 acres of offsite infrastructure improvements in the City of Coachella, Riverside County, California.

9b

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 to the east of the project site. Approximately 80 acres of the project site is currently being used to grow grapes.

9c

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to the State's agricultural land resources. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.<sup>1</sup> In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by

9d

<sup>1</sup> California Environmental Quality Act Statute and Guidelines, Association of Environmental Professionals, 2017, Section 21002, page 2.



Mr. Luis Lopez  
July 22, 2018  
Page 2

the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. Therefore, all mitigation measures that are potentially feasible should be included. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. The City's 2015 general plan update found agricultural mitigation measures to be infeasible; however, the Department suggests that the city reevaluate the establishment and use of such mitigation programs and/or detail why such mitigation programs remain infeasible as related to the proposed project.

9d

The Department recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation. Agricultural conservation easements are an available mitigation tool and should always be considered. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

9e

One source that has proven helpful for regional and statewide agricultural mitigation is the California Council of Land Trusts, which can be found at:

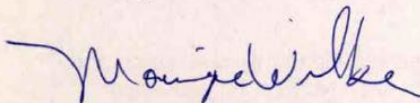
9f

<http://www.calandtrusts.org>

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Vista Del Agua Specific Plan and Development Agreement. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner at (916) 324-7347 or via email at [Farl.Grundy@conservation.ca.gov](mailto:Farl.Grundy@conservation.ca.gov).

9g

Sincerely,



Monique Wilber  
Conservation Program Support Supervisor

**Comment Letter No.10**

Luke Milick, AFM  
Riverside County Fire Department (7-11-18)

10a These are introductory statements that do not require a response.

10b & 10c Comment noted. The Project will not be solely responsible for the need for an additional fire station. The Project site is located within an area that is planned for conversion of existing agricultural uses to urban style development. As stated on p. 4.13-5 of the EIR:

*“It should be noted that the General Plan Update Final EIR (2015) recommended that the City of Coachella consider the addition of new fire service facilities to meet the increased demand for future fire protection and emergency medical services under the General Plan Update Final EIR (2015). The La Entrada Project Development Agreement ([https://laentradacomunity.com/download/ordinance\\_1067/FINAL%20APPROVE D%20La%20Entrada%20Development%20Agreement.pdf](https://laentradacomunity.com/download/ordinance_1067/FINAL%20APPROVE%20La%20Entrada%20Development%20Agreement.pdf)) requires that upon issuance of a certificate of occupancy for the 1,500th Unit, the Master Developer shall provide the necessary land and facilities for a three-person engine company.*

*Chapter 4.45 of the Coachella Municipal Code establishes a Development Impact Fee be placed on all new development within the City which is directly related to the funding and construction of fire protection and emergency response facilities necessary to address direct and cumulative impacts generated by new development. According to Section 4.45.030 of Chapter 4.45 of the Coachella Municipal Code the following public facilities must be constructed, installed and paid for or financed: General Government facilities; library facilities, park and recreation facilities, street facilities, fire facilities and police facilities. Development Impact Fees are reviewed and adjusted administratively on an annual basis each fiscal year.”*

In addition, as stated on p. 4.13-19 of the EIR:

*“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.”*

Fire facilities planning will be coordinated between the Riverside County Fire Department (RVCFD) and the City of Coachella in order to assure that all future projects (including the proposed Project) will be adequately served.

Lastly, all plans will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.

10d This comment about adverse impacts is noted. Please refer to responses to comments 5b & 5c, above. Mitigation for adverse impacts will be provided by the Project.

- 10e All plans, which demonstrate Fire Department emergency vehicle access road locations and design (in accordance with California Fire Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards) will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.
- 10f All Fire Department waster system(s) plans, (in accordance with California Fire Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards) will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.
- 10g All plans, (in accordance with California Fire Code, Riverside County Ordinance 787, and Riverside County Fire Department Standards) will be submitted to the Riverside County Fire Marshall, prior to building permit issuance. This is a standard condition.
- 10h Comment noted. No additional response is required.



## CAL FIRE - RIVERSIDE UNIT RIVERSIDE COUNTY FIRE DEPARTMENT

**DANIEL R. TALBOT - FIRE CHIEF**  
Office of the Fire Marshal (East)  
77-933 Las Montanas Rd., Ste 201, Palm Desert, CA 92211  
Bus: (760) 863-8886 ~ Fax: (760) 863-7072 ~ www.rvcfire.org

**PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:**

- BANNING
- BEAUMONT
- CANYON LAKE
- COACHELLA
- DESERT HOT SPRINGS
- EASTVALE
- INDIAN WELLS
- INDIO
- JURUPA VALLEY
- LAKE ELSINORE
- LA QUINTA
- MENIFEE
- MORENO VALLEY
- NORCO
- PALM DESERT
- PERRIS
- RANCHO MIRAGE
- RUBIDOUX CSD
- SAN JACINTO
- TEMECULA
- WILDOMAR

**BOARD OF SUPERVISORS**

- KEVIN JEFFRIES DISTRICT 1
- JOHN TAVAGLIONE DISTRICT 2
- CHARLES WASHINGTON DISTRICT 3
- V. MANUEL PEREZ DISTRICT 4
- MARION ASHLEY DISTRICT 5

City of Coachella  
Attn:  
1515 6TH ST  
COACHELLA, CA 92236

July 11, 2018

<b>Project Name:</b>	Vista del Agua (EA14-04/ SCH#2015031003)	<b>Permit Number:</b>	FPEIR1800002
<b>Project Address:</b>	S. Vista del Sur, E Tyler Street N. Avenue 48, W. Polk Street Coachella, CA 92236	<b>Case Type:</b>	Fire Environmental Impact Re
<b>APN(s):</b>	603150005; 603122005; 603130009; 603150008; 603150010; 603150012; 603150011; 603130003; 603150009; 603150004; 603150007; 603130004	<b>Reviewer:</b>	Luke Milick
		<b>Review Number:</b>	2

Riverside County Fire Department (RVCFD) Office of the Fire Marshal (OFM) has reviewed the submitted plans for the referenced project and they are approved with the following conditions. 10a

**015 - Fire**

**Fire**

Please include the following comments on your response to the City regarding the project referenced above:

With respect to the Draft Environmental Impact Report for the Vista Del Agua Specific Plan, the Riverside County Fire Department offers the following:

Fire protection for the above referenced project will be provided by the Coachella Fire Station 79, located at 1377 6th Street in Coachella and will respond with one Type 1 Engine providing paramedic service. This station is staffed 24 hours a day, 7 days a week, with a 3-person engine crew providing paramedic service. The distance from the station to the proposed development is approximately three and a half (3.5) miles. This is outside our standard for a travel time of 4 minutes for the first arriving engine company and a total response time of 7 minutes. Therefore, an additional fire station with engine and crew is required to serve the area and will be needed prior to occupancy. 10b

The proposed project will have an incremental, cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic and population. It is recommended that the City collect proportional development impact fees to help fund mitigation measures to address impacts to fire services. While Development Impact Fees (DIF) might assist in the one-time mitigation for capital projects, considering ongoing governmental funding challenges, we encourage your administrative staff and legislative bodies to review and determine if mitigations are necessary for ongoing fiscal impacts to our operational services. An example of a mitigation to assist with operational funding is a Community Facilities District. Other ongoing funding methods could be explored. Please be advised that prior to building permit issuance, plans will be required to be submitted to the Riverside County Fire Marshal for review and approval. Please contact the County Fire Marshals Office at 951-955-4777 for more information regarding submittal requirements. 10c

If we can be of further assistance, please feel free to contact the Riverside County Fire Department Strategic Planning Division at [RRUStrategicPlanningBureau@fire.ca.gov](mailto:RRUStrategicPlanningBureau@fire.ca.gov)

Sincerely,  
Dexter Galang  
Gen - Custom





## CAL FIRE - RIVERSIDE UNIT RIVERSIDE COUNTY FIRE DEPARTMENT

**DANIEL R. TALBOT - FIRE CHIEF**  
Office of the Fire Marshal (East)  
77-933 Las Montanas Rd., Ste 201, Palm Desert, CA 92211  
Bus: (760) 863-8886 ~ Fax: (760) 863-7072 ~ [www.rvcfire.org](http://www.rvcfire.org)

**PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:**

- BANNING
- BEAUMONT
- CANYON LAKE
- COACHELLA
- DESERT HOT SPRINGS
- EASTVALE
- INDIAN WELLS
- INDIO
- JURUPA VALLEY
- LAKE ELSINORE
- LA QUINTA
- MENIFEE
- MORENO VALLEY
- NORCO
- PALM DESERT
- PERRIS
- RANCHO MIRAGE
- RUBIDOUX CSD
- SAN JACINTO
- TEMECULA
- WILDOMAR

**BOARD OF SUPERVISORS**

- KEVIN JEFFRIES  
DISTRICT 1
- JOHN TAVAGLIONE  
DISTRICT 2
- CHARLES WASHINGTON  
DISTRICT 3
- V. MANUEL PEREZ  
DISTRICT 4
- MARION ASHLEY  
DISTRICT 5

**ADVERSE IMPACTS**

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic and population. The project proponents/developers will be expected to provide for a proportional mitigation to these impacts via capital improvements and/or impact fees.

10d

**ACCESS**

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

10e

**WATER**

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

10f

**FIRE CONSTRUCTION PERMITS REQUIRED**


Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

10g

Construction shall remain accessible and exposed for inspection purposes until approved by the Fire Department. The approval of plans and specifications does not permit the violation, deletion, omission or faulty installation of any requirements of California Code of Regulations, Title 19, Title 24, and locally adopted ordinances.

10h

Should you have additional questions, please contact me via phone at 760-393-3386 or email at [Luke.Milick@fire.ca.gov](mailto:Luke.Milick@fire.ca.gov).

  
\_\_\_\_\_  
Luke Milick  
AFM



---

**Comment Letter No.11**

Michael Mirelez, Cultural Resource Coordinator  
Torres Martinez Desert Cahuilla Indians (7-26-18)

11a Comment noted that the Project site is located within the Tribal Traditional Use area for the Torres Martinez Desert Cahuilla Indians. No response is required.

11b According to p. 4.6-2 of the EIR, the following Project-specific studies were used in the analyses presented in Subchapter 4.6, Cultural Resources:

- *Phase I Cultural Resources Survey and Assessment of the Vista del Agua Project, a 277-Acre Parcel Just South of Interstate 10 between Tyler and Polk Streets in the City of Coachella, Riverside County, California*, prepared by Professional Archaeological Services, dated October 10, 2014 (**2014 CSRA I, Appendix F**)
- *Phase II Evaluation of the Cultural Resources of the Vista del Agua Project, a 277-Acre Parcel with 4300 Feet of Linear Offsite Improvements Just South of I-10 between Tyler and Polk Streets in the City of Coachella, Riverside County, California, APNs: 603-122-05; 603-130-03, -04 & -09; 603-150-04, -05 & -07 thru -12*, prepared by Professional Archaeological Services, dated May 20, 2015 (**2015 CSRA II, Appendix G**).

These were included in the Technical Appendices to the EIR (enclosed CD).

11c The City of Coachella Development Services Department prepared and circulated an NOP for the Project. The NOP review period began on March 2, 2015 and ended 30 days later on April 1, 2015. This established the baseline for the Project. Assembly Bill 52 was not in affect at the time of the issuance of the NOP. No consultation is required.

11d Mitigation Measures MM-CUL-1 through MM-CUL-4 pertain to Tribal Monitoring. No additional response is required.



TORRES MARTINEZ DESERT CAHUILLA INDIANS

P.O. Box 1160  
Thermal, CA 92274  
(760) 397-0300 – FAX (760) 397-8146

July 26<sup>th</sup> 2018

Attn: Luis Lopez  
City of Coachella - Planning Division 1515 6<sup>th</sup> Street  
Coachella Ca 92236

**Re: Vista Del Agua Project**

Torres Martinez Desert Cahuilla Indians appreciates your concern for cultural resource preservation in your project. We have reviewed the information and found, that although the project is located outside the existing reservation, the location does fall within our Tribal Traditional Use Area. Therefore the concern for inadvertent discoveries is high for the Torres Martinez Desert Cahuilla Indians. As a result, we are requesting the following:

11a

Torres Martinez Desert Cahuilla Indians is requesting the following:

- Copies of all Cultural reports
- Formal Government to Government Consultation.
- Tribal Monitoring for all initial ground disturbing activities by a designated tribal monitor from the Torres Martinez Desert Cahuilla Indians. The monitor shall be present during any ground disturbing proceedings including surveys and archaeological testing.

11b

11c

11d

Please feel free contact me at your earliest convenience either by email or phone in order to make arrangements.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mirelez', followed by a horizontal line.

Michael Mirelez  
Cultural Resource Coordinator  
Torres-Martinez Desert Cahuilla Indians  
Office: 760-397-0300 Ext: 1213  
Cell:760-399-0022  
Email: mmirelez@tmdci.org

**Comment Letter No. 12**

Donald Vargas, Compliance Administrator II  
Imperial Irrigation District (7-19-18)

- 12a These are introductory statements that do not require a response.
- 12b Comment noted. These applications are typically made at the final map stage of the Project.
- 12c Please reference response to comment 12b.
- 12d Comment noted. It is anticipated that due to the size and scale of the Project, there will be an impact to IID facilities. As stated in Chapter 2 of the EIR (pp. 2-3) this is a Program EIR. More specifically, the EIR states:

*“This Environmental Impact Report (EIR) will serve as a Program EIR (EIR) pursuant to CEQA Guidelines Section 15168, which states that:*

*“A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:*

- (1) Geographically,*
- (2) As logical parts in the chain of contemplated actions,*
- (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”*

*This EIR analyzes the proposed Project under CEQA at a program level for the entire Project, which consists of approximately 275 acres of on-site development, as well as approximately 29 acres of off-site infrastructure improvements, totaling approximately 304 acres, both on and off-site. The proposed Project includes a master-planned community on approximately 275-acres that would include a mix of residential, commercial, open space, and recreational uses. As a worse-case assumption, the proposed Project would be implemented by 2022 time. This EIR has been prepared as a Program EIR for the following reasons:*

- The proposed Project would be implemented over a large geographic area, approximately 275-acres on-site and 29-acres off-site, totaling 304-acres.*
- Final grading and construction plans and details have not been developed for each planning area, as of yet.*

*A worst-case construction scenario was developed to analyze construction impacts throughout this EIR.*

*Subsequent activities associated with implementation of the Specific Plan would be evaluated for compliance with CEQA in light of this EIR to determine whether additional environmental documentation must be prepared. Specifically, if Tentative Tract Maps, improvement plans, or other discretionary approvals*

*associated with implementation of the Specific Plan are submitted and proposed, the environmental impacts of implementing those maps, plans, and approvals will be compared against the analysis set forth in this EIR and CEQA's mandates for subsequent and/or supplemental environmental review."*

The overall development of the Specific Plan will require the subsequent submittal, review, and approval of implementing projects (i.e., tract maps, development plans, conditional use permits, etc.). It is at that time that the specific impacts can be analyzed – on an implementing project-by-project basis, as to whether there will be substantial impacts to the IID electrical system. At that time, the current baseline of IID electrical system facilities will be identified and subsequent implementing project-specific impacts/mitigation (if required) will be assessed.

- 12e This comment is noted and provided as information to the decision makers. These applications will be made at the final map stage of the Project. As stated on pp. 4.15-36 and 4.15-37 of the EIR:

*"All new distribution lines will be constructed as underground facilities concurrently with Project development."*

The analysis in the EIR anticipated that these facilities would be in the locations of the on-site and off-site Project component and rights-of-way. The City will take steps to ensure that upon submittal to IID for a Will Serve letter, all plans and materials will be consistent with the EIR. Please reference response to comment 12d as it pertains to the scope of the Program EIR.

- 12f This comment on costs to be borne by the developer for electrical upgrades is noted. No further response is required.
- 12g This comment does not specify the location for the substation site. Should it be located within the Project boundaries, please reference response to comment 12d.
- 12h This comment is noted and provided as information to the decision makers. Please refer to response to comments 12d and 12e.
- 12i This comment is noted and provided as information to the decision makers. No further response is required.
- 12j This comment is noted and provided as information to the decision makers. No further response is required.
- 12k This comment is noted and provided as information to the decision makers. No further response is required.
- 12l This comment is noted and provided as information to the decision makers. No further response is required.
- 12m This comment is noted and provided as information to the decision makers. No further response is required.
- 12n This comment is noted and provided as information to the decision makers. No further response is required.

- 12o This comment is noted and provided as information to the decision makers. No further response is required.
- 12p As stated in response to 12d, this is a programmatic level analysis. The overall development of the Specific Plan will require the subsequent submittal, review and approval of implementing projects (i.e., tract maps, development plans, conditional use permits, etc.). It is at that time that the specific impacts can be analyzed – on an implementing project-by-project basis as to whether there will be substantial impacts to the IID electrical system. At that time, the current baseline of IID electrical system facilities will be identified and subsequent implementing project-specific impacts/mitigation (if required) will be assessed. A programmatic approach to the analysis is not akin to “piecemealing.” It provides a systematic approach to addressing impacts/mitigation based on the current scope of the Project and allows for tiering for subsequent implementing projects without deferring analysis. .
- 12q This comment is noted and provided as information to the decision makers. No further response is required.



www.iid.com

Since 1911

July 19, 2018

Mr. Luis Lopez  
 Director  
 Development Services Department  
 City of Coachella  
 1515 6th Street  
 Coachella, CA 92236

SUBJECT: Draft Program EIR for Vista del Agua Specific Plan in Coachella, CA

Dear Mr. Lopez:

Pursuant to the City of Coachella's notice of completion and publication of the Draft Program Environmental Impact Report for the Vista del Agua Specific Plan, where the developer, CVP Palm Springs, LLC, in affiliation with Strategic Land Partners, L.P.; is proposing to implement a residential, commercial and open space development, with associated on-site infrastructure improvements on an approximately 275 acre site (as well as approximately 29 acres of off-site infrastructure improvements) south of I-10 and Vista Del Sur, east of Tyler Street, and north of Avenue 48 in Coachella, California, with off-site improvements within the Ave. 47, Ave. 48 and Shadow Hills Blvd, roadways/rights-of-way; the Imperial Irrigation District has reviewed the information and has the following comments:

12a

1. IID will not begin any engineering or estimate costs to provide electrical service for the project until the owner submits an application, detailed loading information, project schedule and estimated in-service date. The IID customer project application is available at <http://www.iid.com/home/showdocument?id=12923>.
2. Once the applicant provides the district with the required information, IID can carry out a thorough assessment to determine the specific requirements to supply electrical service to the project. Likewise, IID will determine the availability of temporary construction power from existing power lines based on construction schedules and or phasing.
3. However, based on the information provided, IID has performed a preliminary assessment of the project and has determined that there is a substantial impact to the IID electrical system within the area.
4. Therefore, the developer will be required to formally request a *Will Serve Letter* from IID, with project details. The anticipated load to supply power to the project

12b

12c

12d

12e

IMPERIAL IRRIGATION DISTRICT • P.O. BOX 937 • IMPERIAL, CA 92251

Luis Lopez  
 July 19, 2018  
 Page 2

- will require the design and construction of a new 92kV transmission lines with easement corridors dedicated to IID and a new distribution substation in the vicinity of the project with the corresponding distribution circuit/backbone line extensions. | 12e
- 5. The electrical upgrades needed to accommodate the project's power load are the expense of the developer(s) in the area. | 12f
- 6. A minimum 315' by 315' substation site will be required by IID. Additional upgrade requirements include grading, fencing, applicable permits, zoning changes, environmental documentation, landscaping (if required by the City) and access rights for ingress and egress to site, as well as to power line facilities and all rights-of-way and easements for the substation and transmission line extension routes. | 12g
- 7. The developer(s) are required to provide IID with additional rights-of-way, easements and obtain necessary approvals from the agencies involved to allow for the construction, operation and maintenance of the proposed transmission lines and corridors for the purpose of serving Vista del Agua Specific Plan project substation, which are at the expense of the developer(s) in the area. The proposed substation site and transmission route/right-of-way, easements should be addressed in the project environmental documents. | 12h
- 8. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the area's project manager, Carlos Puente, for guidance and to initiate the customer service application process. Mr. Puente can also be reached (760) 398-5837 or by email at [CPuente@IID.com](mailto:CPuente@IID.com). | 12i
- 9. It is important to note that IID's policy is to extend its electrical facilities only to those developments that have obtained the approval of a city or county planning commission and such other governmental authority or decision-making body having jurisdiction over said developments. | 12j
- 10. The applicant will be required to provide rights-of-way and easements for any power line extensions needed to serve the project. | 12k
- 11. Line extensions to serve the project will be made in accordance with IID Regulations: | 12l
  - No. 2 (<http://www.iid.com/home/showdocument?id=2540>),
  - No. 13 (<http://www.iid.com/home/showdocument?id=2553>),
  - No. 15 (<http://www.iid.com/home/showdocument?id=2555>) and
  - No. 20 (<http://www.iid.com/home/showdocument?id=2560>).



Luis Lopez  
 July 19, 2018  
 Page 3

- 12. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

12m
  
- 13. Relocation of existing IID facilities to accommodate the project and/or to accommodate street widening improvements imposed by the City will be deemed developer-driven and all costs, as well as securing of rights of way and easements for relocated facilities, shall be borne by the applicant.

12n
  
- 14. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

12o
  
- 15. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has established general principles on project segmentation for different project types.

12p

Luis Lopez  
July 19, 2018  
Page 4

For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

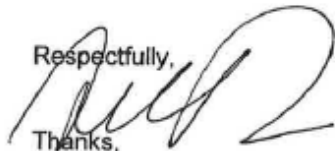
12p

16. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID's electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at <http://www.iid.com/energy/safety/landscape-guidelines>.

12q

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

Respectfully,



Thanks,

Donald Vargas  
Compliance Administrator II

Kevin Kelley – General Manager  
Mike Pacheco – Manager, Water Dept.  
Enrique B. Martinez – Manager, Energy Dept.  
Charles Allegrezza – Manager, Energy Dept., Operations  
Jamie Ashbury – Deputy Manager, Energy Dept., Operations  
Vance Taylor – Asst. General Counsel  
Robert Laurie – Asst. General Counsel  
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service  
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance  
Harold Walk Jr. – Supervisor, Real Estate Randy Gray – ROW Agent, Real Estate  
Randy Gray – ROW Agent, Real Estate

**2.0 b. COMMENTS RECEIVED FROM EIR RECIRCULATION – AUGUST 2018****Comment Letter No. R1**

Anthony Madrigal Jr., Tribal Historic Preservation Officer  
Twenty-Nine Palms Band of Mission Indians (8-10-18)

R1a These are introductory statements that do not require a response.

R1b - R1f Comments noted. Please see Comment Letter #3 in Section 2.0 a. for responses to prior concerns.

R1g The Tribe will be notified of them modifications to Mitigation Measures MM-CUL-1 through Mitigation Measure MM-CUL-4 through the Final EIR process. The last paragraph is a closing statement that does not require a response.



**TWENTY-NINE PALMS BAND OF MISSION INDIANS**

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

August 10, 2018

**CERTIFIED MAIL # 7013 2250 0001 8740 5230  
RETURN RECEIPT REQUESTED**

Luis Lopez  
City of Coachella – Planning Division  
1515 6<sup>th</sup> Street  
Coachella, CA 92236

**RE: Notice of Availability of Recirculated Draft Environmental Impact Report for the Vista Del Agua Specific Plan Project (State Clearinghouse No. 2015031003)**

Dear Mr. Lopez,

This letter is in regards to continued consultation under the California Environmental Quality Act (CEQA) for the Vista Del Agua Specific Plan and Development Agreement (Project). This project proposes a phased development of a new master-planned community in the City of Coachella. A total of approximately 304 acres of development both on and off-site is anticipated. The Project includes 1,640 multi-family and single-family residential units, general commercial and neighborhood commercial uses, and open space in the form of a community park and trails and paseos. This project is approximately 1-mile from the Twenty-Nine Palms Band of Mission Indians (Tribe) Reservation located near the City of Coachella.

R1a

As stated in our letter sent June 6, 2018, the Tribal Historic Preservation Office dedicated to protect and preserve cultural resources that concern the Twenty-Nine Palms Band of Mission Indians (Tribe), was not aware of any additional cultural resources within the project area. However, the Environmental Impact Report (EIR) summarizes that the project contains three previously recorded prehistoric sites and two newly recorded historic sites; RIV-7834, RIV-7835, RIV-7836, RIV-11775, and RIV-11776. One of these sites, RIV-7835, continued surface ceramic scatter that may represent a seasonally occupied campsite alongside the former shoreline of prehistoric Lake Cahuilla. While this site initially was determined not a significant resource; after Phase II testing the site was determined to be significant as a rare resource affected by the project, and significant under Criterion D (National Register Bulletin VIII) because of its potential to provide information important to prehistory. This resource was recommended to be avoided, which would cause levels of impact to be reduced to a less than significant level.

R1b

In the Draft Environmental Impact Report, there were measures established to reduce the level of impacts to Cultural Resources to less than significant with mitigation. These included:

R1c

*MM-CUL-1 RIV-7835 Avoidance (Planning Area 5): Prior to the issuance of a grading plan, 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.*

In our previous letter, the THPO requested to meet with the City and Developer to ensure that measures are in place to avoid CA-RIV-7835. While an Open Space area has been established, particular attention to access (deterrents for construction crew and future residents) and hydrology are needed to ensure that the site is appropriately avoided and undisturbed. During the construction phase, an Environmentally Sensitive Area (ESA) fencing/flagging is recommended around CA-RIV-7835, in a buffer area to ensure that there will be no impacts from construction activities. ESA fences should be placed prior to project activities along the edge of the APE and monitored periodically by a qualified archaeological and Native American monitor during any ground disturbing activities related to the construction of this Project. An archaeological monitor should be on site during fence installation, and spot check should occur during construction to ensure that the ESA fencing is maintained. Removal of the fence should only occur after all ground disturbing activities have taken place in PA 5 and removal should be monitored and signed off by the project archaeologist and Native American Monitor(s).

R1c

*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.*

R1d

The THPO agrees that both an archaeological monitor and Native American Monitor(s) should be obtained for the project. The Tribe requests that monitors from the Twenty-Nine Palms Band of Mission Indians be present during ground-disturbing activities. Depending on the amount of ground disturbance, work area, and the number of construction vehicles in service, additional monitors should be on-site if warranted by workload demands.

*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. The Monitoring Plan will include at a minimum:*

R1e



- (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.*

R1e

*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 San Bernardino Archaeological Information Center 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.*

While the Tribe agrees that a Monitoring Plan should be established and overseen by the project archaeologist, consulting Tribe(s) should also review the document before it is approved by the City of Coachella Director of Development Services. The consulting Tribe(s) should be notified and consulted on the disposition of resources that are not able to be avoided or reburied should be

R1e

It should also be noted that the San Bernardino Archaeological Information Center is no longer in service and all subsequent documentation should be received and submitted to the applicable Information Center. The closest Information Center would be the Eastern Information Center located in Riverside, California (serving Inyo, Mono, and Riverside Counties). Additionally, if additional resources are uncovered the disposition of these artifacts should be collaborated between the project proponent, consulting Tribes, and project archaeologist.

*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.*

R1f



As previously stated the San Bernardino Archaeological Information Center is no longer in service. All subsequent documentation should be submitted to the applicable Information Center.

R1f

In order to cause less than a significant impact to cultural resources for the Vista Del Agua Project, specific mitigation measures would have to be followed (MM CUL 1 – 4). These measures described specific performance criteria for migration at the time of project approval. If there have been any changes to the Draft Environmental Impact Report or publication of a Final Environmental Impact Report, please notify the Tribe.

R1g

The Tribe and THPO look forward to continuing working with the City of Coachella on this project. If you have any questions, please do not hesitate to contact the Tribal Historic Preservation Office at (760) 775-3259 or by email: [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov).

Sincerely,



Anthony Madrigal, Jr.  
Tribal Historic Preservation Officer

cc: Darrell Mike, Twenty-Nine Palms Tribal Chairman  
Sarah Bliss, Twenty-Nine Palms Cultural Resources Manager

**Comment Letter No. R2**

Donald Vargas, Compliance Administrator II  
Imperial Irrigation District (8-13-18)

- R2a These are introductory statements that do not require a response.
- R2b Comment noted. Please see Comment Letter #12, provided in Section 2.0 a., for responses to prior concerns.
- R2c Comments noted. Please see Comment Letter #12, provided in Section 2.0 a., for responses to prior concerns.



www.iid.com

Since 1911

August 13, 2018

Mr. Luis Lopez  
 Director  
 Development Services Department  
 City of Coachella  
 1515 6th Street  
 Coachella, CA 92236

SUBJECT: NOA of a Recirculated Draft EIR for Vista del Agua Specific Plan Project in Coachella, CA

Dear Mr. Lopez:

Pursuant to the City of Coachella's Notice of Availability of a recirculated Draft Environmental Impact Report for the Vista del Agua Specific Plan project, where the developer, CVP Palm Springs, LLC, in affiliation with Strategic Land Partners, LP; is proposing to implement a residential, commercial and open space development on an approximately 275-acre site south of I-10 and Vista Del Sur, east of Tyler Street, and north of Avenue 48 in Coachella, CA, with approximately 29 acres of off-site infrastructure improvements within the Ave. 47, Ave. 48 and Shadow Hills Blvd. roadways/rights-of-way; the Imperial Irrigation District has reviewed the information and finds that the comments provided in the July 19, 2018 district letter (see attached letter) continue to apply.

R2a

It is important to note, as stated in the previously mentioned letter, that the project will have a substantial impact on the IID electrical system within the area.

R2b

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

Respectfully,

Donald Vargas  
 Compliance Administrator II

Kevin Kelley – General Manager  
 Mike Pacheco – Manager, Water Dept.  
 Enrique B. Martinez – Manager, Energy Dept.  
 Jamie Asbury – Deputy Manager, Energy Dept., Operations  
 Vance Taylor – Asst. General Counsel  
 Robert Laurie – Asst. General Counsel  
 Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service  
 Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance  
 Harold Walk Jr. – Supervisor, Real Estate  
 Randy Gray – ROW Agent, Real Estate

IMPERIAL IRRIGATION DISTRICT • P.O. BOX 937 • IMPERIAL, CA 92251

[www.iid.com](http://www.iid.com)

Since 1911

July 19, 2018

Mr. Luis Lopez  
Director  
Development Services Department  
City of Coachella  
1515 6th Street  
Coachella, CA 92236

SUBJECT: Draft Program EIR for Vista del Agua Specific Plan in Coachella, CA

Dear Mr. Lopez:

Pursuant to the City of Coachella's notice of completion and publication of the Draft Program Environmental Impact Report for the Vista del Agua Specific Plan, where the developer, CVP Palm Springs, LLC, in affiliation with Strategic Land Partners, L.P.; is proposing to implement a residential, commercial and open space development, with associated on-site infrastructure improvements on an approximately 275 acre site (as well as approximately 29 acres of off-site infrastructure improvements) south of I-10 and Vista Del Sur, east of Tyler Street, and north of Avenue 48 in Coachella, California, with off-site improvements within the Ave. 47, Ave. 48 and Shadow Hills Blvd, roadways/rights-of-way; the Imperial Irrigation District has reviewed the information and has the following comments:

1. IID will not begin any engineering or estimate costs to provide electrical service for the project until the owner submits an application, detailed loading information, project schedule and estimated in-service date. The IID customer project application is available at <http://www.iid.com/home/showdocument?id=12923>.
2. Once the applicant provides the district with the required information, IID can carry out a thorough assessment to determine the specific requirements to supply electrical service to the project. Likewise, IID will determine the availability of temporary construction power from existing power lines based on construction schedules and or phasing.
3. However, based on the information provided, IID has performed a preliminary assessment of the project and has determined that there is a substantial impact to the IID electrical system within the area.
4. Therefore, the developer will be required to formally request a *Will Serve Letter* from IID, with project details. The anticipated load to supply power to the project

R2c

IMPERIAL IRRIGATION DISTRICT • PO BOX 937 • IMPERIAL, CA 92251

Luis Lopez  
July 19, 2018  
Page 2

will require the design and construction of a new 92kV transmission lines with easement corridors dedicated to IID and a new distribution substation in the vicinity of the project with the corresponding distribution circuit/backbone line extensions.

5. The electrical upgrades needed to accommodate the project's power load are the expense of the developer(s) in the area.
6. A minimum 315' by 315' substation site will be required by IID. Additional upgrade requirements include grading, fencing, applicable permits, zoning changes, environmental documentation, landscaping (if required by the City) and access rights for ingress and egress to site, as well as to power line facilities and all rights-of-way and easements for the substation and transmission line extension routes.
7. The developer(s) are required to provide IID with additional rights-of-way, easements and obtain necessary approvals from the agencies involved to allow for the construction, operation and maintenance of the proposed transmission lines and corridors for the purpose of serving Vista del Agua Specific Plan project substation, which are at the expense of the developer(s) in the area. The proposed substation site and transmission route/right-of-way, easements should be addressed in the project environmental documents.
8. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the area's project manager, Carlos Puente, for guidance and to initiate the customer service application process. Mr. Puente can also be reached (760) 398-5837 or by email at [CPuente@IID.com](mailto:CPuente@IID.com).
9. It is important to note that IID's policy is to extend its electrical facilities only to those developments that have obtained the approval of a city or county planning commission and such other governmental authority or decision-making body having jurisdiction over said developments.
10. The applicant will be required to provide rights-of-way and easements for any power line extensions needed to serve the project.
11. Line extensions to serve the project will be made in accordance with IID Regulations:  
  
No. 2 (<http://www.iid.com/home/showdocument?id=2540>),  
No. 13 (<http://www.iid.com/home/showdocument?id=2553>),  
No. 15 (<http://www.iid.com/home/showdocument?id=2555>) and  
No. 20 (<http://www.iid.com/home/showdocument?id=2560>).

R2c

Luis Lopez  
July 19, 2018  
Page 3

12. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
13. Relocation of existing IID facilities to accommodate the project and/or to accommodate street widening improvements imposed by the City will be deemed developer-driven and all costs, as well as securing of rights of way and easements for relocated facilities, shall be borne by the applicant.
14. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**
15. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has established general principles on project segmentation for different project types.

R2c



Luis Lopez  
July 19, 2018  
Page 4

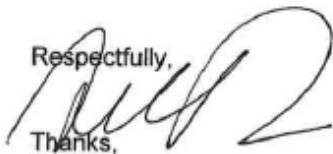
For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

16. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID's electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at <http://www.iid.com/energy/safety/landscape-guidelines>.

R2c

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

Respectfully,



Thanks,

Donald Vargas  
Compliance Administrator II

Kevin Kelley – General Manager  
Mike Pacheco – Manager, Water Dept.  
Enrique B. Martinez – Manager, Energy Dept.  
Charles Allegranza – Manager, Energy Dept., Operations  
Jamie Asbury – Deputy Manager, Energy Dept., Operations  
Vance Taylor – Asst. General Counsel  
Robert Laurie – Asst. General Counsel  
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service  
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance  
Harold Wisk Jr. – Supervisor, Real Estate Randy Gray – ROW Agent, Real Estate  
Randy Gray – ROW Agent, Real Estate

**Comment Letter No. R3**

Paul Rull, ALUC Urban Regional Planner IV  
Airport Land Use Commission (ALUC) (8-9-18)

R3a Comment noted; ALUC review is not required. No further response is required.

**From:** Rull, Paul [<mailto:PRull@RIVCO.ORG>]  
**Sent:** Thursday, August 09, 2018 3:10 PM  
**To:** Luis Lopez  
**Subject:** DEIR Vista Del Agua SP Project transmittal ALUC comments

Hi Luis,

Thank you for transmitting the above reference project to ALUC for review. Please note that the project is located outside of an airport influence area and therefore ALUC review is not required.

R3a

If you have any questions, please feel free to contact me.

**Paul Rull**  
ALUC Urban Regional Planner IV



**Riverside County Airport Land Use Commission**  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, Ca 92501  
(951) 955-6893  
(951) 955-5177 (fax)  
[PRULL@RIVCO.ORG](mailto:PRULL@RIVCO.ORG)  
[www.rcaluc.org](http://www.rcaluc.org)

### Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure. If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

[County of Riverside California](#)

**Comment Letter No. R4**

M. Katherine Jensen, Rutan & Tucker, LLP  
DiMare - Shadow View T.I.C. - Rutan (9-20-18)

- R4a Comment noted. No additional response is necessary.
- R4b Comment noted. Please see Comment Letter #7 in Section 2.0 a. for responses to prior concerns.
- R4c Comment noted. Ms. Jensen and the Shadow View Property Owners will be included on all future notifications regarding this Project.
- R4d Comments noted. Please see Comment Letter #7 in Section 2.0 a. for responses to prior concerns.



M. Katherine Jenson  
Direct Dial: (714) 641-3413  
E-mail: kjenson@rutan.com

September 20, 2018

**VIA E-MAIL AND  
FEDERAL EXPRESS**

Mr. Luis Lopez  
City of Coachella, Planning Division  
1515 6th Street  
Coachella, CA 92236  
LLopez@coachella.org

Re: Comments on the Recirculated Draft Environmental Impact Report  
Vista del Agua Specific Plan and Purported Development Agreement

Dear Mr. Lopez:

As you will recall, on July 20, 2018, my clients, DiMare/Shadow View T.I.C. ("DiMare") and Shadow View Land and Farming, LLC, an affiliate of Reading International, Inc. ("Reading") jointly submitted a comment letter on the above-referenced specific plan. Collectively, DiMare and Reading ("Shadow View Owners") own the property comprising the Shadow View Specific Plan, immediately north of the proposed Vista del Agua Project ("Project").

R4a

Given that the Draft Environmental Impact Report ("DEIR") has been recirculated for public comment without change, the Shadow View Owners hereby re-submit the comments in their July 20, 2018 letter (Attachment 1).

R4b

Thank you for the opportunity to comment on this DEIR. In addition to the Shadow View Property Owners, please include me on all future notifications regarding this Project.

R4c

Very truly yours,  
RUTAN & TUCKER, LLP  
  
M. Katherine Jenson

MKJ:lr  
Attachment

# Attachment 1





**M. Katherine Jenson**  
 Direct Dial: (714) 641-3413  
 E-mail: [kjenson@rutan.com](mailto:kjenson@rutan.com)

July 20, 2018

**VIA E-MAIL AND  
 FEDERAL EXPRESS**

Mr. Luis Lopez  
 City of Coachella, Planning Division  
 1515 6th Street  
 Coachella, CA 92236  
[LLopez@coachella.org](mailto:LLopez@coachella.org)

Re: Comments on Draft Environmental Impact Report  
 Vista del Agua Specific Plan and Purported Development  
 Agreement

Dear Mr. Lopez:

This letter is submitted jointly by DiMare/Shadow View T.I.C. ("DiMare") and Shadow View Land and Farming, LLC, an affiliate of Reading International, Inc. ("Reading"). Collectively, DiMare and Reading ("Shadow View Owners") own the property comprising the Shadow View Specific Plan, immediately north of the proposed Vista del Agua Project ("Project").

The Shadow View Owners have serious concerns regarding the proposed Vista del Agua development. While quite unclear from the Draft Environmental Impact Report ("DEIR"), it appears that the vast majority of the 29 acres of off-site improvements are planned to take place on the privately owned property of the Shadow View Owners. Yet, the applicant has never contacted the Shadow View Owners to discuss the use of this private property. Nor have they been contacted by the City or its consultants. It therefore comes as a shock to see DEIR figures depicting the carving up of their property with public infrastructure to serve what can best be described as a hopscotched and sprawling development that has virtually no regard for what is currently on the ground within the Shadow View Project area let alone what is planned there in the future.

The Shadow View Owners submit the following preliminary comments based upon what they have been able to ascertain from the DEIR. Because they have been denied access to Project documents, however, they must reserve the right to provide additional comments once the required information and documentation is provided.

R4d



Mr. Luis Lopez  
City of Coachella, Planning Division  
July 20, 2018  
Page 2

1. Defects in Notice of Completion.

Two Notices of Completion have been prepared for this DEIR. The first was dated June 8, 2018. The second was dated June 13, 2018, and it provided a corrected description of the location of the Project.

Even putting aside the defective property description in the first Notice, neither Notice meets the requirements of Public Resources Code section 21092(b).

First, the length and description of the public review period is flawed. The period provided for comment was less than 45 days. On its face, and assuming receipt of the Notice on June 8<sup>th</sup>, the Notice informed readers that the comments had to be submitted "prior to" July 23, 2018, *i.e.*, before July 23, 2018. The plain reading of that reference is that the comments must be submitted on or before July 22, 2018, a Sunday. That results in a comment period of less than 45 days.

More importantly, the first Notice was mailed via certified mail, with a return receipt, and was received well after June 8, 2018. This will be reflected on the return receipts sent back from the recipients. The second Notice was mailed on or after June 13, 2018, and was not received until June 19, 2018. The Notice must be given in sufficient time so that the public has notice of the full review period. (*Gilroy Citizens for Responsible Planning v. City of Gilroy* (2006) 140 Cal.App.4th 911, 922.)

Pursuant to Public Resources Code section 21092(b)(2), the Notice of Completion of the DEIR was required to identify the address at which copies of all documents referenced in the DEIR are available for inspection. No such information is included in the Notice. As will be discussed below, this, together with the City's refusal to provide documents upon request, including responding to formal Public Records Act requests, has impeded the public's ability to comment on the DEIR.

2. Denial of Access to Documents.

One of the five entitlements for the Project is a Development Agreement. While the Draft Specific Plan and Map are included in the Appendices for reference, the Development Agreement is not. On June 20, 2018, I requested a copy of the Agreement by e-mail. I was informed the same day by Ron Goldman that it was not available for distribution. On June 25, 2018, I submitted a formal Public Records Act request to the City Clerk requesting this document, and any term sheets or other writings reflecting its content. Neither I nor my clients have received any response to this request.

R4d



Mr. Luis Lopez  
 City of Coachella, Planning Division  
 July 20, 2018  
 Page 3

The DEIR says that the “physical improvements associated with the [Development Agreement] have been described in Subchapters 3.4.1, 3.4.2, and 3.4.3, above.” (DEIR, p. 3-8.) Because we have no ability to review the Development Agreement, there is no way to verify that this is correct. In addition, we expect that the Development Agreement will have extensive information about the 29 acres of off-site improvements referenced in the Project Description. Without this information, it is not possible to verify that the DEIR has captured all of the potential impacts arising from the installation and operation of those improvements.

3. Erroneous References to “Right-of-Ways” within the Shadow View Specific Plan Area.

As you know, the various tract maps within the Shadow View Specific Plan area have all expired. Since they were never finalized, no roadway or other right-of-way dedications were ever provided by the Shadow View Owners. The DEIR repeatedly refers to the 29 acres of off-site improvements as being placed within “right-of-way.” Section 3.5 does not identify any approvals that would be necessary for the acquisition of property within the Shadow View Specific Plan area. For example, there is no reference to potential eminent domain proceedings or the adoption of resolutions of necessity. Instead, on page 3-2, the City appears to be punting on the issue of right-of-way. Specifically, while acknowledging that “additional right-of-way may be needed to accommodate the off-site roadways (including Shadow View Boulevard),” the DEIR defers any analysis of this until the “tentative tract map stage.” Given that the main and secondary access to the Project utilize Shadow View Boulevard (page 3-5), how can this analysis be deferred? The entire Traffic Impact Analysis rests on the assumption that the right-of-way and access points will be available. Yet, as referenced above, the Shadow View Owners have never been contacted by the applicant.

R4d

Later in the document, the DEIR seems to concede that there is no such right-of-way when it discusses the Vista del Sur alternative. Therefore, with regard to all references to “right-of-way” within the Shadow View Specific Plan area, please specify to what “right-of-way” property rights you are referring in the Chapter 3 and Chapter 4 references. In addition, if it is the City’s intention to utilize this document as the environmental clearance for eminent domain proceedings to acquire the property rights necessary for the off-site improvements for the Vista del Agua Project, please revise the text of the DEIR accordingly.

4. Misleading, Inconsistent and Confusing Descriptions of the 29 Acres of Off-Site Improvements.

While the DEIR consistently refers to 29 acres of off-site improvements, and generally describes those improvements as being within the Shadow View Specific Plan area, the description of the improvements themselves and where the 29 acres is located is vague, inconsistent and, at times, nonsensical.

119030958-0001  
 12513692.2 a07/20/18





Mr. Luis Lopez  
City of Coachella, Planning Division  
July 20, 2018  
Page 4

There are repeated references to and depictions of Avenue 48 and Avenue 47 as being extended through the Shadow View Specific Plan Area. As you know, those roads do not currently exist. While there are certain dirt roads within the Shadow View Specific Plan area, they are not open to the public. Indeed, as a result of issues with homeless encampments, and at the insistence of the City, the Shadow View Owners recently incurred great expense to clean up and fence the Shadow View property.

There is no map which depicts the 29 acres. Nor are the parcels comprising the 29 acres identified. Moreover, the way the descriptions have been worded suggests there are major omissions in the descriptions. For example, on page 3-5, the roadway extensions that the applicant must build during Phase I is described as consisting of 11,600 linear feet of roadway, with a width of 30 feet. This equates to 348,000 square feet of pavement. One would assume that the sewer and water lines would be within the roadway extensions. Yet this square footage equated to just 27.5 % of the 29 acres (1,263,240 square feet). What improvements would the applicant propose for the remaining 72.5% of the 29 acres?

Page 3-1 indicates that water lines, sewer lines and roadway extensions will be within Avenue 47 and Avenue 48 right-of-ways. What right-of-ways? Page 3-2 indicates the same, but now includes "Shadow Hills Blvd." What area is being referenced? Does the City claim to hold right-of-way within Shadow Hills Blvd.?

The description of Circulation on page 3-5 is equally confusing. It indicates that the majority of the traffic will utilize Avenue 48/"Shadow View Drive" as the main access roadway. It references that the Vista del Agua Project will provide the improvements referenced on pages 5-1 and 5-2 of the Specific Plan. Those pages describe the full improvements to those roadways, including pedestrian and bike lanes. Yet in the third paragraph on page 3-5, under the heading of "Circulation," the DEIR states that the Project will only be responsible for a total of 30' feet of paving. Precisely what improvements will the Project be providing in these off-site locations? And please provide a schematic of what the 30 feet of paving would look like when the pedestrian and bike lanes are added.

The document indicates that this 30-feet of paved roadway is commensurate with the needs/impacts generated by the Project. Where has this been calculated or justified? This suggests that these improvements are being treated as "fair share" improvements. However, that is not how the corresponding mitigation measures describe the required improvements.

##### 5. Concerns with Traffic Mitigation Measures Being Incomplete and Ineffective.

Mitigation Measure MM-TR-1 requires the applicant to construct a new extension of Avenue 47/Shadow View Boulevard to Dillion Road. It does not indicate that this roadway will

R4d



Mr. Luis Lopez  
 City of Coachella, Planning Division  
 July 20, 2018  
 Page 5

be only 30 feet in width. Nor does the Traffic Impact Study in the Appendices indicate that the assumed mitigation will be only a partial construction of the referenced roadway. To the contrary, it states that the referenced mitigation measures are the minimum required to improve operations to LOS D or better. (See footnote 1 to Table 4.14.4-5.)

Please indicate where in the analysis it is demonstrated that the various referenced roadway improvements imposed as mitigation will be adequate if built only to 30 feet in width.

The Specific Plan and the DEIR clearly indicate that the Project will use Avenue 48/Shadow View Boulevard as the main access roadway and Avenue 47/Shadow View Boulevard will be a secondary access. (E.g., p. 3-5.) However, Shadow View Drive is not mentioned in the Project Phasing (Table 3.4.2-1). Moreover, the extension of Avenue 48 and its connection to Shadow View Boulevard appears to be omitted from the Mitigation Measures altogether. Why is this not a mitigation measure? How does the DEIR assume that the extension of Avenue 48 will occur?

With regard to the “fair share payment” mitigation contained in Mitigation Measure MM-TR-3, where is the assurance that the measure will actually be completed? For example, collecting 3.33% for an improvement does not provide any assurance that the measure will actually be constructed. This type of measure only works where it is part of a program specifically designed to ensure the improvement will ultimately be installed. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173.)

R4d

#### 6. Land Use Consistency.

We note that in the Land Use section (4.10), many General Plan policies are referenced, but the following, which is one of the most critical relating to this Project, is omitted:

**2.10 Contiguous development pattern.** Encourage and incentivize development to occur contiguous to, or proximate to, existing built areas to facilitate delivery of City services and minimize “leapfrog” development not connected to existing urbanized areas.

(See also General Plan p. 2-09 “New development will generally be contiguous (or proximate) to existing development and leapfrog development will be avoided.”)

The Land Use analysis should address the Project’s potential inconsistency with this policy. Given the Project’s isolated location, and the distance to urbanized areas, this Project appears to be directly at odds with this core policy.



Mr. Luis Lopez  
City of Coachella, Planning Division  
July 20, 2018  
Page 6

7. Alternative Analysis.

The Vista del Sur alternative assumes that the Project will take no access across the Shadow View Specific Plan area. It also concludes that the traffic impacts of that alternative are the same as the Project. Is there any analysis that supports that conclusion? How can this conclusion be supported when there would be an elimination of both the primary and secondary access points?

What changes and improvements would be necessary for Tyler Street to accommodate this alternative?

The DEIR's level of analysis of this alternative does not appear to be sufficient to support a decision to adopt that alternative in lieu of the Project. The Shadow View Owners request that the City undertake an in-depth analysis of that alternative so that if the City is inclined to approve this Project, the City would be in a position to approve that alternative rather than the Project.

Thank you for the opportunity to comment on this DEIR. In addition to the Shadow View Property Owners, please include me on all future notifications regarding this Project.

R4d

Very truly yours,

RUTAN & TUCKER, LLP

A handwritten signature in black ink that reads "M. Katherine Jenson". The signature is written in a cursive style with a large, flowing "M" and "J".

M. Katherine Jenson



**2.0 c. COMMENTS RECEIVED FROM PLANNING COMMISSION WORKSHOP – MARCH 2019**

Although this comment letter was not received directly in relation to the circulation of the EIR, the City of Coachella determined that it was important to include here in the Final EIR and to provide responses.

**Comment Letter - PC**

M. Katherine Jensen, Rutan & Tucker, LLP  
DiMare - Shadow View T.I.C. - Rutan (3-18-19)

- PCa These are introductory statements that do not require a response.
- PCb Prior concerns raised by the Shadow View Owners have been addressed in responses to comments in their letters dated July 20, 2018 and September 20, 2018. These comment letters and responses to comments are provided in the Final EIR. The responses to comments (specifically in to the July 20, 2018 comment letter) address the Project access and utility provision. The City, as lead agency, feels that these concerns have been adequately and fully addressed. Please reference response to comment 7b of the July 20, 2018 letter as it pertains to Project access via a future Shadow View Boulevard construction.
- PCc Off-site improvements are shown to take place on the Shadow View Property. Please reference the response to comment 7i of the July 20, 2018 letter, provided in Section 2.0 of the FEIR. Conversations were held between the applicant and the Shadow View Owner. Please reference response to comment 7b of the July 20, 2018 letter. The opinion provided pertaining to the “carving up” of the Shadow View Specific Plan is also fully discussed in response to comment 7b. The EIR describes/characterizes the current condition of the Shadow View Property (see Chapter 3 – Project Setting and Project Description, p. 3-2) and is consistent with what is depicted in the Shadow View Specific Plan for Shadow View Boulevard (see Shadow View Specific Plan Circulation Master Plan, Exhibit 3-5, p. 3-13).
- PCd Prior concerns raised by the Shadow View Owners have been addressed in responses to comments in their letters dated July 20, 2018 and September 20, 2018, provided in Section 2.0 a. of the FEIR. All available Project documents have been provided to the Shadow View Owners. Without further specificity as to which Project documents they are claiming to have been denied, no further response is required. Comment noted pertaining to the right to provide additional comments.
- PCe The Development Agreement (DA) is one of the 5 entitlements included in the EIR (see Chapter 3 – Project Setting and Project Description, p. 3-8). The DA was not included in the appendices of the EIR, as it was not available at the time of the public circulation of the EIR. Comment noted on the chronology provided pertaining to request for copies of the DA.
- PCf As stated in response to comment 7i of the July 20, 2018 letter, provided in Section 2.0 a. of the FEIR, the EIR anticipated the submittal/approval of a DA, and the analysis of the EIR factored in a development agreement. Upon submittal of a DA, it will be reviewed for consistency with the EIR. If the DA is consistent with the analysis contained in the EIR, then no further analysis will be required. This response represents the City’s independent judgment as it pertains to the scope of any anticipated DA. The remainder of this

comment entirely or partially consists of the expression of an opinion not supported by factual evidence or legal argument. The comment is too vague and does not lend itself to further explanation. The City notes this comment, but no further discussion is required by CEQA.

PCg The City acknowledges that no roadway or other right-of-way dedications have been granted by the Shadow View Owners or their predecessors. The remainder of this comment was addressed in response to comment 7b on the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCh This comment was addressed in response to comment 7l of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCi This comment was addressed in response to comment 7l of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCj This comment was addressed in response to comment 7m of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCK This comment was addressed in response to comment 7n of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCI This comment was addressed in response to comment 7o of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCm This comment was addressed in response to comment 7p of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCn This comment was addressed in response to comment 7q of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCo This comment was addressed in response to comment 7r of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.

PCp The Planning Commission is being provided the following for consideration:

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

These plans and documents accurately depict the proposed improvements that will be provided in the off-site locations. This information has been made available to the Shadow View Owners during the Notice of Preparation (NOP) as well as during the public circulation of the EIR. No comments were received during the NOP from the Shadow View Owners (reference Subchapter 2.2.3 of the EIR – Summary of Responses to the NOP). Two letters were received by the City from the Shadow View Owners during the public circulation of the EIR (July 20, 2018 and September 20, 2018). All off-site improvements, and the locations of these improvements were disclosed during the NOP and EIR.

- PCq This comment was addressed in response to comments 7s and 7t of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCr This comment was addressed in response to comment 7u of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCs This comment was addressed in response to comment 7v of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCt This comment was addressed in response to comments 7w and 7x of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCu This comment was addressed in response to comment 7y of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCv This comment was addressed in response to comment 7z of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCw This comment was addressed in response to comment 7aa of the July 20, 2018 comment letter, provided in Section 2.0 a. of the FEIR. No further discussion is required by CEQA.
- PCx Comment noted. The commenter has been added to the CEQA Consultant's EIR Distribution List and will be provided with future notifications as it pertains to the Project.



M. Katherine Jensen  
Direct Dial: (714) 641-3413  
E-mail: [kjensen@rutan.com](mailto:kjensen@rutan.com)

March 18, 2019

**VIA E-MAIL AND  
FEDERAL EXPRESS**

Honorable Chairperson Denise Delgado  
Vice Chair Mike Etheridge  
Commissioners Ramirez, Zamora, Miranda and  
Alternate Commissioner Davila  
Mr. Luis Lopez, Development Services Director  
City of Coachella Planning Commission  
1515 6th Street  
Coachella, CA 92236

[LLopez@coachella.org](mailto:LLopez@coachella.org)

Re: Vista del Agua Planning Commission Workshop - Wednesday, March 20, 2019

Dear Honorable Planning Commissioners and Mr. Lopez:

This letter is submitted jointly by DiMare/Shadow View T.I.C. (“DiMare”) and Shadow View Land and Farming, LLC, an affiliate of Reading International, Inc. (“Reading”). Collectively, DiMare and Reading (“Shadow View Owners”) own the property comprising the Shadow View Specific Plan, immediately north of the proposed Vista del Agua Project (“Project”).

PCa

The Shadow View Owners have consistently voiced serious concerns regarding the proposed Vista del Agua development and how its off-site infrastructure will impact the Shadow View Owners’ property. These concerns go to the core of the Project – how it will be accessed and how it will be served by utilities. Neither the City nor the developer have responded to these concerns. Instead, the Project’s Specific Plan continues to assume that the Project applicant and/or the City will have free reign over the private property of the Shadow View Owners. This assumption is false, and it is therefore premature to proceed with the Project until these fundamental issues are addressed.

PCb

Based upon the Draft Environmental Impact Report (“DEIR”), the vast majority of the 29 acres of off-site improvements are planned to take place on the privately owned property of the Shadow View Owners; yet the applicant has never contacted the Shadow View Owners to discuss use of this private property. Nor have the Shadow View Owners been contacted by the City or its consultants. However the figures in the Project’s Specific Plan and the DEIR continue to depict the carving up of the Shadow View Specific Plan property with public infrastructure to serve what can best be described as a hoppedscotched and sprawling development. Moreover, the Project has no

PCc



Honorable Chairperson Denise Delgado  
 Vice Chair Mike Etheridge  
 Commissioners Ramirez, Zamora, Miranda and  
 Alternate Commissioner Davila  
 Mr. Luis Lopez, Development Services Director  
 March 18, 2019  
 Page 2

regard for what is currently on the ground within the Shadow View Project area, let alone what is planned for that property in the future.

PCc

The Shadow View Owners submitted preliminary comments on the DEIR based upon what they have been able to ascertain from the DEIR and the draft Specific Plan. Because they (and the public) have been denied access to other key Project documents, however, the Shadow View Owners must reserve their right to provide additional comments once the required information and documentation is provided.

PCd

1. No Access to Key Documents.

One of the five entitlements for the Project is a Development Agreement. While the Draft Specific Plan and Map are included in the DEIR Appendices, the Development Agreement is not. On June 20, 2018, I requested a copy of the Agreement by e-mail. I was informed the same day by Ron Goldman that it was not available for distribution. On June 25, 2018, I submitted a formal Public Records Act request to the City Clerk requesting this document, and any term sheets or other writings reflecting its content. On August 9, 2018, I received a letter from the Coachella City Clerk saying that no such documents exist. To date, no draft of the Development Agreement is available on the City’s webpage.

PCe

The Development Agreement is a key component of the Project. The DEIR says that the “physical improvements associated with the [Development Agreement] have been described in Subchapters 3.4.1, 3.4.2, and 3.4.3, above.” (DEIR, p. 3-8.) Because we have no ability to review the Development Agreement, there is no way to verify that this is correct. In addition, we expect that the Development Agreement will have extensive information about the 29 acres of off-site improvements referenced in the Project Description. Without this information, it is not possible to verify that the DEIR has captured all of the potential impacts arising from the installation and operation of those improvements. Further, without this information, how can the Planning Commission or the public provide meaningful input on this Project?

PCf

2. Erroneous References to “Right-of-Ways” within the Shadow View Specific Plan Area.

No roadway or other right-of-way dedications have ever been granted by the Shadow View Owners or their predecessors. However the DEIR repeatedly refers to the 29 acres of off-site improvements as being placed within “right-of-way.” Section 3.5 of the DEIR does not identify any approvals that would be necessary for the acquisition of property within the Shadow View Specific Plan area. For example, there is no reference to potential eminent domain proceedings or the adoption of resolutions of necessity. Instead, on page 3-2, the City appears to be punting on the issue of right-of-way. Specifically, while acknowledging that “additional right-of-way may be

PCg





Honorable Chairperson Denise Delgado  
 Vice Chair Mike Etheridge  
 Commissioners Ramirez, Zamora, Miranda and  
 Alternate Commissioner Davila  
 Mr. Luis Lopez, Development Services Director  
 March 18, 2019  
 Page 3

needed to accommodate the off-site roadways (including Shadow View Boulevard),” the DEIR defers any analysis until the “tentative tract map stage.” Given that the main and secondary access to the Project utilize Shadow View Boulevard (page 3-5), how can this analysis be deferred? The entire Traffic Impact Analysis rests on the assumption that the right-of-way and access points will be available. Yet, as referenced above, the Shadow View Owners have never been contacted by the applicant regarding acquisition of any right-of-way.

PCg

Later in the document, the DEIR seems to concede that there is no such right-of-way when it discusses the Vista del Sur alternative. If the Vista del Sur alternative is now the proposed project, the City and the applicant need to make that clear to the public and fully study the impacts of that alternative.

PCCh

In addition, if it is the City’s intention to utilize this document as the environmental clearance for eminent domain proceedings to acquire the property rights necessary for the off-site improvements for the Vista del Agua Project, the City would need to revise and recirculate the text of the DEIR accordingly.

PCi

3. Misleading, Inconsistent and Confusing Descriptions of the 29 Acres of Off-Site Improvements.

While the DEIR consistently refers to 29 acres of off-site improvements, and generally describes those improvements as being within the Shadow View Specific Plan area, the descriptions of the improvements themselves and where the 29 acres is located are vague, inconsistent and, at times, nonsensical.

PCk

There are repeated references to and depictions of Avenue 48 and Avenue 47 as being extended through the Shadow View Specific Plan Area. Those roads do not currently exist. While there are certain dirt roads within the Shadow View Specific Plan area, they are not open to the public. Indeed, as a result of issues with homeless encampments, and at the insistence of the City, the Shadow View Owners incurred great expense to clean up and fence the Shadow View property.

PCl

There is no map which depicts the location of the 29 acres, nor are the parcels comprising the 29 acres identified. Moreover, there appear to be major omissions in the limited description of infrastructure. For example, on page 3-5, the roadway extension that the applicant must build during Phase I is described as consisting of 11,600 linear feet of roadway, with a width of 30 feet. This equates to 348,000 square feet of pavement. One would assume that the sewer and water lines would be within the roadway extensions, yet this square footage equated to just 27.5 % of the 29 acres (1,263,240 square feet). What improvements would the applicant propose for the remaining 72.5% of the 29 acres?

PCm

119/024519-0001  
 13519089.1 a03/18/19





Honorable Chairperson Denise Delgado  
 Vice Chair Mike Etheridge  
 Commissioners Ramirez, Zamora, Miranda and  
 Alternate Commissioner Davila  
 Mr. Luis Lopez, Development Services Director  
 March 18, 2019  
 Page 4

Page 3-1 indicates that water lines, sewer lines and roadway extensions will be within Avenue 47 and Avenue 48 right-of-ways. What right-of-ways? Page 3-2 indicates the same, but now includes “Shadow Hills Blvd.” What area is being referenced? Does the City claim to hold right-of-way within Shadow Hills Blvd.?

PCn

The description of Circulation on page 3-5 is equally confusing. It indicates that the majority of traffic will utilize Avenue 48/“Shadow View Drive” as the main access roadway. It references that the Vista del Agua Project will provide the improvements referenced on pages 5-1 and 5-2 of the Specific Plan. Those pages describe the full improvements to those roadways, including pedestrian and bike lanes. However in the third paragraph on page 3-5, under the heading of “Circulation,” the DEIR states that the Project will only be responsible for a total of 30’ feet of paving.

PCo

The DEIR indicates that this 30-feet of paved roadway is commensurate with the needs/impacts generated by the Project. Where has this been calculated or justified? This suggests that these improvements are being treated as “fair share” improvements. However, that is not how the corresponding mitigation measures describe the required improvements.

PCp

This Commission and the public have a right to know precisely what improvements the Project will be providing in these off-site locations. And if public improvements are being proposed on the Shadow View Owner’s private property, certainly those Owners have a right to know what is proposed.

PCq

4. Concerns with Traffic Mitigation Measures Being Incomplete and Ineffective.

Mitigation Measure MM-TR-1 requires the applicant to construct a new extension of Avenue 47/Shadow View Boulevard to Dillion Road. It does not indicate that this roadway will be only 30 feet in width. Nor does the Traffic Impact Study in the Appendices indicate that the assumed mitigation will be only a partial construction of the referenced roadway. To the contrary, it states that the referenced mitigation measures are the minimum required to improve operations to LOS D or better. (See footnote 1 to Table 4.14.4-5.)

PCr

Please indicate where in the analysis it is demonstrated that the various referenced roadway improvements imposed as mitigation will be adequate if built only to 30 feet in width.

The Specific Plan and the DEIR clearly indicate that the Project will use Avenue 48/Shadow View Boulevard as the main access roadway and Avenue 47/Shadow View Boulevard will be a secondary access. (E.g., p. 3-5.) However, Shadow View Drive is not mentioned in the Project Phasing. (Table 3.4.2-1.) Moreover, the extension of Avenue 48 and its connection to

PCs

119/024519-0001  
 13519089.1 a03/18/19



Honorable Chairperson Denise Delgado  
 Vice Chair Mike Etheridge  
 Commissioners Ramirez, Zamora, Miranda and  
 Alternate Commissioner Davila  
 Mr. Luis Lopez, Development Services Director  
 March 18, 2019  
 Page 5

Shadow View Boulevard appears to be omitted from the Mitigation Measures altogether. Why is this not a mitigation measure? How does the DEIR assume that the extension of Avenue 48 will occur? | PC<sub>s</sub>

With regard to the “fair share payment” mitigation contained in Mitigation Measure MM-TR-3, where is the assurance that the measure will actually be completed? For example, collecting 3.33% for an improvement does not provide any assurance that the measure will actually be constructed. This type of measure only works where it is part of a program specifically designed to ensure the improvement will ultimately be installed. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173.) | PC<sub>t</sub>

5. Land Use Consistency.

We note that in the Land Use section (4.10), many General Plan policies are referenced, but the following, which is one of the most critical relating to this Project, is omitted:

**2.10 Contiguous development pattern.** Encourage and incentivize development to occur contiguous to, or proximate to, existing built areas to facilitate delivery of City services and minimize “leapfrog” development not connected to existing urbanized areas. | PC<sub>u</sub>

(See also General Plan p. 2-09 “New development will generally be contiguous (or proximate) to existing development and leapfrog development will be avoided.”)

The Land Use analysis should address the Project’s potential inconsistency with this policy. Given the Project’s isolated location, and the distance to urbanized areas, this Project appears to be directly at odds with this core policy.

6. Alternative Analysis.

The Vista del Sur alternative assumes that the Project will take no access across the Shadow View Specific Plan area. It also concludes that the traffic impacts of that alternative are the same as the Project. Is there any analysis that supports that conclusion? How can this conclusion be supported when there would be an elimination of both the primary and secondary access points? | PC<sub>v</sub>

What changes and improvements would be necessary for Tyler Street to accommodate this alternative? | PC<sub>w</sub>



Honorable Chairperson Denise Delgado  
Vice Chair Mike Etheridge  
Commissioners Ramirez, Zamora, Miranda and  
Alternate Commissioner Davila  
Mr. Luis Lopez, Development Services Director  
March 18, 2019  
Page 6

The DEIR's level of analysis of this alternative does not appear to be sufficient to support a decision to adopt that alternative in lieu of the Project. The Shadow View Owners had previously requested that the City undertake an in-depth analysis of that alternative so that, if the City is inclined to approve that alternative, the City would be in possession of the necessary information to approve that alternative rather than the Project. To our knowledge, the City has not completed or undertaken the requested analysis.

PCx

7. Failure to Provide Notice.

As a final note, in my prior letters of July 20, 2018 and September 20, 2018, I requested that I be provided with notice of all notifications relating to the Project. I was not provided with any notice of this workshop. For the third time, I request that City staff include me on all future notifications regarding this Project.

PCy

Very truly yours,

RUTAN & TUCKER, LLP

M. Katherine Jenson

MKJ:lr

cc: Carlos L. Campos, City Attorney (via e-mail)  
Clients (via e-mail)

### 3.0 ERRATA

Changes to the EIR are noted below. Underlining indicates additions to the text; striking indicates deletions to the text. The changes to the EIR do not affect the overall conclusions of the environmental document. These errata represent changes to the EIR to provide clarification, corrections, or revisions as needed as a result of public comments on the EIR, or due to additional information received during the public review period. These clarifications and corrections are not considered to result in any new or more severe impacts than identified in the EIR and are not otherwise deemed to warrant EIR recirculation pursuant to CEQA Guidelines §15088.5. Changes are listed by page and where appropriate by paragraph. Added or modified text is shown by underlining (example) while deleted text is shown by striking (example).

It is important to note that a Development Agreement (DA) was drafted after the EIR was circulated. The year 2022 was assumed in the EIR as the Project buildout year; this is more conservative (i.e. would uncover more impacts) than a longer build horizon would be. With the incorporation of the terms included in the DA, a 2030 buildout year is assumed. By assuming a 2022 buildout year, more impacts would have been uncovered in the EIR, than if the EIR had assumed a 2030 buildout year, which would uncover similar or lesser impacts due to the longer time horizon. The EIR is not revising the text from 2022 to 2030, however, this is presented here for informational purposes and applies to the following pages of the EIR where the 2022 buildout year is referenced:

Page 1-6; Page 1-43; Page 2-3; Page 4-1; Page 4.4-3; Page 4.4-4; Page 4.4-35; Page 4.11-17; Page 4.11-27; Page 4.11-28; Page 4.11-29; Page 4.11-32; Page 4.11-33; Page 4.11-34; Page 4.11-42; Page 4.14-3; Page 4.14-18; Page 4.14-22; Page 4.14-30; Page 4.14-31; Page 4.14-32; Page 4.14-33; Page 4.14-34; Page 4.14-35; Page 4.14-36; Page 4.14-37; Page 4.14-38; Page 4.14-39; Page 4.14-40; Page 4.14-42; Page 4.14-44; Page 4.14-45; Page 4.14-46; Page 4.14-54; Page 4.14-55; Page 4.14-56; Page 4.14-60; Page 4.14-61; Page 4.14-93; Page 4.14-94; and Page 6-11.

EIR Page 1-12 Thresholds b. and c. under Aesthetics, as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, are transposed. The modification is as follows:

<p><u>b. Would the Project result in the degradation of the existing visual character or quality of the site and its surroundings?</u>  <del>b. Would the Project substantially damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</del></p>	<p><i>Mitigation not required</i></p>	<p><i>Not applicable</i></p>	<p><i>Not applicable</i></p>	<p><i>Mitigation not required</i></p>
<p><u>b. Would the Project substantially damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</u>  <del>c. Would the Project result in the degradation</del></p>	<p><i>Mitigation not required</i></p>	<p><i>Not applicable</i></p>	<p><i>Not applicable</i></p>	<p><i>Mitigation not required</i></p>

of the existing visual character or quality of the site and its surroundings?				
---	--	--	--	--

EIR Page 1-13 **MM-AQ-2** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Page 4.4-54, Section 4.4.5 (Standard Conditions and Mitigation Measures), **MM-AQ-2**. This change was made to the mitigation measure per the South Coast Air Quality Management District Letter and the City of Coachella.

**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).

EIR Page 1-15 **MM-AQ-10** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Page 4.4-56, Section 4.4.5 (Standard Conditions and Mitigation Measures), **MM-AQ-10**. This change was made to the mitigation measure per the City of Coachella.

**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.

EIR Page 1-15 **MM-AQ-11** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Page 4.4-56, Section 4.4.5 (Standard Conditions and Mitigation Measures), **MM-AQ-11**. This change was made to the mitigation measure per the City of Coachella.

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

EIR Pages 1-15 and 1-18 **MM-AQ-12** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Pages 4.4-56 and 4.4-58, Section 4.4.5 (Standard Conditions and Mitigation Measures), **MM-AQ-12**. This change was made to the mitigation measure per the City of Coachella.

**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

- o sourced materials (within the South Coast Air Basin);
- o Utilization of sustainable harvesting practices; and
- o 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 ~~medium-, low-, and ultra-low-density housing~~ 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.

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

EIR Page 1-23 **MM-CUL-1** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Page 4.6-18, Section 4.6.5 (Standard Conditions and Mitigation Measures), **MM-CUL-1**. Changes were made to the mitigation measure per discussions with local Tribes.

MM-CUL-1 RIV-7835 Avoidance (Planning Area 5). Prior to the issuance of a grading ~~plan~~ 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.

EIR Page 1-23 **MM-CUL-2** is added to **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, under Threshold b.



<p>b. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>	<p>See <b>MM-CUL-2</b>, above.  <b>MM-CUL-3</b> <u>Archaeological Monitoring Plan and Accidental Discovery</u>. Prior to commencement of any grading activity...</p>	<p><b>MM-CUL-3</b> <i>Prior to commencement of any grading activity</i></p>	<p><b>MM-CUL-3</b> <i>City of Coachella Director of Development Services</i></p>	<p><i>Less than significant</i></p>
---	--	---	--	-------------------------------------

EIR Pages 1-23 to 1-26 **MM-CUL-3** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Pages 4.6-19 and 4.6-20, Section 4.6.5 (Standard Conditions and Mitigation Measures), **MM-CUL-3**. Changes were made to the mitigation measure per discussions with local Tribes.

**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 ~~San Bernardino Archaeological Information Center~~ 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.

EIR Pages 1-36 through 1-37 **MM-NOI-1** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Page 4.11-40, Section 4.11.5 (Standard Conditions and Mitigation Measures), **MM-NOI-1**. This change was made to the mitigation measure per the City of Coachella.

- 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 ~~should be located~~ 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.

EIR Pages 1-42 and 1-43 **MM-TR-1** as outlined in **Table 1-5-1, Summary of Impacts and Mitigation Measures Discussed in this EIR**, and Pages 4.14-59 and 4-14-60, Section 4.14.5 (Standard Conditions and Mitigation Measures), **MM-TR-1**. This change was made to the mitigation measure based on comments received on the EIR from Rutan and Tucker, LLP per the Project Traffic Engineer and City of Coachella.

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 to 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:
  - ~~Construct new extension of Avenue 47/Shadow View Boulevard to Dillon Road.~~
  - 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.

- 
- o Install WB thru-turn lane.
  - o Install WB thru/right-turn lane.
  - Intersection of Street "A" and Avenue 48:
    - o Install all-way stop signs.
    - o Install NB left-turn lane.
    - o Install NB thru-turn lane.
    - o Install NB thru/right-turn lane.
    - o Install SB left-turn lane.
    - o Install SB thru-turn lane.
    - o Install SB thru/right-turn lane.
    - o Install EB left-turn lane.
    - o Install EB thru-turn lane.
    - o Install EB thru/right-turn lane.
    - o Install WB left-turn lane.
    - o Install WB thru-turn lane.
    - o Install WB thru/right-turn lane.
  - Intersection of Polk Street and Avenue 48:
    - o Install all-way stop signs.

## **4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

### **A. Mitigation Monitoring Requirements and Procedures**

The California Environmental Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to a proposed development. As stated in Section 21081.6 of the Public Resources Code,

*“...the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.”*

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring table below lists those mitigation measures that may be included as conditions of approval for the Project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The developer will have the primary responsibility for implementing the measures, and the various City of Coachella departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
Aesthetics	d. 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?	<p><b>MM-AES-1</b> <u>Photometric Study</u>. 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.</p> <p>Shielding requirements and time limits shall be identified on construction plans for each phase of development.</p>	<i>Prior to the approval of any permits for lighting.</i>	<i>Planning Division and Building Division.</i>	<i>Plan check and on-site inspection.</i>	
Air Quality & Greenhouse Gas	a. Would the Project conflict with or obstruct implementation of the applicable air quality plan?	<p><b>MM-AQ-1</b> Prior to the issuance of a grading permit, 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.</p> <p><b>MM-AQ-2</b> The Project shall require that the 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).</p>	<p><b>MM-AQ-1</b> <i>Prior to the issuance of a grading plan.</i></p> <p><b>MM-AQ-2</b> <i>During grading.</i></p>	<p><b>MM-AQ-1</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-2</b> <i>Public Works Department.</i></p>	<p><b>MM-AQ-1</b> <i>Plan check.</i></p> <p><b>MM-AQ-2</b> <i>On-site inspection &amp; Separate submittal - reports, studies, plans.</i></p>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p><b>MM-AQ-3</b> <u>EPA Tier 4-Final Emissions Standards.</u> 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.</p> <p><b>MM-AQ-4</b> <u>Application of Architectural Coatings.</u> 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</p>	<p><b>MM-AQ-3</b> <i>Prior to construction.</i></p> <p><b>MM-AQ-4</b> <i>Prior to the issuance of grading permits.</i></p>	<p><b>MM-AQ-3</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-4</b> <i>Public Works Department.</i></p>	<p><b>MM-AQ-3</b> <i>On-site inspection &amp; Separate submittal - reports, studies, plans.</i></p> <p><b>MM-AQ-4</b> <i>Plan check.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <p><b>MM-AQ-5</b> <u>Construction Equipment Maintenance.</u> 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.</p> <p><b>MM-AQ-6</b> <u>Construction Equipment Operating Optimization.</u> 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.</p> <p><b>MM-AQ-7</b> <u>Construction Generator Use Minimization.</u> General contractors shall ensure that electricity from power poles is</p>	<p><b>MM-AQ-5</b> <i>Throughout the construction process.</i></p> <p><b>MM-AQ-6</b> <i>During construction.</i></p> <p><b>MM-AQ-7</b> <i>During construction.</i></p>	<p><b>MM-AQ-5</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-6</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-7</b> <i>Public Works Department.</i></p>	<p><b>MM-AQ-5</b> <i>On-site inspection.</i></p> <p><b>MM-AQ-6</b> <i>On-site inspection.</i></p> <p><b>MM-AQ-7</b> <i>On-site inspection.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>used rather than temporary diesel- or gasoline-powered generators to the extent feasible. This condition shall be included in development plan specifications.</p> <p><b>MM-AQ-8</b> <u>Construction Equipment Idling Minimization.</u> 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.</p> <p><b>MM-AQ-9</b> <u>Construction Phase Overlap.</u> 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.</p> <p><b>MM-AQ-10</b> <u>Construction Waste Management Plan.</u> 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.</p> <p><b>MM-AQ-11</b> Project shall improve the pedestrian network by incorporating sidewalks and paseos within the property.</p>	<p><b>MM-AQ-8</b> <i>During construction.</i></p> <p><b>MM-AQ-9</b> <i>Prior to issuance of any construction permits.</i></p> <p><b>MM-AQ-10</b> <i>Prior to issuance of a building permit.</i></p> <p><b>MM-AQ-11</b> <i>During any improvement project.</i></p>	<p><b>MM-AQ-8</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-9</b> <i>Public Works Department.</i></p> <p><b>MM-AQ-10</b> <i>Building Division.</i></p> <p><b>MM-AQ-11</b> <i>Planning Division.</i></p>	<p><b>MM-AQ-8</b> <i>On-site inspection.</i></p> <p><b>MM-AQ-9</b> <i>Plan check.</i></p> <p><b>MM-AQ-10</b> <i>Plan check.</i></p> <p><b>MM-AQ-11</b> <i>Plan check.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p><b>MM-AQ-12 Project Operations.</b> 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:</p> <p>Operational Mitigation Measures (Materials Efficiency):</p> <ul style="list-style-type: none"> <li>• 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:                             <ul style="list-style-type: none"> <li>○ Rapidly renewable;</li> <li>○ Increased recycle content (50 percent or greater); locally sourced materials (within the South Coast Air Basin);</li> <li>○ Utilization of sustainable harvesting practices; and</li> <li>○ Materials with low or no volatile organic compounds (VOCs) off-gassing.</li> </ul> </li> </ul> <p>Operational Mitigation Measures (Transportation):</p> <ul style="list-style-type: none"> <li>• 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-</li> </ul>	<p><b>MM-AQ-12</b> Prior to issuance of any construction permits.</p>	<p><b>MM-AQ-12</b> Public Works Department.</p>	<p><b>MM-AQ-12</b> Plan check.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>sharing programs in all employee/worker parking areas.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Implement a rideshare program for employees at retail/commercial sites.</li> <li>• Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p>Operational Mitigation Measures (Landscaping). Project plans shall include following landscaping components:</p> <ul style="list-style-type: none"> <li>• The Project shall require landscaping and irrigation that reduces outside water demand by at least 20%.</li> <li>• The Project shall require that at least 2,406 new trees are planted on-site</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>(approximately 2 trees per residential unit and 25 trees per acre of parks).</p> <ul style="list-style-type: none"> <li>• 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:                             <ul style="list-style-type: none"> <li>○ Community-based food production within the Project by planning for community gardens;</li> <li>○ Native plant species in landscaped areas;</li> <li>○ A landscape plant palette that focuses on shading within developed portions of the site and in areas of pedestrian activity.</li> <li>○ Tree-lined streets to reduce heat island effects;</li> <li>○ Non-turf throughout the development areas where alternative ground cover can be used, such as artificial turf and/or xeriscaping; and</li> <li>○ Landscaping that provides shading of structures within 5 years of building completion.</li> </ul> </li> </ul> <p>Operational Mitigation Measures (Water Conservation and Efficiency Features). Project plans for each Tentative Tract Map will shall include following water efficiency components:</p> <ul style="list-style-type: none"> <li>• Drought-tolerant landscaping, non-potable reclaimed, well, or canal water for irrigation purposes;</li> <li>• High-efficiency plumbing fixtures and appliances that meet or exceed the most current CALGreen Code in all</li> </ul>				



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>buildings on site;</p> <ul style="list-style-type: none"> <li>• Efficient (i.e., “Smart”) irrigation controls to reduce water demand on landscaped areas throughout the Project;</li> <li>• Restriction of irrigated turf in parks to those uses dependent upon turf areas, such as playing fields and picnic areas;</li> <li>• An integrated storm water collection and conveyance system; and</li> <li>• 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.</li> </ul> <p>Operational Mitigation Measures (Energy Efficiency). Project plans for each Tentative Tract Map will include the following energy efficiency components:</p> <ul style="list-style-type: none"> <li>• Design to United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED);</li> <li>• GreenPoint Rated standard, or better for all new buildings constructed within the Project;</li> <li>• Energy-efficient light-emitting diode (LED) lighting and solar photovoltaic lighting fixtures in all common areas of the site;</li> <li>• Energy-efficient appliances (ENERGY STAR or equivalent), and high efficiency heating, ventilation, and air conditioning (HVAC) systems in all on-site buildings;</li> <li>• Green building techniques that</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>increase building energy efficiency above the minimum requirements of Title 24;</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Utilization of high reflectance materials for paving and roofing materials on residential, commercial, and school buildings</li> </ul> <p>Operational Mitigation Measures (Other)</p> <ul style="list-style-type: none"> <li>• Require the use of electric or alternative fueled maintenance vehicles by all grounds maintenance contractors.</li> <li>• 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.</li> <li>• 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.</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)	
		<b>MM-AQ-13</b> 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.	<b>MM-AQ-13</b> Prior to issuance of a building permit.	<b>MM-AQ-13</b> Planning Division.	<b>MM-AQ-13</b> Plan check - Separate submittal - reports, studies, plans.		
	b. Would the Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	See <b>MM-AQ-1</b> through <b>MM-AQ-13</b> , above.					
	d. Would the Project expose sensitive receptors to substantial pollutant concentrations?	See <b>MM-AQ-1</b> through <b>MM-AQ-10</b> , above.					
	e. Would the Project create objectionable odors affecting a substantial number of people?	See <b>MM-HYDRO-1</b> , below.					
	f. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	See <b>MM-AQ-1</b> through <b>MM-AQ-13</b> , above.					
Biological Resources	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 Game or U.S. Fish and Wildlife Service?	<b>MM-BIO-1</b> 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	<b>MM-BIO-1</b> Prior to grading/ground disturbance.	<b>MM-BIO-1</b> Planning Division.	<b>MM-BIO-1</b> On-site inspection & Separate submittal - reports, studies, plans.		

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <p><b>MM-BIO-2</b> 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:</p> <ul style="list-style-type: none"> <li>• 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</li> </ul>	<p><b>MM-BIO-2</b> <i>Prior to grading/ground disturbance.</i></p>	<p><b>MM-BIO-1</b> <i>Planning Division.</i></p>	<p><b>MM-BIO-1</b> <i>On-site inspection &amp; Separate submittal - reports, studies, plans.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>buffer is adequate to permit continued breeding activity.</p> <ul style="list-style-type: none"> <li>• Avoid impacting burrows occupied during the nonbreeding season by migratory or nonmigratory resident burrowing owls.</li> <li>• Avoid direct destruction of occupied burrows through chaining (dragging a heavy chain over an area to remove shrubs) or disking.</li> <li>• Develop and implement a worker awareness program to increase the on-site worker's recognition of and commitment to burrowing owl protection.</li> <li>• Place visible markers near burrows to ensure that equipment and other machinery does not collapse occupied burrows.</li> <li>• Do not fumigate, use treated bait, or other means of poisoning nuisance animals in areas where burrowing owls are known or suspected to occur.</li> </ul> <p>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.</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	<p>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?</p>	<p>See <b>MM-BIO-1</b>, above.</p>				
<p>Cultural Resources</p>	<p>a. Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</p>	<p><b>MM-CUL-1</b> <u>RIV-7835 Avoidance (Planning Area 5)</u>. 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.</p> <p><b>MM-CUL-2</b> <u>Archaeological and Native American Monitors</u>. 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</p>	<p><b>MM-CUL-1</b> Prior to the issuance of a grading permit.</p> <p><b>MM-CUL-2</b> Prior to commencement of any grading activity.</p>	<p><b>MM-CUL-1</b> Project archaeologist.</p> <p><b>MM-CUL-2</b> City of Coachella (City) Director of Development Services, or designee.</p>	<p><b>MM-CUL-1</b> Plan check.</p> <p><b>MM-CUL-2</b> Plan check.</p>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p>				
	<p>b. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>	<p>See <b>MM-CUL-2</b>, above.</p> <p><b>MM-CUL-3 Archaeological Monitoring Plan and Accidental Discovery.</b> 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:</p> <p>(1) A list of personnel involved in the monitoring activities;                  (2) A description of how the monitoring</p>	<p><b>MM-CUL-3</b> Prior to commencement of any grading activity.</p>	<p><b>MM-CUL-3</b> City of Coachella Director of Development Services.</p>	<p><b>MM-CUL-3</b> Plan check.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>shall occur;</p> <p>(3) A description of frequency of monitoring (e.g., full-time, part-time, spot checking);</p> <p>(4) A description of what resources may be encountered;</p> <p>(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);</p> <p>(6) A description of procedures for halting work on site and notification procedures; and</p> <p>(7) A description of monitoring reporting procedures.</p> <p>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.</p> <p>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.</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <p>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</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p>				
	<p>c. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p><b>MM-CUL-5 Paleontological Resources Impact Mitigation Program.</b> 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.</p> <p>Prior to any ground-disturbing activities,</p>	<p><b>MM-CUL-5</b> Prior to commencement of any grading activity.</p>	<p><b>MM-CUL-5</b> City's Director of Development Services, or designee.</p>	<p><b>MM-CUL-5</b> Plan check &amp; Separate submittal - reports, studies, plans.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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:</p> <ul style="list-style-type: none"> <li>• Attendance at the pre-grade conference in order to explain the mitigation measures associated with the Project.</li> <li>• 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.</li> <li>• The underlying sediments may contain abundant fossil remains that can only be recovered by a screening and</li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p>Identification and curation of specimens into a museum repository with permanent, retrievable storage, such as the Eastern Information Center c/o Dept. of Anthropology, University of California</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		Riverside. • 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.				
	d. Would the Project disturb any human remains, including those interred outside of formal cemeteries?	<p><b>MM-CUL-4 Human Remains.</b> 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.</p> <p>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</p>	<p><b>MM-CUL-4</b>  <i>During site disturbance, grading, or other construction activities.</i></p>	<p><b>MM-CUL-4</b>  <i>City's Director of Development Services, or designee.</i></p>	<p><b>MM-CUL-4</b>  <i>On-site inspection &amp; Separate submittal - reports, studies, plans.</i></p>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <p>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 Eastern Information Center c/o Dept. of Anthropology, University of California Riverside. 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.</p>				
Geology and Soils	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	<b>MM-GEO-1</b> <u>Compliance with Geotechnical Investigations</u> . 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	<i>Prior to approval of any future development applications.</i>	<i>Building Division.</i>	<i>Plan check &amp; Separate submittal - reports, studies, plans.</i>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	known fault?	<p>shall be tiered off of the two geotechnical reports previously prepared for the overall site, <i>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</i>, Petra Geosciences, Inc., April 9, 2007, and <i>Geotechnical Investigation Report</i>, Petra Geosciences, Inc., May 7, 2015.</p> <p>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</p>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		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.				
	Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?	See <b>MM-GEO-1</b> , above.  <b>MM-GEO-2</b> <u>California Building Code Compliance and Seismic Standards</u> . 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.	<i>Prior to issuance of any building permits.</i>	<i>Project engineer and the Director of the City of Coachella Development Services, or designee.</i>	<i>Plan check.</i>	
	Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?	See <b>MM-GEO-1</b> , above.				
	Would the Project result in substantial soil erosion or the loss of topsoil?	See <b>MM-GEO-1</b> , above.				
	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?	See <b>MM-GEO-1</b> , above.  <b>MM-GEO-3</b> <u>Subsidence</u> . 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.	<i>Prior to issuance of any grading permits.</i>	<i>City Engineer.</i>	<i>Plan check.</i>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p>				
	<p>Would the Project 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?</p>	<p><b>MM-GEO-4 Expansive Soils.</b> 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.</p> <p>During construction, the Project engineer shall verify that expansive soil mitigation measures recommended in the final</p>	<p><i>Prior to issuance of grading permits.</i></p>	<p><i>City Engineer.</i></p>	<p><i>Plan check &amp; Separate submittal - reports, studies, plans.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p>				
<p>Hazards and Hazardous Materials</p>	<p>Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<p><b>MM-HAZ-1</b> 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.</p>	<p><b>MM-HAZ-1</b> <i>During grading, and/or during construction.</i></p>	<p><b>MM-HAZ-1</b> <i>Building Division and Department of Environmental Health or the Department of Toxic Substances Control.</i></p>	<p><b>MM-HAZ-1</b> <i>On-site inspection.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p><b>MM-HAZ-2</b> 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.</p> <p><b>MM-HAZ-3</b> Prior to the issuance of a grading permit, the applicant shall contact</p>	<p><b>MM-HAZ-2</b> <i>During grading.</i></p> <p><b>MM-HAZ-3</b> <i>Prior to the issuance</i></p>	<p><b>MM-HAZ-2</b> <i>Building Division and Department of Environmental Health or the Department of Toxic Substances Control.</i></p> <p><b>MM-HAZ-3</b> <i>Riverside</i></p>	<p><b>MM-HAZ-2</b> <i>On-site inspection.</i></p> <p><b>MM-HAZ-3</b> <i>Plan check.</i></p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <p><b>MM-HAZ-4</b> 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.</p> <p><b>MM-HAZ-5</b> If any materials are discovered at the site during any future activities that may contain asbestos, a qualified</p>	<p><i>of a grading permit.</i></p> <p><b>HAZ-4</b> Prior to the issuance of a grading permit.</p> <p><b>HAZ-5</b> Prior to grading permit final.</p>	<p><i>County Community Health Agency, Department of Environmental Health, Water Engineering Department.</i></p> <p><b>MM-HAZ-4</b> Department of Environmental Health or the Department of Toxic Substances Control.</p> <p><b>MM-HAZ-5</b> Department of Environmental Health or the</p>	<p><b>MM-HAZ-4</b> Plan check.</p> <p><b>MM-HAZ-5</b> Plan check.</p>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		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.		<i>Department of Toxic Substances Control.</i>		
	Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<i>See MM-HAZ-1 through MM-HAZ-5, above.</i>				
Hydrology and Water Quality	f. Would the Project otherwise substantially degrade water quality?	<b>MM-HYD-1</b> 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.	<i>Prior to issuance of grading permits.</i>	<i>Coachella Valley Mosquito and Vector Control District.</i>	<i>Plan check &amp; Separate submittal - reports, studies, plans.</i>	
Noise	a. Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise	<b>MM-NOI-1</b> During any earth movement construction activities during any phase of development the developer shall: <ul style="list-style-type: none"> <li>• Locate stationary construction noise sources such as generators or pumps at least 300 feet from sensitive land uses,</li> </ul>	<b>MM-NOI-1</b> <i>During any earth movement construction activities.</i>	<b>MM-NOI-1</b> <i>Building Division.</i>	<b>MM-NOI-1</b> <i>On-site inspection.</i>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
	<p>ordinance, or applicable standards of other agencies?</p>	<p>asfeasible;</p> <ul style="list-style-type: none"> <li>• Locate construction staging areas as far from noise sensitive land uses as feasible;</li> <li>• Ensure all construction equipment is equipped with appropriate noise attenuating devices to reduce the construction equipment noise by 8 to 10 dBA;</li> <li>• Turn off idling equipment when not in use;</li> <li>• Maintain equipment so that vehicles and their loads are secured from rattling and banging;</li> <li>• 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</li> <li>• 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.                         <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ The noise control barriers and</li> </ul> </li> </ul>				



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>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.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>MM-NOI-4</b> 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":</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul>	<p><b>MM-NOI-4</b> Prior to the approval of an implementing project.</p>	<p><b>MM-NOI-4</b> Building Division.</p>	<p><b>MM-NOI-4</b> Plan check</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p><b>MM-NOI-5</b> The Project will require a final acoustical analysis (for each implementing project) 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).</p>	<p><b>MM-NOI-5</b> Prior to the approval of an implementing project.</p>	<p><b>MM-NOI-5</b> Building Division.</p>	<p><b>MM-NOI-5</b> Plan check &amp; Separate submittal - reports, studies, plans.</p>	
	<p>b. Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</p>	<p>See <b>MM-NOI-2</b> through <b>MM-NOI-5</b>, above.</p>				
	<p>c. Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</p>	<p>See <b>MM-NOI-2</b>, above.</p>				
<p>Transportation/Traffic</p>	<p>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?</p>	<p><b>MM-TR-1</b> 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 1<sup>st</sup> occupancy):</p> <ul style="list-style-type: none"> <li>• Roadway Segment Improvements                             <ul style="list-style-type: none"> <li>○ Construct new extension of Shadow View Boulevard from to Dillon Road to Avenue 48;</li> <li>○ Construct new extension of Avenue 47 from Tyler Street to Shadow View Boulevard; and</li> <li>○ Construct new extension of Avenue 48 from Tyler Street to Shadow View Boulevard.</li> </ul> </li> <li>• Roadway Segment Improvements                             <ul style="list-style-type: none"> <li>○ Construct new extension of Shadow</li> </ul> </li> </ul>	<p><b>MM-TR-1</b> prior to the 1<sup>st</sup> occupancy.</p>	<p><b>MM-TR-1</b> Public Works Department.</p>	<p><b>MM-TR-1</b> Plan check.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>View Boulevard from to Dillon Road to Avenue 48;</p> <ul style="list-style-type: none"> <li>○ Construct new extension of Avenue 47 from Tyler Street to Shadow View Boulevard; and</li> <li>○ Construct new extension of Avenue 48 from Tyler Street to Shadow View Boulevard.                             <ul style="list-style-type: none"> <li>○ Construct new extension of Avenue 47/Shadow View Boulevard to Dillon Road.</li> <li>○ Install traffic signal</li> <li>○ Install southbound (SB) left-turn lane.</li> <li>○ Install westbound (WB) left-turn lane.</li> <li>○ Install WB right-turn signal.</li> </ul> </li> <li>● Intersection of Tyler Street and Avenue 47:                             <ul style="list-style-type: none"> <li>○ Install all-way stop signs.</li> </ul> </li> <li>● Intersection of Tyler Street and Avenue 48:                             <ul style="list-style-type: none"> <li>○ Install all-way stop signs.</li> </ul> </li> <li>● Intersection of Street "A" and Vista Del Sur:                             <ul style="list-style-type: none"> <li>○ Install all-way stop signs.</li> <li>○ Install NB left-turn lane.</li> <li>○ Install EB right-turn signal.</li> </ul> </li> <li>● Intersection of Street "A" and Avenue 47:                             <ul style="list-style-type: none"> <li>○ Install all-way stop signs.</li> <li>○ Install northbound (NB) left-turn lane.</li> <li>○ Install NB thru-turn lane.</li> <li>○ Install NB thru/right-turn lane.</li> <li>○ Install SB left-turn lane.</li> <li>○ Install SB thru-turn lane.</li> <li>○ Install SB thru/right-turn lane.</li> <li>○ Install eastbound (EB) left-turn</li> </ul> </li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<p>lane.</p> <ul style="list-style-type: none"> <li>○ Install EB thru-turn lane.</li> <li>○ Install EB thru/right-turn lane.</li> <li>○ Install WB left-turn lane.</li> <li>○ Install WB thru-turn lane.</li> <li>○ Install WB thru/right-turn lane.</li> </ul> <ul style="list-style-type: none"> <li>● Intersection of Street “A” and Avenue 48:                             <ul style="list-style-type: none"> <li>○ Install all-way stop signs.</li> <li>○ Install NB left-turn lane.</li> <li>○ Install NB thru-turn lane.</li> <li>○ Install NB thru/right-turn lane.</li> <li>○ Install SB left-turn lane.</li> <li>○ Install SB thru-turn lane.</li> <li>○ Install SB thru/right-turn lane.</li> <li>○ Install EB left-turn lane.</li> <li>○ Install EB thru-turn lane.</li> <li>○ Install EB thru/right-turn lane.</li> <li>○ Install WB left-turn lane.</li> <li>○ Install WB thru-turn lane.</li> <li>○ Install WB thru/right-turn lane.</li> </ul> </li> <li>● Intersection of Polk Street and Avenue 48:                             <ul style="list-style-type: none"> <li>○ Install all-way stop signs.</li> </ul> </li> </ul> <p><b>MM-TR-2</b> 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 1<sup>st</sup> occupancy):</p> <ul style="list-style-type: none"> <li>● Tyler Street and Avenue 47:                             <ul style="list-style-type: none"> <li>○ Install NB left-turn lane.</li> <li>○ Install NB thru-turn lane.</li> <li>○ Install SB left-turn lane.</li> <li>○ Install SB thru-turn lane.</li> <li>○ Install EB left-turn lane.</li> <li>○ Install EB thru-turn lane.</li> <li>○ Install WB left-turn lane.</li> </ul> </li> </ul>	<p><b>MM-TR-2</b> prior to the 1<sup>st</sup> occupancy.</p>	<p><b>MM-TR-2</b> Public Works Department.</p>	<p><b>MM-TR-2</b> Plan check.</p>	



Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<ul style="list-style-type: none"> <li>○ Install WB thru-turn lane.</li> <li>• Intersection of SR-86 and Avenue 50:                             <ul style="list-style-type: none"> <li>○ Install a traffic signal.</li> </ul> </li> </ul> <p><b>MM-TR-3</b> 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 (prior to the 1<sup>st</sup> occupancy):</p> <ul style="list-style-type: none"> <li>• Dillon Road and I-10 WB Ramps: 13.5%                             <ul style="list-style-type: none"> <li>○ Install Traffic Signal</li> </ul> </li> <li>• Dillon Road and I-10 EB Ramps: 17.94%                             <ul style="list-style-type: none"> <li>○ Install Traffic Signal</li> </ul> </li> <li>• Dillon Road and Shadow View Boulevard: 20.86%                             <ul style="list-style-type: none"> <li>○ Install Two (2) NB right-turn lanes</li> <li>○ Install NB right-turn overlap phase</li> <li>○ Install One (1) additional SB left-turn lane</li> <li>○ Install One (1) additional WB left-turn lane</li> <li>○ Install WB right-turn overlap phase</li> </ul> </li> <li>• Dillon Road and SR-86 NB Ramps: 22.83%                             <ul style="list-style-type: none"> <li>○ Install One (1) additional NB thru lane</li> </ul> </li> <li>• Dillon Road and SR-86 SB Ramps: 24.14%                             <ul style="list-style-type: none"> <li>○ Install One (1) additional NB thru lane</li> <li>○ Install One (1) additional NB right-turn lane</li> </ul> </li> <li>• Dillon Road and Avenue 48: 23.96%                             <ul style="list-style-type: none"> <li>○ Install One (1) additional EB right-</li> </ul> </li> </ul>	<p><b>MM-TR-3</b> prior to the 1<sup>st</sup> occupancy.</p>	<p><b>MM-TR-3</b> Public Works Department.</p>	<p><b>MM-TR-3</b> Plan check.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<ul style="list-style-type: none"> <li>turn lane</li> <li>○ Install One (1) additional WB right-turn lane</li> <li>• Tyler Street and Avenue 47: 48.34%                             <ul style="list-style-type: none"> <li>○ Install Traffic Signal</li> <li>○ Install One (1) additional NB left-turn lane</li> </ul> </li> <li>• Tyler Street and Avenue 48: 32.62%                             <ul style="list-style-type: none"> <li>○ Install Traffic Signal</li> <li>○ Install NB left-turn lane</li> <li>○ Install NB thru lane</li> <li>○ Install SB left-turn lane</li> <li>○ Install SB thru lane</li> <li>○ Install EB left-turn lane</li> <li>○ Install EB thru lane</li> <li>○ Install WB left-turn lane</li> <li>○ Install WB thru lane</li> </ul> </li> <li>• Tyler Street at Avenue 50: 13.82%                             <ul style="list-style-type: none"> <li>○ Install Traffic Signal</li> <li>○ Install Three (3) NB left-turn lanes</li> <li>○ Install One (1) additional SB thru lane</li> <li>○ Install Two (2) additional SB right-turn lanes</li> <li>○ Install SB right-turn overlap phase</li> <li>○ Install Two (2) EB left-turn lanes</li> <li>○ Install Two (2) EB right-turn lanes</li> <li>○ Install EB right-turn overlap phase</li> </ul> </li> <li>• SR-86 and Avenue 50: 13.59%                             <ul style="list-style-type: none"> <li>○ Install One (1) additional NB thru lane</li> <li>○ Install Two (2) additional SB right-turn lanes</li> <li>○ Install Two (2) additional EB left-turn lanes</li> <li>○ Install One (1) additional EB thru lane</li> <li>○ Install One (1) EB right-turn lane</li> <li>○ Install One (1) WB right-turn lane</li> </ul> </li> </ul>				

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		<ul style="list-style-type: none"> <li>○ Install One (1) additional WB thru lane</li> <li>○ Improve signal phasing to protected east/west</li> <li>● Polk Street at Avenue 50: 3.33%                             <ul style="list-style-type: none"> <li>○ Install Traffic Signal</li> <li>○ Install NB left-turn lane</li> <li>○ Install NB thru turn lane</li> <li>○ Install SB left-turn lane</li> <li>○ Install SB thru turn lane</li> <li>○ Install EB left-turn lane</li> <li>○ Install EB thru turn lane</li> <li>○ Install WB left-turn lane</li> <li>○ Install WB thru turn lane</li> </ul> </li> </ul>				
	<p>Would 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?</p>	<p>See <b>MM-TR-2</b> and <b>MM-TR-3</b>, above.</p>				
	<p>Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>	<p><b>MM-TR-4</b> 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.</p> <p><b>MM-TR-5</b> Concurrent with subsequent development projects within the Specific Plan, Sunline Transit District shall be</p>	<p><b>MM-TR-4</b> Prior to any construction on the Project site.</p> <p><b>MM-TR-5</b> Concurrent with subsequent</p>	<p><b>MM-TR-4</b> City Engineering Department.</p> <p><b>MM-TR-5</b> City Engineering Department</p>	<p><b>MM-TR-4</b> Plan check &amp; Separate submittal - reports, studies, plans.</p> <p><b>MM-TR-5</b> Plan check.</p>	

Impact Category	Impact	Mitigation Measures	Implementation Timing	Responsible Party	Method of Verification	City Verification of Compliance (Date/Initials)
		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.	<i>development projects within the Specific Plan.</i>	<i>and Sunline Transit District.</i>		
	Would the Project result in inadequate emergency access?	<i>See MM-TR-4, above.</i>				
	Would 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?	<i>See MM-TR-5, above.</i>				

# Appendix A

## Vista del Agua EIR Distribution List

Riverside County Fire Dept.  
Attn: Luke Milick, Assistant Fire Marshal  
77-933 Las Montanas Rd., Suite 201  
Palm Desert, CA 92211

City of La Quinta  
Planning Manager  
78495 Calle Tampico  
La Quinta, CA 92253

Riverside County Geologist  
Attn: David Jones  
P.O. Box 1409  
Riverside, CA 92502

Agricultural Commissioner's Office  
Indio District Office  
81077 Indio Blvd., Ste. K  
Indio, CA 92201

CVAG  
Attn: Tom Kirk  
73710 Fred Waring Dr, Ste 200  
Palm Desert, CA 92260

Regional Water Quality Control Board--  
#7 Colorado River Basin Region  
73720 Fred Waring Dr  
Palm Desert, CA 92260

Riverside County LAFCO  
Attn: George Spiliotis  
3850 Vine Street, Suite 110  
Riverside, Ca. 92507

CV Mosquito & Vector Control  
43420 Trader Place  
Indio, CA 92201

Riverside Co Environmental Health  
47923 Oasis Street  
Indio, CA 92201

Center for Biological Diversity  
1212 Broadway, Ste. 800  
Oakland, CA 94612

Verizon (Engineering)  
295 N Sunrise Way  
Palm Springs, CA 92262

CV Mountains Conservancy  
73-710 Fred Waring Dr Ste 112  
Palm Desert, CA 92260

Department of Public Health  
Health Administration Building  
4065 County Circle Drive  
Riverside, CA 92503

Mission Springs Water District  
66575 Second Street  
Desert Hot Springs, CA 92240

SCAG  
900 Wilshire Blvd., Ste. 1700  
Los Angeles, CA 90017

Riverside County Transp. Commission  
4080 Lemon Street, 3rd Floor  
P.O. Box 12008  
Riverside, CA 92502-2208

Riverside County Transp. Dept.  
Development Review Section  
4080 Lemon Street, 8th Floor  
P.O. Box 1090  
Riverside, CA 92502-1090

SCAQMD  
21865 E Copley Dr  
Diamond Bar, CA 91765-4182

Sierra Club  
San Gorgonio Chapter  
Attn: Tahquitz Group  
4079 Mission Inn Avenue  
Riverside, CA 92501-3204

Desert Recreation District  
45-305 Oasis Street  
Indio, CA 92201

Desert Sands USD  
47-950 Dune Palms  
La Quinta, CA 92253

U.S. Bureau of Land Management  
Palm Springs - South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, California 92262

Coachella Valley Water Dist. Engineering  
Department  
P.O. Box 1058  
Coachella, CA 92236

City of Indio  
Community Development Dept.  
P.O. Box 1788  
Indio, CA 92202

Riverside County Sheriff  
86625 Airport Blvd  
Thermal, CA 92274-9703

Riverside County Airport Land Use  
Commission  
4080 Lemon St., 14th Floor  
Riverside, CA 92502

Riverside County Supervisor  
73-710 Fred Waring Drive, Suite 222  
Palm Desert, CA 92260

Riverside County Transportation  
77588 El Duna Ct. Ste. H  
Palm Desert, CA 92211

Riverside County Planning Dept.  
P.O Box 1409  
Riverside, CA 92502-1409

Imperial Irrigation District  
La Quinta Office-Dist. Supt.  
81600 Ave. 58  
La Quinta, CA 92253

Brian Gumpert, CBO  
Willdan Engineering  
1515 6<sup>th</sup> Street  
Coachella, CA 92236

California Dept. of Fish & Wildlife  
Attn: Kim Nicol  
70-078 Country Club Ste 109  
Bermuda Dunes, CA 92203

U.S. Fish & Wildlife Service  
Eastern Sierra & Inland Region  
Attn: Jenness McBride  
777 E Tahquitz Canyon Way, Suite 208  
Palm Springs, CA 92262

California Energy Commission  
1516 Ninth St. Ms-29  
Sacramento, CA 95814-5512

Sunline Transit Agency  
Attn: Anita M. Petke  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276-3501

California Native American Heritage  
Commission  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691

Time Warner Construction Dept  
83473 Avenue 45  
Indio, CA 92201

Verizon Planning Department  
16071 Mojave Drive  
Victorville, CA 92392

Burrtec Waste Disposal  
41575 Eclectic  
Palm Desert, CA 92260

Desert Valleys Builders Association  
Attn: Gretchen Gutierrez  
75100 Mediterranean  
Palm Desert, CA 92211

SoCal Gas  
Attn: Vern Kenner  
211 N Sunrise  
Palm Springs, CA 92262

Bigelow Development Associates  
6252 Cavalleri Road  
Malibu, Ca. 90265

Shadow View Management, LLC  
Thomas F. DiMare, Manager  
82-025 Avenue 44  
Indio, CA 92201

Andrzej Matyczynski  
William Boggan  
6100 Center Drive  
Suite 900  
Los Angeles, CA 90045

All American Green, LLC  
Attn: George R. Phillips, JR  
800 Wilshire Boulevard, Fifteenth Floor  
Los Angeles, CA 90017-2619

Charles Ellis  
P.O. Box 3850  
Haily, ID 83333

Joseph Ontiveros  
Cultural Resources Director  
Soboba Band of Luiseno Indians  
P.O Box 487  
San Jacinto, CA 92581

John A. James, Chairperson  
Cabazon Band of Mission Indians  
84-245 Indio Springs Parkway  
Indio, CA 92203-3499

Santa Rosa Band of Cahuilla Indians  
P.O. Box 391820  
Anza, CA 92539

Patricia Garcia  
Tribal Historic Preservation  
Agua Caliente Band of Cahuilla Indians –  
5401 Dinah Shore Drive  
Palm Springs, CA 92264

Los Coyotes Band of Mission  
Indians  
P.O. Box 189  
Warner Springs, CA 92086

Anthony Madrigal, Jr., Chairperson  
Cahuilla Band of Indians  
P.O. Box 391760  
Anza, CA 92539

Augustine Band of Mission Indians  
P.O. Box 846  
Coachella, CA 92236

Morongo Band of Mission Indians  
12700 Pumarra Road  
Banning, CA 92220

Ramona Band of Cahuilla Indians  
P.O. Box 391371  
Anza, CA 92539

Agua Caliente Band of Cahuilla Indians –  
Tribal Chairperson  
5401 Dinah Shore Drive  
Palm Springs, CA 92264

Michael Mirelez  
Cultural Resource Coordinator  
Torres-Martinez Desert Cahuilla Indians  
P.O. Box 1160  
Thermal, CA 92274

Morongo Band of Mission Indians  
Environmental Protection Dept.  
12700 Pumarra Rd  
Banning, CA 92220

Darrell Mike  
Tribal Chairman  
29 Palms Band of Mission Indians  
46200 Harrison Street  
Coachella, CA 92236

Jacquelyn Barnum  
Director of Environment & Compliance  
Cabazon Band of Mission Indians  
84245 Indio Springs Drive  
Indio, CA 92201



Coachella Valley Resource  
Conservation District  
81077 Indio Blvd., Suite A  
Indio, CA 92201

Coachella Library  
1538 7th Street  
Coachella, CA 92236

Komalpreet Toor  
Lozeau/Drury LLP  
410 12th Street; Suite 250  
Oakland, CA. 94607

**PROPERTY OWNERS CERTIFICATION FORM**

I,           VINNIE NGUYEN           certify that on           May 31, 2018          ,

The attached property owners list was prepared by           Riverside County GIS          ,

APN(S):603150007,603150011,603150012,603150010,603150009,6031500  
05,603150004,603150008,603130003,603130004,603130009,603122005 ✓  
for

Company or Individual's Name           RCIT - GIS          ,

Distance buffered           4270'          

Pursuant to application requirements furnished by the Riverside County Planning Department. Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

TITLE:           GIS Analyst          

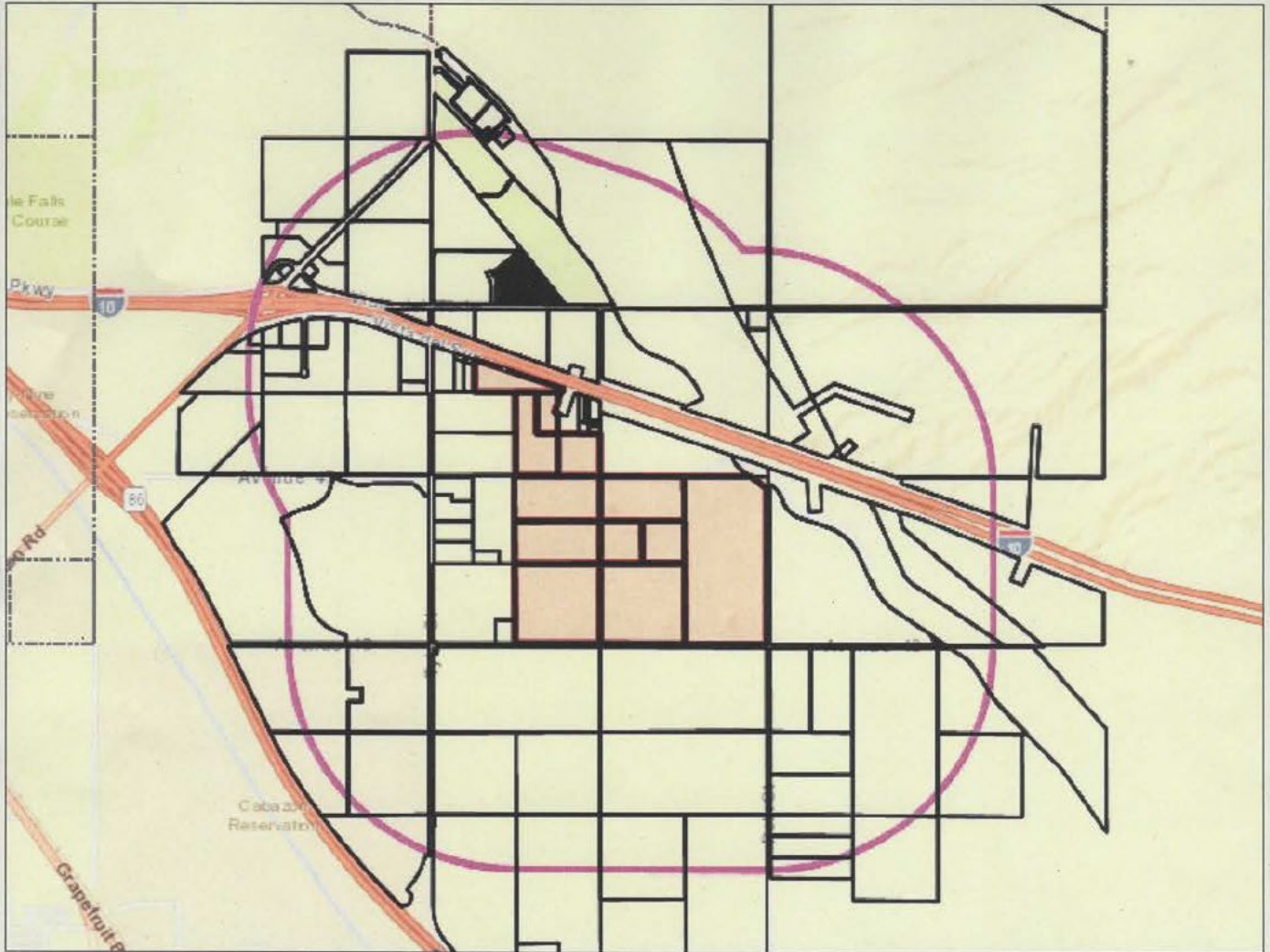
ADDRESS:           4080 Lemon Street 9<sup>TH</sup> Floor          

          Riverside, Ca. 92502          




TELEPHONE NUMBER (8 a.m. – 5 p.m.):           (951) 955-8158

# Riverside County GIS

APN: 603150007,603150011,603150012,603150010,603150009,603150005,  
603150004,603150008,603130003,603130004,603130009,603122005 ( 4270 feet buffer )



## Legend

-  County Boundary
-  Cities
-  World Street Map

## Notes



0 3,009 6,019 Feet



**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...5/31/2018 3:57:54 PM

© Riverside County RCIT



697330010  
ELIZABETH ANN KOMICK  
JAMES MICHAEL KOMICK  
815 MANHATTAN AVE NO D  
MANHATTAN BEACH CA 90266

697280015  
COUNTY OF RIVERSIDE  
C/O C/O REAL ESTATE DIVISION  
P O BOX 1180  
RIVERSIDE CA 92502

603140012  
SY CORP  
P O BOX 73790  
SAN CLEMENTE CA 92673

696520004  
MEDJOOL 179 FARMS ASSOC  
C/O C/O JAMES GRAY MGMT  
4545 ALLSTATE DR  
RIVERSIDE CA 92501

603130012  
ESMERALDA P GARCIA  
PO BOX 526  
COACHELLA CA 92236

603170012  
BETTY J WALTON  
MARTY WALTON  
47783 CALLE FIESTA  
INDIO CA 92201

603130009  
CVP PALM SPRINGS  
4255 DEAN MARTIN DR STE J  
LAS VEGAS NV 89103

603340005  
LA GRANJA 240  
P O BOX 14467  
PALM DESERT CA 92255

603140010  
JEFF YASSAI  
SEYED HAJAR YASSAI  
P O BOX 73790  
SAN CLEMENTE CA 92673

603320008  
CARDINAL DISTRIBUTING CO INC  
85810 GRAPEFRUIT BLV  
COACHELLA CA 92236

697344025  
VINEYARD VILLAS ASSN  
C/O C/O WEST ASSN MGMT  
550 S OLEANDER RD  
PALM SPRINGS CA 92261

603290013  
CHARLES M ELLIS  
BRANDENBURG OAK GROVE  
GORDON RUSSE  
C/O CHARLES M ELLIS  
P O BOX 3850  
HAILEY ID 83333

697344025  
VINEYARD VILLAS ASSN  
C/O C/O WEST ASSN MGMT  
550 S OLEANDER RD  
PALM SPRINGS CA 92261

603320004  
WILLIAM G SOMMERVILLE  
ROLAND J JENSEN  
GARY K KAESTNER  
C/O GARY K KAESTNER  
1010 E CHESTNUT  
SANTA ANA CA 92701

603170013  
D D DUNLAP COMPANIES INC  
SHAMOON RANCHES LTD  
SYD DAVIS  
C/O COZETTE DUNLAP  
16897 ALGONQUIN ST STE A  
HUNTINGTON BEACH CA 92649

603330009  
VINTAGE KOLO 84  
FREMONT MORENO THIRD STREET  
C/O C/O LUNDIN DEV CO  
16400 PCH STE 207  
HUNTINGTON BEACH CA 92649

603330014  
STATE OF CALIF  
C/O DEPT OF TRANSPORTATION  
464 W FOURTH ST 6TH FL  
SAN BERNARDINO CA 92401

697320076  
VINEYARD COACHELLA OWNER ASSN  
44790 DILLON RD  
COACHELLA CA 92236

697320021  
DANIEL D STRICKER  
CHERYL A STRICKER  
P O BOX 275  
COACHELLA CA 92236

697320022  
ROBINS NEST PARK  
C/O 50461 RANGE ROAD 262  
44473 MASSON DR  
COACHELLA CA. 92236

697350001  
BLAIR RANCH  
C/O C/O RICHARD L BLAIR  
340 BRIGHT ROCK  
PALM DESERT CA 92211

697344007  
VINEYARD VILLAS ASSN  
C/O C/O WEST ASSN MGMT  
550 S OLEANDER RD  
PALM SPRINGS CA 92264

696550001  
RIVERDALE PARTNERS  
8753 KING RANCH RD  
ALTA LOMA CA 91701

697320063  
GARLAND L RIENDEAU  
CAROL L RIENDEAU  
PO BOX 2159  
CAMARILLO CA 93011

697330002  
COACHELLA VINEYARD LUXURY RV PARK  
18325 DOMINO ST  
TARZANA CA 91335

696540006  
DEIRDRE ANN CHRISTENSEN  
GREGORY CHRISTENSEN  
ANN L CHRISTENSEN

15881 HIGHWAY 101 S  
BROOKINGS OR 97415

697341026  
ALEXANDER USMANOV  
18044 VALLEY VISTA BLV  
ENCINO CA 91316

697341027  
AMBER BOYKINS MOORE  
86223 GRENACHE LN  
COACHELLA CA. 92236

697343003  
MARLENE AUCHMAN  
3914 CORBIN AVE  
TARZANA CA 91356

697343006  
JUDIANN SIMON  
86204 GRENACHE LN  
COACHELLA CA. 92236

697341030  
VARDAN ASIKIAN  
446 SCHOLL DR  
GLENDALE CA 91206

697341030  
VARDAN ASIKIAN  
446 SCHOLL DR  
GLENDALE CA 91206

697330003  
COACHELLA VINEYARD LUXURY APARTMENTS  
18325 DOMINO ST  
TARZANA CA 91335

697343008  
COACHELLA VINEYARD ESTATES  
1777 VENTURA BLV NO 220  
ENCINO CA 91316

697343004  
LUNA HUANG  
SHU CHEN ZEITOUNY  
18243 SENTENO ST  
ROWLAND HEIGHTS CA 91748

697341020  
SHU ER TING  
SHU CHEN ZEITOUNY  
18243 SENTENO ST  
ROWLAND HEIGHTS CA 91748

697344009  
EYAL SHLOMO SHEMESH  
PO BOX 570283  
TARZANA CA 91357

697341032  
ALEXANDER PLUGAR  
17835 PALORA ST  
ENCINO CA 91316

697344012  
ARAM ADJINIAN  
1303 N CENTRAL AVE NO E  
GLENDALE CA 91202

696550002  
OASIS 25 PARTNERS  
C/O C/O RIE MGMT CO  
725 W VENTURA BLV NO F  
CAMARILLO CA 93010

696550004  
DESERT LANDCO LTD PARTNERSHIP  
C/O C/O JERRY WALKER  
P O BOX 11527  
PALM DESERT CA 92255

697344011  
LIANA VIRABYAN  
5315 WHITE OAK AVE APT K  
ENCINO CA 91315



697341025  
LUIS F MARTINEZ  
ORCELA MARTINEZ  
86230 SONOMA CT  
COACHELLA CA. 92236

697341029  
CRAIG SUMMERS  
86209 GRENACHE LN  
COACHELLA CA. 92236

697320059  
ERIN L BARBIERI  
P O BOX 1753  
BENICIA CA 94510

697320062  
ROBIN T PETERSON  
C/O 50461 RANGE RD 262  
86177 SONOMA CREEK RD  
COACHELLA CA. 92236

697320058  
GRANT D FULMORE  
BEVERLY S FULMORE  
11157 BEUTEL RD  
OREGON CITY OR 97045

697320064  
ROBINS NEST PARK  
C/O 50461 RANGE ROAD 262  
44468 MASSON DR  
COACHELLA CA. 92236

697320061  
ROBERT T RUSSELL  
SHIRLEY LYNNE RUSSELL  
83103 AVENUE 48 NO 1B 191  
COACHELLA CA 92236

697320060  
ALLEN L DENSON  
MARSHA M DENSON  
C/O PMB 402  
79405 HWY 111 STE 9  
LA QUINTA CA 92253

603350014  
ELENA BONILLA  
MARCOS G REYES  
MARCOS REYES

49250 POLK ST  
COACHELLA CA. 92236

603350002  
HUGO BRUNO TOTTINO  
CHARLES E BOUTONNET  
WILLIAM J MORESCO

10855 OCEAN MIST PKWY NO A  
CASTROVILLE CA 95012

697342016  
VARDAN ASIKIAN  
446 SCHOLL DR  
GLENDALE CA 91206

697342014  
YAACOV ATIAS  
3700 CALLE JAZMIN  
CALABASAS CA 91302

603350016  
RUFINO R GOMEZ  
ROSIE GOMEZ  
85386 ARABY AVE  
COACHELLA CA 92236

697342013  
REVITAL SHEMESH ATIAS  
24704 VIA PRADERA  
CALABASAS CA 91302

697341016  
MARVIN A FARRIS  
CINDY M FARRIS  
2620 JOSHUA AVE  
CLOVIS CA 93611

697344017  
CAMILLE S ZEITOUNY  
18243 SENTENO ST  
ROWLAND HEIGHTS CA 91748

697344013  
COLIN S MCCARTER  
GLORIA CHEN  
919 WILDROSE DR  
BREA CA 92821

697342003  
ETEL LEIT  
6069 HORNER ST UNIT 3  
LOS ANGELES CA 90035

697344020  
TIMOTHY CHEN  
1125 RODDY WAY  
LA HABRA CA 90631

697344021  
ARTUR MOMJYAN  
ANI MOMJYAN  
13376 HYLAND CT  
SYLMAR CA 91342

697344016  
YANIV MADMON  
824 W WOOSTER ST NO 107  
LOS ANGELES CA 90035

697341035  
CAMILLE S ZEITOUNY  
18243 SENTENO ST  
ROWLAND HEIGHTS CA 91748

697342002  
DVIN  
5039 SERRANIA AVE  
WOODLAND HILLS CA 91364

697340002  
ARTEMISA B FELIX  
86257 PINOT NOIR  
COACHELLA CA. 92236

697340003  
RICHARD PELSUE  
CARLA PELSUE  
3355 JUNIPER CIR  
LAKE ELSINORE CA 92530

697340004  
PATRICIA NUGENT  
86241 PINOT NOIR LN  
COACHELLA CA. 92236

697341017  
SIVAHN GOTTLIEB  
4910 ENFIELD  
ENCINO CA 91316

697344018  
SKYLINE DEVELOPERS  
3400 S MAIN ST  
LOS ANGELES CA 90007



697342020  
J R M REALTY  
17777 VENTURA BLV STE 220  
ENCINO CA 91316

697342012  
EYAL SHLOMO SHEMESH  
PO BOX 570283  
TARZANA CA 91357

696550003  
LOVES COUNTRY STORES OF CALIF  
C/O C/O BURKE & ASSOCIATES  
15 W 6TH ST NO 2400  
TULSA OK 74119

697341004  
ERMA Y SOLIS  
86187 PINOT NOIR LN  
COACHELLA CA. 92236

697341022  
FABIOLA MEZA  
86208 SONOMA CT  
COACHELLA CA. 92236

696550008  
COACHELLA DILLON  
5820 OBERLIN DR STE 201  
SAN DIEGO CA 92121

697342009  
ISABEL P CERVANTES  
86226 PINOT NOIR LN  
COACHELLA CA. 92236

697342019  
RACHAEL E TUBUL  
18550 HATTERAS ST NO 61  
TARZANA CA. 91356

697341008  
BEN Y KORA  
18505 MAYALL ST NO C  
NORTHRIDGE CA. 91324

697342011  
GENEVIEVE FILMARDIROSSIAN  
4358 W KING ST  
BURBANK CA. 91505

697340005  
SHAI H WINOGRAD  
820 GLACIER PEAK LN NO 205  
LAS VEGAS NV 89144

697341002  
AKOP BAKALYAN  
6244 RANCHITO AVE  
VAN NUYS CA. 91401

603102035  
CAMP COURT  
C/O C/O JOSEPH D MACKIL  
530 11TH ST  
MODESTO CA 95353

603140016  
KPC DEV CO  
890 W STETSON AV STE B  
HEMET CA 92543

697341009  
WENDY M WALTERS  
18325 DOMINO ST  
TARZANA CA 91355

697340006  
RANDY STEINBERG  
8600 RHEEM AVE  
SOUTH GATE CA 90280

696550006  
G&M REALCO  
C/O C/O G&M OIL  
16868 A ST  
HUNTINGTON BEACH CA 92647

603121006  
SALAH MICHAEL TAHAN  
16596 COLONIAL DR  
FONTANA CA 92336

697344006  
ABRAHAM GOTTLIEB  
18325 DOMINO ST  
TARZANA CA 91335

697343005  
JOSE RENE NUNO  
ALICIA FIMBRES NUNO  
86196 GRENACHE LN  
COACHELLA CA. 92236

603102024  
WILLIAM GRIVAS  
503 PACIFIC AVE  
SOLANA BEACH CA 92075

603121005  
FRED REICH  
37 CLEAR VISTA DR  
ROLLING HILLS ESTATES CA 90274

603122007  
JOSE MANUEL NUNEZ  
CELIA NUNEZ  
83798 AVENIDA SERENA  
INDIO CA 92203

603130001  
MICHAEL A RICH  
46600 TYLER ST  
COACHELLA CA. 92236

603130007  
PAUL J CURTRIGHT  
D DIANE ALEXANDER  
86475 VISTA DEL SUR  
COACHELLA CA. 92236

603122001  
LUIS GUERRA HUERTA  
29800 PUSHAWALLA RD  
INDIO HILLS CA 92241

603102020  
FRATERNAL ORDER OF EAGLES AERIE NO 2594  
46425 TYLER ST  
COACHELLA CA 92236

603102025  
LATIN AM CALIF CONF PENTECOSTAL  
C/O C/O FAMILY WORSHIP CENTER  
P O BOX 2465  
INDIO CA 92201

603102019  
VISTA DEL SUR  
C/O C/O CHARLES M ELLIS  
P O BOX 517  
NEWMAN CA 95360

603121008  
BROADCAST CENTER INC  
2145 E TAHQUITZ CYN 4136  
PALM SPRINGS CA 92262

697344005  
ABRAHAM GOTTLIEB  
18325 DOMINO ST  
TARZANA CA 91335

603122004  
L C YOUNG  
DONNA LEA YOUNG  
86115 VISTA DEL SUR  
COACHELLA CA. 92236

603130006  
FABIAN M HERRERA  
MARIA C HERRERA  
22700 LONGVUE DR  
DSRT HOT SPGS CA 92241

603150019  
PATRICIA E PARTIDA  
47150 TYLER ST  
COACHELLA CA 92236

603130002  
HARRIET MARILYNN YOUNG  
81910 ARUS AVE  
INDIO CA 92201

603122003  
JOSE MANUEL NUNEZ  
CELIA NUNEZ  
83798 AVENIDA SERENA  
INDIO CA 92203

603102018  
READING ASSOC PAYROLL SERVICES  
C/O STE 300  
5995 SEPULVEDA BLVD  
CULVER CITY CA 90230

603130015  
JOEL DIAZ  
LINDA J DIAZ  
40795 ADRIATICO CT  
INDIO CA 92203

603130013  
PAUL J CURTRIGHT  
D DIANE ALEXANDER  
86475 VISTA DEL SUR  
COACHELLA CA 92236

603150002  
LEONARD M BURTON  
3620 HOLMES CIR  
HACIENDA HEIGHTS CA 91745

603130014  
OSCAR GARCIA  
86479 VISTA DEL SUR  
COACHELLA CA. 92236

603170004  
KAAREN I HOFFMAN  
101 SPINDRIFT DR  
RCH PALOS VERDES CA 90275

603150018  
CYNTHIA MARIE LOPEZ  
86101 AVENUE 47  
COACHELLA CA. 92236

603150015  
AUSENCIO RAMOS  
52454 CALLE TECHA  
COACHELLA CA 92236

603150003  
EDDIE GONZALEZ  
43710 TYLER ST  
COACHELLA CA 92236

603150014  
AURORA J HERNANDEZ  
52454 CALLE TECHA  
COACHELLA CA 92236

603350015  
JOSE LUIS CASTRO  
RAQUEL V CASTRO  
47376 MANGROVE ST  
INDIO CA 92201

696550010  
COACHELLA HOSPITALITY  
C/O C/O DATO PROPERTY MGMT  
20945 DEVONSHIRE NO 107  
CHATSWORTH CA 91311